

Ordinance No. 2004-5
Upper Augusta Twp., Northumberland County

**Recreational Uses & Land Development in Designated Floodways and Floodplains
(Supplementing Upper Augusta Twp. Zoning & Subdivision/Land Development Regulations)**

An Ordinance further defining and establishing minimum standards for recreational land development and uses within federally (FEMA) designated floodways and floodplains of the Susquehanna River and its tributaries, and providing for penalties for violation of this ordinance.

Foreword:

The overriding bases for this ordinance are to assure the public's safety and to assure the unimpeded flow of floodwaters through federally designated floodways and floodplains of the Susquehanna River and its tributaries within the boundaries of Upper Augusta Township. Existing requirements set forth in The Upper Augusta Township's Zoning Ordinance and Subdivision/Land Development Regulations remain in force.

Section 1: DEFINITIONS:

Access Driveways: A driveway providing vehicular access to a single or to two adjacent campsites and opening onto an approved access road or access street within a campground.

Access Roads and Streets: Approved roads or streets within a campground used for access or service to campsites; watercraft launching, retrieval, or moorage sites; campground support or recreational facilities; and emergency evacuation routes. Access roads and streets shall enter township or state roads and highways only at approved intersections.

Building:

Camper Trailer: A vehicular unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the campsite and designed to provide temporary living quarters for recreational, camping or travel use.

Campground: A whole or portion of a tract or parcel of land designated for use as recreational camping.

Campground Permits:

Camping:

Camping Season: The calendar period beginning April 15th and ending October 15th.

Camping Unit:

Campsite: A designated location of specified minimum dimensions used for camping within a campground with a clear, level, well-drained pad for accommodating a recreational camping unit.

Campsite Classification:

Campsite Dimensional Standards:

Common Areas: All land in a campground designated for common usage but which can also be subject to easements, rights-of-way, and restrictions as to use. Maintenance of common areas shall be the responsibility of the campground owner(s).

Drainage:

Emergency Evacuation Agreement:

Emergency Evacuation Plan:

Floodplain (100 year):

Floodway:

Footpath: Designated paths for use by individuals (and pets) for unassisted (except for wheelchairs) transport such as walking or jogging

Moorage: The site of anchoring of a boat or other flotation device in or at the edge of a lake or waterway.

Motor Homes: A vehicular unit built on a self-propelled motor vehicle chassis, designed to provide temporary living quarters for recreation, camping or travel use.

Off-season Camping:

Parking Configuration:

Portable Accessory Structure: A non-inhabited structure capable of being readily and quickly transformed into a configuration for removal from a temporary location in a recreational use area (ex. storage container).

Recreation Vehicles: A vehicular type of unit designed as temporary living quarters for recreational camping or travel use which either has its own motive power or is mounted on or drawn by another vehicle.

Self-contained Camping Unit:

Setback: The specified minimum distance from the waterfront edge to the closest part of a camping unit or portable accessory structure on a campsite

Structure: Any man made object having an ascertainable location above, on or in land or water, whether or not affixed to the land.

Tent: "Tent" means a moveable shelter made of canvas or other similar material and supported by a pole, poles or pole frame and designed and manufactured to provide temporary living quarters for recreational and camping use and is dependent upon separate toilet and lavatory facilities.

Transient Camping:

Trails: Designated paths with appropriate usage signage within campgrounds for individual unassisted or assisted non-motorized transport such as bicycle, horseback, etc..

Travel Trailers: A towed, wheeled vehicular unit of such size or weight as not to require special highway moving permits when drawn by a motorized vehicle. Such units are designed and constructed to provide temporary living quarters for recreational camping, or travel use, and are of a size no more than three hundred (300) square, nor more than eight feet (8) in width when in towing configuration.

Truck Camper: A portable unit, designed to be loaded onto, or affixed to, the bed or chassis of a truck and constructed to provide temporary living quarters for recreational, camping or travel use.

Utilities:

Waterfront Edge:

Waterfront Setback:

Section 2: RESTRICTION: LAND USE

Site characteristics (topography, soils, ground water level, drainage, and rock or impermeable formations) shall lend themselves to recreational uses while avoiding hazards to public health, safety and welfare. No permanent or semi-permanent structure may be built or permanently anchored to the ground in a floodway that impedes floodwaters and/or causes any increase in the 100 year flood level at any point and/or cannot withstand the pressure, flotation or erosive effects of flood waters with flow rates over 1 meter/second at a height equal to or below the 100 year flood level. Permanent and semi-permanent structures may be erected on contiguous portions of a campground outside designated floodways/floodplains subject to applicable zoning and construction requirements. No recreation vehicle or camping unit other than those described or defined herein shall be placed on any camp-site. All recreation vehicles and camping units shall be maintained in operable and moveable condition at all times and situated in such a manner to insure ready rapid removal from the floodway/floodplain areas. All watercraft moorage sites must be designed and placed to facilitate ready, rapid retrieval and removal of watercraft in event of flooding or other waterborne emergency. Parking and/or use of recreational vehicles and other recreational camping units in designated floodways or floodplains outside of the camping season (April 15th to October 15th) is not permitted.

Section 3: PERMITS

- A. It shall be unlawful for any person or party to construct and/or maintain a campground within Upper Augusta Township, Northumberland County, Pennsylvania, without first having secured a permit from the township.
- B. Application for such permit shall be provided by the Township Secretary upon request. Following the approval of the Township Supervisors, a permit shall be issued by the Secretary. The completed application shall be accompanied by two current location maps of all campsites, access/evacuation streets and roads, trails, utility services, recreation areas and other facilities within the campground. The maps shall be drawn at an appropriate scale to provide ease of review, but at no less than one (1) inch equals one hundred (100) feet. One map will be forwarded to the Northumberland County Emergency Management Agency for reference should an emergency occur.
- C. The annual Campground Permit Fee shall be determined by the Township Supervisors and may include a fee per camping space as well as the fee for the whole campground.
- D. The permit shall be valid only for the campground for which application is made.
- E. The permit may be transferred provided the campground is in compliance with all provisions of this ordinance and upon payment of a transfer fee set by the Township Supervisors.
- F. In the event the issuance of a permit is authorized by the Township Supervisors for the establishment and maintenance of a campground in accordance with the provisions of this Ordinance, or in the case of a presently existing campground, no change or alteration shall be made unless application therefor shall be made to the Supervisors. As in the case of the original establishment of a campground, a permit is thereupon authorized to be granted for such change or alteration by the Supervisors.
- G. The Supervisors may revoke, suspend, or refuse to renew a permit at such time as there is evidence of non-compliance with this ordinance.

Section 4: STANDARDS

- A. Campsite minimum dimensional standards:
 - 1. Campsites for non-vehicular camping units (tents, canopies, etc.) shall measure a minimum of twenty five (25) feet in width and length.
 - 2. Campsites for vehicular camping units (self-contained or towed) not exceeding one hundred (100) inches in width shall measure a minimum of twenty five (25) feet in width and sixty (60) feet in length.
 - 3. Campsites for vehicular camping units (self-contained or towed) capable of expanding to > one hundred (100) inches in width shall measure a minimum of thirty five (35) feet in width and sixty (60) feet in length.
- B. Setback requirements: Each vehicular camping unit placed upon a campsite shall be at least:
 - 1. Seven (7) feet from side campsite lot lines;
 - 2. Eight (8) feet from back campsite lot line and/or shoreline of any water body;
 - 3. Ten (10) feet from front campsite lot line.
 Each non-vehicular camping unit placed upon a campsite shall be at least:
 - 1. Five (5) feet from front or side campsite lot lines;
 - 2. Eight (8) feet from back campsite lot line and/or shoreline of any water body.
- C. Parking: Parking may be provided either on streetside, on each campsite and/or in a designated parking lot. Campsite parking shall provide a clean, level, well-drained area of no less than eight (8) feet by twenty (20) feet dimensions. Streetside parking

may be provided in accordance with streets and road requirements under "D" below and must not obstruct emergency evacuation of campsites in the floodway or floodplain.

D. Streets and Roads: Each campsite for recreation vehicles shall front on an approved access street or access road.

- (1) One way access streets or access roads with campsite parking shall have an improved cartway surface of no less than ten (10) feet.
- (2) Two way access streets and access roads with campsite parking shall have an improved cartway surface of no less than twenty (20) feet.
- (3) One way access streets and access roads with streetside parking on one side shall have an improved cartway surface of no less than ten (10) feet, and no less than ten (10) feet of stabilized shoulder for parking on one side.
- (4) Two way access streets and access roads with streetside parking shall have an improved cartway surface of no less than twenty (20) feet, and no less than ten (10) feet of stabilized shoulder for parking on either or both sides used for streetside parking.
- (5) Access driveways shall have an improved cartway of no less than eight (8) feet and shall not have integral parking along their sides.
- (6) Campsites for non-vehicular recreational camping units need not front on an access road or access street, but if not must be serviced by an access driveway.
- (7) Access roads and access streets shall be graded to provide positive drainage from the both the road cartway and shoulder surfaces. Drains and culverts shall be provided as necessary to maintain proper drainage. Road cartway surfaces on designated evacuation routes must be capable of all-weather travel by recreational vehicles and evacuation emergency towing vehicles at all times.
- (8) Access roads and access streets shall have a maximum grade of six (6) percent to facilitate emergency evacuation under adverse weather or flood conditions.
- (9) Dust on access road, access street and access driveway surfaces shall be controlled using non-polluting materials such calcium chloride, bio-degradable oils or other suitable materials applied in an amount and frequency as necessary.

Section 5: COMPLIANCE WITH OTHER REGULATIONS:

- A. All campgrounds shall comply with the *Rules and Regulations of the Commonwealth of Pennsylvania, Department of Health, as set forth in Article 413, Chapter 4, "Regulations for Control of Sanitation in Organized Camps and Campgrounds" (adopted April 25, 1968, as amended)*.
- B. Violation of the above shall constitute violation of this ordinance and such violator shall be subject to penalties described herein.

Section 6: ADDITIONAL REQUIREMENTS:

- A. In addition to compliance with the standards set forth in this ordinance, the Township Supervisors may make additional requirements as deemed necessary to protect the health, safety, morals and general welfare of the public. Such additional requirements shall be included in the plan for the campground and shall be complied with prior to the issuance or renewal of a permit.

Section 7: CAMPGROUNDS IN EXISTANCE AT THE TIME OF ADOPTION OF THIS ORDINANCE;

- A. Any person or party operating a campground in a designated floodway/floodplain Within Upper Augusta Township, Northumberland County at the time of adoption of this ordinance shall make application for a permit, including a plan and map of the existing campground and an evacuation plan and map to be used in the event of a flood emergency or other comparable emergency situation.
- B. The Supervisors shall examine the plans and maps to determine whether violations of this ordinance exist and whether the proposed evacuation plan appears feasible and implementable. Any violations or flaws in the plans requiring immediate corrective action must be corrected and proof of such correction shall be required prior to issuance of a permit.
- C. Any person or party operating a campground in a designated floodway/floodplain at the time of adoption of this ordinance shall within one (1) year submit a plan for his campground complying with the requirements of this ordinance and shall within two (2) years of the date of this ordinance comply fully with the requirements and standards herein.

Section 8: VARIANCES:

- A. Upon receipt of evidence that compliance with the requirements and standards of this Ordinance would render undue hardship, the Supervisors may grant a variance to those requirements and standards provided that such variance does not violate the intent of this ordinance and/or endanger the health, safety, morals and general welfare of the public.

Section 9: INSPECTIONS AND REPORTS:

- A. The Township Engineer or duly authorized official(s) of the Township shall make an Annual inspection of all campgrounds located within the Township, and may make additional unannounced inspections as necessary to assure compliance with this ordinance. Following each inspection he shall make a report to the Board of Supervisors at its next meeting on the health, sanitary and safety conditions found in each campground.

Section 10: PENALTIES:

- A. Any person violating any provision of this ordinance shall, upon conviction thereon, In a summary proceeding before a district magistrate in Northumberland County, Pennsylvania, pay a fine of not less then fifty (\$50.00) dollars or more than three hundred (\$300.00) for the use of Upper Augusta Township. Each day of the violation shall constitute a separate violation. In addition to any fine imposed pursuant to this ordinance, any person or party convicted of any violation hereof may have their permit revoked and/or may be sentenced to a term of incarceration for a period not to exceed thirty (30) days.
- B. In addition to the penalty set forth in Paragraph A above, the Township Supervisors Are hereby authorized, or their duly appointed representative is hereby authorized to issue stop, cease and desist orders to any person(s) or party(s) who violate any provision of this ordinance by the institution of appropriate action or proceedings, as

law or in equity to enjoin and restrain any such person(s) or patry(s) from violating any provision of this ordinance.

Section 11: VALIDITY:

- A. Should any section or provision of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part therein, other than the part so declared to be invalid.

Section 12: MAINTENANCE OF RECORDS AND PERMITS:

- A. Each campground shall have an office in which shall be kept copies of all records pertaining to the management and supervision of the campground. Such records shall be available for inspection by the authorized officials of the Township. The permit from the Township shall be on display in a conspicuous place on the premises at all times.
- B. It shall be the duty of the owner or his agent to keep a register of the "head of family" accommodated in the camping units, their regular home address and number and description of their recreational vehicles and other accessory vehicles. Said register shall be open at all times to inspection by any authorized official of the Upper Augusta Township Board of Supervisors or authorized law enforcement officer.

Section 13: CAMPGROUND RULES AND REGULATIONS:

- A. The owner or his agent shall prescribe rules and regulations for the management of the campground and make adequate provision for the display and enforcement of such rules and regulations.

Section 14: EFFECTIVE DATE OF THE ORDINANCE:

- A. This ordinance shall be effective ten (10) days after its enactment.

UPPER AUGUSTA TWP. BOARD OF SUPERVISORS

Attest:

Todd Wetzel Chairman
[Signature]
Rebecca Ray

[Signature]
Secretary