

**NOTICE OF POCOPSON TOWNSHIP
FLOODPLAIN ORDINANCE AMENDMENT**

Please be advised that on Monday, August 14, 2017 at 7:30 P.M. prevailing time, at Pocopson Township Building, 740 Denton Hollow Road, West Chester, PA 19382, the Pocopson Township Board of Supervisors will conduct a public hearing to consider and immediately thereafter during its regular meeting decide whether or not to enact an Ordinance. The title and summary of the principal provisions of the ordinance are as follows: AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF POCOPSON, AT CHAPTER 250, "ZONING," TO DELETE ARTICLE VI, FLOODPLAIN CONSERVATION DISTRICT IN ITS ENTIRETY AND CREATE A NEW ARTICLE VI, FLOODPLAINS, REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF POCOPSON TOWNSHIP WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS, DELETING AND AMENDING TERMS IN §250-6, DELETING §250-7.C IN ITS ENTIRETY, AMENDING §§250-9.A, 250-56, 250-85, 250-87.B(8), 250-87.C BY REMOVING REFERENCES TO THE FLOODPLAIN CONSERVATION DISTRICT, AND AMENDING §250-94.E(1)(C) TO REFERENCE ARTICLE VI; AT CHAPTER 178, STORMWATER MANAGEMENT, BY AMENDING AND ADDING DEFINITIONS AT §179-14, AND AMENDING §§178-15.R, 178-24.E, AND 178-27.B(8)(O) FOR CONSISTENCY WITH THE ZONING CHAPTER; AND AT CHAPTER 190, SUBDIVISION AND LAND DEVELOPMENT, AT §190-6 TO AMEND AND DELETE TERMS, §§190-24.B(3), 190-25.E, FOR CONSISTENCY WITH THE ZONING CHAPTER, AND OTHER MISCELLANEOUS PROVISIONS CONTAINED HEREIN. Section 1 amends Chapter 250, "Zoning," by the deletion of Article VI, "Floodplain Conservation District," in its entirety. Section 2 amends Chapter 250, "Zoning," by the addition of a new Article VI, "Floodplains," providing for statutory authorization, general provisions, administration, identification of floodplain areas, technical provisions, activities prohibited, existing structures in identified floodplain areas, variances, and definitions. Section 3 amends §250-6 by the deletion of the following terms: floodway, one-hundred-year flood, regulatory flood, and regulatory flood elevation. Section 4 amends §250-6 by the deletion of references to the conservation district in the definition of "net tract area". Section 5 deletes §250-7.C in its entirety and marks it reserved. Section 6 amends §250-9.A by the deletion of references to the floodplain conservation district. Section 7 amends §250-56 by the deletion of references to the conservation district and § 250-38B and E. Section 8 amends §250-85 by the deletion of references to the floodplain conservation district. Section 9 amends §250-87.B(8) by the deletion of reference to conservation district. Section 10 amends §250-87.C by the deletion of reference to the floodplain conservation district. Section 11 amends §250-94.E(1)(c) by the deletion of reference to one hundred year floodplain. Section 12 amends §178-14 by amending the definitions of flood, floodplain area, and floodway. Section 13 amends §178-14 by the addition of the term, identified floodplain area. Section 14 amends §178-15.R by the insertion of the term identified floodplain and the deletion of references to special flood hazard designated by the FEMA and maintaining flood carrying capacity of floodway. Section 15 amends §178-24.E by updating appropriate regulations. Section 16 amends §178-27.B(8)(o) by the deletion of reference to FEMA, and special flood hazard areas and the insertion of the term identified floodplain area. Section 17 amends §190-6 by amending the definition of the term floodplain. Section 18 amends §190-6 by the deletion of the terms flood fringe, and floodway. Section 19

amends §190-24.B(3) by the deletion of reference to floodplain district, and the insertion of reference to identified floodplain areas. Section 20 amends §190-25.E by the deletion of references to floodplain, flood hazard areas, and conservation district. Section 21 repeals all ordinances or parts of ordinance conflicting or inconsistent herewith. Section 22 provides for severability if any sentence, clause, section, or part of this Ordinance is held to be unconstitutional, illegal, or otherwise invalid. Section 23 permits General Code to make nonsubstantive formatting and numbering changes. Section 24 provides for the Ordinance to become effective on September 29, 2017. A complete copy of the proposed Ordinance may be examined and copies obtained (for the cost of reproducing same) at the Township Building, Monday through Friday, 8:00 A.M. to 5:00 P.M., 740 Denton Hollow Road, West Chester, Pennsylvania. In addition, attested copies of the Ordinance are on file at The Daily Local News, 250 North Bradford Avenue, West Chester, PA 19382 and the Chester County Law Library, 201 W. Market Street, Suite 2400 West Chester, PA 19380 where the same can be examined without charge. If any person wishing to attend the meeting has a disability and/or requires an auxiliary aid, service or other accommodation, he or she should contact the Township at 610-793-2151, to discuss how those needs may be accommodated.

Unruh, Turner, Burke & Frees
Township Solicitor