

**MYERSTOWN BOROUGH
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 853

AN ORDINANCE OF MYERSTOWN BOROUGH, LEBANON COUNTY, PENNSYLVANIA, AMENDING ORDINANCE #841, THE BOROUGH OF MYERSTOWN ZONING ORDINANCE OF 2017.

WHEREAS, the Borough of Myerstown amended its Official Zoning Ordinance and Official Zoning Map on May 22, 2017 by adopting Ordinance No. 841, the Borough of Myerstown Zoning Ordinance of 2017 (the “Zoning Ordinance”); and

WHEREAS, a revision to the Flood Insurance Study (FIS) and/or Flood Insurance Rate Map (FIRM) in Lebanon County requires Myerstown Borough to adopt updated Floodplain Management provisions within its Zoning Ordinance to maintain compliance with current regulations;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MYERSTOWN THAT THE FOLLOWING AMENDMENTS SHALL BE MADE TO THE ZONING ORDINANCE:

SECTION 1. Part 14 – Administration, Section 27-1403 – Permits and Certificates, Subsection 2. – Repairs and Maintenance, shall be amended to state as follows:

2. Repairs and Maintenance. Ordinary repairs and maintenance to existing structures that do not involve an expansion or change of a use or structure shall not by itself be regulated by this Ordinance. Examples of such work include replacement of a roof or porch that does not involve enclosure of space. (However, a Construction Permit under Construction Codes may be needed for such work.). A permit is required for all development proposed within an Identified Floodplain Area (see Part 9).

SECTION 2. The following sections of Part 9 – Floodplain Regulations (Overlay District) shall be amended, as reflected in Exhibit “A”, attached hereto and incorporated as though fully set forth herein:

Section 27-901 – General Floodplain Provisions and Statutory Authorization:

- Subsection 2. Applicability
- Subsection 3. Greater Restrictions

Section 27-902 – Floodplain Administration:

Subsection 3. Responsibilities of the Floodplain Administrator

Section 27-903 – Identification of Floodplain Areas:

Subsection 1. Identification

Subsection 2. Description of and Special Requirements Within the Identified Floodplain Areas

Section 27-904 – Floodplain Technical Provisions:

Subsection 1. General

Subsection 2. Elevation and Floodproofing Requirements

Subsection 7. Special Requirements for Recreational Vehicles

Section 27-906 – Existing Structures in Identified Floodplain Areas

Subsection 2. Improvements.

Section 27-907 – Floodplain Variances

Subsection 2. Variance Procedures and Conditions

Section 27-908 – Floodplain Definitions

Subsection 2. Specific Definitions

SECTION 3. The Table of Contents of Ordinance No. 841 shall be amended to reflect accurate page numbers resulting from any pagination changes associated with the amendments made herein and as reflected in Exhibit “A”, attached hereto and incorporated as though fully set forth. All Sections and Paragraphs of Ordinance No. 841 shall be renumbered in accordance with the amendments made herein and as reflected in Exhibit “A”.

SECTION 4. Upon adoption of this Ordinance and all amendments as reflected in Exhibit “A”, attached hereto, the amendments to Part 9 – Floodplain Regulations (Overlay District) shall be fully incorporated into the Borough of Myerstown Zoning Ordinance as shown on Exhibit “B”, attached hereto.

SECTION 5. If any provision, sentence, clause, section, or part of this Ordinance or the application thereof to any person or circumstance is for any reason found to be unconstitutional, illegal, or invalid by a court of competent jurisdiction, such

unconstitutionality, illegality, or invalidity shall not affect or impair the validity of any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. All other sections, parts and provisions of the Code of Ordinances of the Borough of Myerstown shall remain in full force and effect as previously enacted and amended.

SECTION 6. This Ordinance shall be effective immediately upon enactment by Borough Council as provided by law.

ENACTED AND ORDAINED this ____ day of _____, 2020.

ATTEST:

MYERSTOWN BOROUGH

By: _____
Michael R. McKenna, Secretary

By: _____
Bryan Rittle, President

Examined and Approved this ____ day of _____, 2020.

By: _____
Gloria Ebling, Mayor