



FEMA Region III Ordinance Review Checklist

July 14, 2009

Community: _____ CID: _____ State: _____

Reviewer: _____ Date: ___/___/___ (circle one) FEMA State Other: _____

Reviewer's Determination: Compliant NON - Compliant

Approved by: _____ (FEMA only) Date: ___/___/___

Flood Zones: A AE AE(w/oFW)
AO AH
Level of Regulations: a b c d e
(If a community has both floodways & coastal high hazard areas, circle d & e.)

NOTE: The "Item Description" is a synopsis of the regulatory requirement and should not be construed as a complete description. Refer to the actual language contained in the National Flood Insurance Program Rules and Regulations for complete descriptions of the required standards.

Item Description <i>(Section reference to NFIP Regulations follows)</i>	State Model	Community's Ordinance	
		Review	Approval
Required provisions for all ordinances			
1. Citation of Statutory Authorization. [59.22(a)(2)]	Article I		
2. Purpose section citing health, safety, and welfare reasons for adoption. [59.22(1)]	2.01(A)		
3. Abrogation and Greater Restriction section. [60.1(b)]	2.03		
4. Adequate enforcement provisions including a violations/penalty section specifying community actions to assure compliance. [60.2(e)]	3.10		
5. Adopt or reference correct Flood Insurance Rate Map (and where applicable, Flood Boundary Floodway Map) and date. [60.2(h)]	4.01		
6. Adopt or reference correct Flood Insurance Study and date. [60.2(h)]	4.01		
7. Include a reference to all subsequent revisions and amendments to above-referenced flood maps and Flood Insurance Study.	4.01		
8. Adopt definitions of:			
<input type="checkbox"/> Base Flood	<input type="checkbox"/> Manufactured Home		
<input type="checkbox"/> Base Flood Elevation	<input type="checkbox"/> Manufactured Home Park or Subdivision		
<input type="checkbox"/> Basement	<input type="checkbox"/> New Construction/Date _____		
<input type="checkbox"/> Development	<input type="checkbox"/> New Manufactured Home Park or Subdivision		
<input type="checkbox"/> Existing Manufactured Home Park or Subdivision	<input type="checkbox"/> Recreational Vehicle		
<input type="checkbox"/> Expansion to an Existing Manufactured Home Park or Subdivision	<input type="checkbox"/> Special Flood Hazard Area		
<input type="checkbox"/> Flood Insurance Rate Map	<input type="checkbox"/> Start of Construction		
<input type="checkbox"/> Flood Insurance Study	<input type="checkbox"/> Structure		
<input type="checkbox"/> Floodway	<input type="checkbox"/> Substantial Damage		
<input type="checkbox"/> Lowest Floor	<input type="checkbox"/> Substantial Improvement		
	<input type="checkbox"/> Violation		
& other definitions as appropriate such as:			
<input type="checkbox"/> Floodproofing	<input type="checkbox"/> Highest Adjacent Grade (A0)		
<input type="checkbox"/> Historic Structures	[59.1]		
	9.02		

NOTE: Definitions for Existing, Expansion to An Existing, Manufactured Home Park or Subdivision or New Manufactured Home Park are not required if community requires elevation of all manufactured homes to the BFE (1986 regulations).

Community requires elevation of all manufactured homes placed/substantially improved to the BFE (1986 regulations).

Item Description (Section reference of NFIP Regulations follows)	State Model	Community's Ordinance	
		Review	Approval
Required provisions for all ordinances (continued)			
9. Severability section. (If any section, provision or portion of the ordinance is deemed unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.)	2.04		
10. Disclaimer of Liability (Degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.)	2.05		
11. Framework for administering the ordinance (permit system, establish office for administering the ordinance, <i>recordkeeping</i> , etc.) [59.22(b)(1)]	Article III		
12. Designate title of community Floodplain Administrator [59.22 (b)]	3.01		
13. Requirement to submit new technical data: within 6 months, notify FEMA of changes in the base flood elevation by submitting technical or scientific data so insurance & floodplain management can be based on current data. [65.3]	4.03, 5.01 B		
14. Variance section with evaluation criteria & insurance notice. [60.6(a)]	Article VIII		
15. For adopted ordinance: Signature of Appropriate Official & Certification. Date ordinance adopted: _____ <i>Effective Date</i> _____ <i>Ordinance Number</i> _____	Article X		
60.3 (a) When no SFHA's have been identified, no water surface elevation data has been provided, and floodways and coastal high hazards areas have not been identified and the community applies for participation in the NFIP, the following are required:			
16. Require permits for all proposed construction or other development including placement of manufactured homes. [60.3(a)(1)]	N/A for (b)-(e)		
17. Assure that all other State and Federal permits are obtained. [60.3(a)(2)]	3.03 B		
18. Review subdivision proposals to assure that: (a) Such proposals minimize flood damage. [60.3(a)(4)(i)]	3.04 B 1		
(b) Public utilities and facilities are located & constructed so as to minimize flood damage. [60.3(a)(4)(ii)]	3.04 B 2		
(c) Adequate drainage is provided. [60.3(a)(4)(iii)]	3.04 B 3,		
19. Review permits to assure sites are reasonably safe from flooding and require for new construction and substantial improvements in flood-prone areas: [60.3(a)(3)]	3.04 B 1,		
(a) Anchoring (including manufactured homes) to prevent floatation, collapse, or lateral movement. [60.3(a)(3)(i)]	3.04 B 4, 5.03 H		
(b) Use of flood-resistant materials. [60.3(a)(3)(ii)]	3.04 B 5		
(c) Construction methods/practices that minimize flood damage. [60.3(a)(3)(iii)]	3.04 B 6		
(d) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities designed and/or located to prevent water entry or accumulation. [60.3(a)(3)(iv)]	3.04 B 7		
20. Require new and replacement water supply and sanitary sewer systems to be designed to minimize or eliminate infiltration. [60.3(a)(5) & (6)]	5.03 C 1&2		
21. Require on-site waste disposal systems be located to avoid impairment or contamination. [60.3(a)(6)(ii)]	5.03 C 3		

Community: _____

Level of Regulations: a b c d e

Item Description (Section reference of NFIP Regulations follows)	State Model	Community's Ordinance	
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60.3(b) When SFHA's are identified by the publication of a community's FHBM or FIRM, but water surface elevation data have not been provided or a floodway or coastal high hazard area has not been identified, then all the above ordinance provisions for 60.3(a) and the following are required:			
22. Require permits for all proposed construction and other development within SFHAs on the FIRM. [60.3(b)(1)]	3.02		
23. Where BFE data are utilized, obtain and maintain records of lowest floor and floodproofing elevations for new construction and substantial improvements. [60.3(b)(5)]	3.04 C 3 a & b, 4 b		
24. In A Zones, in the absence of FEMA BFE data and floodway data, consider other available data as basis for elevating residential structures to or above base flood level, and for floodproofing or elevating nonresidential structures to or above base flood level. [60.3(b)(4)]	4.02 C 2b		
25. In riverine areas , notify neighboring communities of watercourse alterations or relocations. [60.3(b)(6)]	5.01 A 1		
26. Maintain flood carrying capacity of altered or relocated watercourse. [60.3(b)(7)]	5.01 A 2		
27. Require base flood elevation data for subdivision proposals or other developments greater than 50 lots or 5 acres. [60.3(b)(3)]	5.05		
28. Require all manufactured homes to be elevated and anchored to resist flotation, collapse, or lateral movement. [60.3(b)(8)]	5.06		
60.3(c) When final flood elevations, but no floodways or coastal high hazard areas have been provided on a community's FIRM, then all the above ordinance provisions for 60.3(a) & 60.3(b) and the following are required:			
29. Require all new and substantially improved <u>residential</u> structures within A1-30, AE, and AH Zones have their lowest floor (including basement) elevated to or above the BFE. [60.3(c)(2)]	5.02 A 1		
30. In AO Zones, require that new and substantially improved <u>residential</u> structures have their lowest floor (including basement) at or above the highest adjacent grade at least as high as the FIRM's depth number. [60.3(c)(7)]	<input type="checkbox"/> Community has no AO zones.		
	5.02 A 2		
31. Require that new and substantially improved <u>nonresidential</u> structures within A1-30, AE, and AH Zones have their lowest floor elevated or floodproofed to or above the base flood elevation. [60.3(c)(3)]	5.02 B 1		
32. In AO Zones, require new and substantially improved <u>nonresidential</u> structures have their lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number on the FIRM. [60.3(c)(8)]	<input type="checkbox"/> Community has no AO zones.		
	5.02 B 2		
33. Require that, for floodproofed non-residential structures, a registered professional/architect certify that the design and methods of construction meet requirements at (c) (3) (ii). [60.3(c)(4)]	5.02 B 3		

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Item Description (Section reference of NFIP Regulations follows)	State Model	Community's Ordinance	
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60.3(c) (continued)			
34. Within Zones A1-30 and AE without a designated floodway, new development shall not be permitted unless it is demonstrated that the cumulative effect of all past and projected development will not increase the BFE by more than 1 foot. [60.3(c)(10)]	<input type="checkbox"/> All AE zones have floodways designated. 4.02 B 2b		
35. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage have permanent openings designed to allow the entry and exit of flood waters in accordance with specifications of 60.3(c)(5).	5.02 C		
36. In Zones AO and AH, require drainage paths around structures on slopes to guide water away from structures. [60.3(c)(11)]	<input type="checkbox"/> Community has neither AO nor AH zones. 5.06 C		
37. Require that manufactured homes placed or substantially improved within A1-30, AH, and AE Zones, which meet one of the following location criteria, to be elevated such that the lowest floor is at or above the BFE and be securely anchored: i. outside a manufactured home park or subdivision; ii. in a new manufactured home park or subdivision; iii. in an expansion to an existing manufactured home park or subdivision; iv. on a site in an existing park which a manufactured home has incurred substantial damage as a result of flood. [60.3(c)(6)]	<input type="checkbox"/> Community requires elevation of all manufactured homes placed/substantially improved to the BFE (1986 regulations). 5.06 C		
38. In A1-30, AH, and AE Zones, require that manufactured homes to be placed or substantially improved in an <u>existing</u> manufactured home park to be elevated so that: i. the lowest floor is at or above the BFE <u>or</u> ii. the chassis is supported by reinforced piers no less than 36 inches above grade and securely anchored. [60.3(c)(12)]	<input type="checkbox"/> Community requires elevation of all manufactured homes placed/substantially improved to the BFE (1986 regulations). 5.06 C		
39. In A1-30, AH, and AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored <u>or</u> be on the site for less than 180 consecutive days <u>or</u> be fully licensed and highway ready. [60.3(c)(14)]	5.07		
60.3(d) When final flood elevations and floodway delineations have been provided on a community's FIRM, then all the above ordinance provisions for 60.3(a), 60.3(b) & 60.3(c) and the following are required:			
40. In a regulatory floodway, prohibit any encroachment which would cause any increase in the base flood level unless hydrologic and hydraulic analyses prove that the proposed encroachment would not increase flood levels during the base flood discharge. [60.3(d)(3)]	4.02 A 2		

Community: _____

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Item Description (Section reference of PA Act 166 of 1978 follows)	State Model	Community's Ordinance	
		Review	Approval
PA Floodplain Management Act			
<p>41. Any <u>new</u> or <u>substantially improved</u> structure which:</p> <ol style="list-style-type: none"> 1. will be used for the <u>production</u> or <u>storage</u> of any of the following dangerous materials or substances; or, 2. will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or, 3. will involve the production, storage, or use of any amount of radioactive substances; <p>shall be subject to the provisions of Section 5.04, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:</p> <ul style="list-style-type: none"> • Acetone • Ammonia • Benzene • Calcium carbide • Carbon disulfide • Celluloid • Chlorine • Hydrochloric acid • Hydrocyanic acid • Magnesium • Nitric acid and oxides of nitrogen • Petroleum products (gasoline, fuel oil, etc.) • Phosphorus • Potassium • Sodium • Sulphur and sulphur products • Pesticides (including insecticides, fungicides, and rodenticides) • Radioactive substances, insofar as such substances are not otherwise regulated. <p style="text-align: right;">(32 P.S. § 679.207)</p>	5.04 A		
<p>42. The following activities shall be prohibited within any identified floodplain area unless a Special Permit has been issued:</p> <ol style="list-style-type: none"> 1. Hospitals - public or private; 2. Nursing homes - public or private; 3. Jails; and 4. New mobile home parks and mobile home subdivisions, and substantial improvements to such existing parks and subdivisions. (32 P.S. § 679.301) 	6.01		
<p>43. Applications for Special Permits must include:</p> <ol style="list-style-type: none"> 1. Site plan information. 2. Building plan information. 3. Necessary data and documentation. 	6.02 C D E		