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NEW FLOOD LAW SLAMS MARIETTA

*Federal rules ban restoration, new construction in flood areas;
If house is badly damaged by fire or other cause, it must be torn down*

HISTORIC DISTRICT WILL BE SPARED, U.S. OFFICIAL SAYS

(Map of federal "100 year flood area" on back page)

Marietta Council will soon be wrestling with a set of federal regulations that recently came into effect here—regulations that might eventually cause the destruction of a third of Marietta.

Under federal law, most of Front Street and Hazel Avenue (the alley running between Market and Front) could be bulldozed after another bad flood like Agnes—houses damaged by fire or other means would also be torn down. Any new construction along Front or Hazel is illegal without "floodproofing," a technique which is now vaguely defined, but which sounds very expensive.

There appears to be another, more immediate danger in the new regulations. Their enforcement could, in some cases, make the improvement of existing buildings illegal, causing large sections of Marietta to deteriorate into slums.

The threat comes from the National Flood Insurance Program administered by the Federal Insurance Administration, a branch of HUD. The National Flood Insurance Act, passed in 1968, is aimed at discouraging homes or almost any other structures in federally-designated flood-

plains. The law has been in effect since 1971, but, since there are so many coasts, rivers, streams and potential mudslides in the United States, it has taken until now for HUD to get around to Marietta.

Areas of Mount Joy and the township may also be high on HUD's list.

Nobody is certain, at this point, just how destructive the impact of the federal edict will be. Optimists at a recent meeting of the Restoration Associates hoped that the worst effect would be "psychological"; that a slowdown in restoration activity and property value growth would be the worst consequence of the new rules.

Local officials who know more about the regulations seem more upset. "The purpose of these rules seems to be to doom Marietta," said one councilman.

The extreme complexity of the new rules make their impact difficult to judge. One thing is certain; they contain no good news for Marietta.

HISTORIC DISTRICT TO BE SPARED

The only flood-prone area of Marietta which will not be hurt by the new regulations is the recently-formed National Historic

District. In a telephone interview with the *Susquehanna Times*, Mr. Mac Plaxico, special assistant to the federal insurance administrator, said that buildings listed in either a state or national listing of historic places are not subject to the new rules. Individual buildings, outside the historic district, will also be spared, if they are included in such an inventory.

The regulations cover all houses located on a federally-designated "100 year floodplain" area. Government surveyors recently completed the map, and sent it to the borough on Nov. 30. The borough has ninety days from that date to challenge the federal conclusions. The map, which includes just about everything south of Market Street in the "100 year flood plain" is reproduced on the back page.

WHEN BUILDINGS MUST BE TORN DOWN

Basically, the new regulations make it illegal to "substantially" repair or improve any building in the federal "100 year floodplain." "Substantial" work means any construction costing more than 50 per cent of the market value of

the property either 1.) before the repairs begin, or 2.) before the building was damaged by flood, or any other cause.

Exceptions can be made only if the building is made "substantially impenetrable to water." New construction is also outlawed, unless it is floodproof.

All this means that the restoration of old houses is theoretically illegal, if the restoration effort costs more than 1/2 the original market value of the house.

It also means that, if a house is damaged by flood (or fire, or anything else), it will be bulldozed unless it can be repaired for less than half its pre-disaster value.

The enforcement of the new regulations will be in the hands of borough council, which will be forced to pass new zoning ordinances in line with federal guidelines. Refusal to pass such an ordinance would result in a loss of federal flood insurance for

the borough. Without the insurance, banks could not grant mortgages in the area, and homeowners would have no financial protection from floods.

COUNCIL WILL LEARN MORE JAN. 9

Marietta's solicitor, Richard Umbenhauer, is studying the federal guidelines and will report on his findings at the next meeting of borough council.

[continued on page 2]



The house on the left is safe: it's in the Historic District. The others, to the right of the telephone pole, could be torn down after a flood.