CHAPTER 8

FLOOD PLAIN REGULATION

Part 1

**General Provisions**

 **§101. Statement of Intent.** The intent of this Part is to:

 (1) Promote the general health, welfare, and safety of the community.

 (2) Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.

 (3) Minimize danger to public health by protecting water supply and natural drainage.

 (4) Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in area subject to flooding.

 **§102. Applicability.**

 (1) It shall be unlawful for any person, partnership, business, or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Township unless an approved Building Permit has been obtained from the Building Permit Officer.

 (2) A Building Permit shall not be required for minor repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

 **§103. Abrogation and Greater Restrictions.** This Part supersedes any provisions currently in effect in flood-prone areas. However, any underlying Part shall remain in full force and effect to the extent that those provisions are more restrictive.

 **§104. Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this Part shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Part, which shall remain in full force and effect, and for this purpose the provisions of this Part are hereby declared to be severable.

 **§105. Municipal Liability.** The degree of flood protection sought by the provisions of the Part is considered reasonable for the regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Part does not imply that areas outside any identified flood-prone area, or that land uses permitted within such areas will be free from flooding or flood damages.

 This Part shall not create liability on the part of the Township or any officer or employee thereof for any flood damages that result from reliance on this Part or any administrative decision lawfully made thereunder.

 (Ordinance No. 79, adopted August 28, 1979)