PUBLIC NOTICE
PUBLIC HEARING

The East Stroudsburg Borough Council will hold a Public Hearing on **Tuesday, November 3, 2026** at **7:15 PM**, in the Borough of East Stroudsburg Municipal Building, located at 24 Analomink St., East Stroudsburg, PA, during a Regular Meeting of the Borough Council for **Ordinance No. 1426, Amending Chapter 82 – Flood Damage Prevention** of the East Stroudsburg Code of Ordinances.

After the hearing and during the continuance of the meeting, the Borough Council will, if in order, consider and vote upon **Ordinance No. 1426, Amending Chapter 82 – Flood Damage Prevention**, as well as conduct any other business that may come before the Borough Council. In lieu of setting forth **Ordinance No. 1426** in its entirety, a summary of the proposed **Ordinance** is as follows:

AMENDING CHAPTER 82, FLOOD DAMAGE PREVENTION, OF THE CODIFIED ORDINANCES OF THE BOROUGH OF EAST STROUDSBURG, BY: ADDING PROVISIONS ADDRESSING AUTHORIZED PUBLIC UTILITIES IN FLOODPLAIN AND FLOODWAY AND FLOOD CONTROL STRUCTURES AS PERMITTED USES IN THE FLOODPLAIN; AND VI) AUTHORIZING PROVISIONS FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The hearing is open to the public. All interested parties are welcome to attend and will have an opportunity to be heard. The proposed Ordinance can be examined without charge or obtained for a charge not greater than the actual cost of reproduction thereof at the East Stroudsburg Municipal Building at the address set forth above during normal business hours (8 AM to 5 PM, Monday-Friday) and online at the East Stroudsburg Borough Website www.eaststroudsburgboro.org during regular business hours.

A copy of the proposed Ordinance is also available at the Pocono Record and Monroe County Law Library. If you are a person with a disability and require auxiliary aid, service, or other accommodation to participate in the proceedings, contact the Borough at 570-421-8300 to discuss how your needs may be accommodated. The public hearing can be viewed virtually via the East Stroudsburg Borough's Facebook page.

Kelly Lewis,
Borough Manager
Borough Of East Stroudsburg

BOROUGH OF EAST STROUDSBURG

COMMONWEALTH OF PENNSYLVANIA
BOROUGH OF EAST STROUDSBURG,
MONROE COUNTY

ORDINANCE NO. 1426

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF EAST STROUDSBURG, MONROE COUNTY, PENNSYLVANIA ("BOROUGH") AMENDING CHAPTER 82, FLOOD DAMAGE PREVENTION, OF THE CODIFIED ORDINANCES OF THE BOROUGH OF EAST STROUDSBURG TO ADD PROVISIONS ADDRESSING AUTHORIZED PUBLIC UTILITIES IN FLOODPLAIN AND FLOODWAY AND FLOOD CONTROL STRUCTURES AS PERMITTED USES IN THE FLOODPLAIN.

WHEREAS, the Borough is a Municipal Corporation of the Commonwealth of Pennsylvania, organized and existing under the Pennsylvania Borough Code, as amended, 8 Pa. C.S. §101, et seq., ("Pennsylvania Borough Code"); and

WHEREAS, the East Stroudsburg Borough Council of the Borough pursuant to the Pennsylvania Borough Code, is granted the authority under § 1202 (Specific powers), (2) (authority to operate and regulate utilities), (5) (authority to make regulations for health, welfare and safety of the Borough), (12) (authority to regulate sewers, culverts, drains and their construction and to prohibit the erection or construction of any building or other obstruction), (21) (authority to plan for and regulate development), and (33) (authority to provide against disasters and their consequences and to cooperate with any other agency of government); §1203 (Reserved powers), authority to make and adopt ordinances, bylaws, rules and regulations for proper management and control of the Borough and its finances, and maintenance of safety and welfare; Chapter 20 Sanitary Sewers, §2001, *et seq.,* including §2001, Power to layout and construct sanitary sewers; Chapter 22 Storm Sewers and Watercourses, §2201, *et seq.,* including §2201, Power to erect dykes, retaining walls, and embankments along a water course, alter the course or channel of a non-navigable stream, and acquire, operate and maintain areas for stormwater management, and Chapter 24 Water Systems, §2401, *et seq.,* including §2401, Power to supply water and make regulations; and as authorized by the Pennsylvania Borough Code; and

WHEREAS, the Borough Council of the Borough of East Stroudsburg has adopted Chapter 82 – Flood Damage Prevention as an ordinance to the Borough Code of East Stroudsburg; and

WHEREAS, the Borough Council is revising its Flood Damage Prevention Ordinance to remove inconsistencies in the current Chapter 82 and to clarify existing provisions thereof; and

WHEREAS, the Borough has determined that it is in the best interest of the health, welfare and safety of the citizens, businesses and guests of the Borough to amend the existing ordinance to provide clarity and consistency; and

WHEREAS, Borough Council has conducted a public hearing on the proposed amendment on November 3, 2026, in accordance with the Pennsylvania Borough Code 8 Pa.C.S. § 101, *et seq*.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of East Stroudsburg, Monroe County, Pennsylvania, that the following additions and amendments to Chapter 82 - Flood Damage Prevention of the East Stroudsburg Code of Ordinances be adopted:

SECTION 1 – Section 82-3 Basic development standard is amended by deleting existing Section 82-3 in its entirety and replacing it with the revised Section 82-3 as follows:

§ 82-3. Basic Development Standards.

In designated floodplain areas, only the following types of activities/development meeting all of the following requirements will be permitted:

A. Activities/development that are compatible with maintaining the existing hydrologic regime and do not alter the cross-sectional dimension of the floodplain as required by this Chapter 82.

B. Activities/development permitted under Title 25, Chapter 105 and/or Chapter 106 of the Pennsylvania Code or conveyances required by Title 25, Chapter 102.

C. Activities/development specifically authorized by this Chapter 82.

SECTION 2 – Section 82-5 Prohibited Development is amended by deleting existing Section 82-5 in its entirety and replacing it with the revised Section 82-5 as follows:

§ 82-5. Prohibited Development.

In identified floodplain and floodway areas, the following shall be prohibited except as set forth in Section 82-6.

A. Buildings: all walled and roofed buildings.

B. Any new construction or development that will in any manner retard, divert or alter the natural flow of floodwaters on the site, except activities permitted by the Pennsylvania Department of Environmental Protection under Title 25, Chapter 105 and/or Chapter 106, of the Pennsylvania Code or conveyances required by Title 25, Chapter 102. (See the definition of "development.")

C. Floodway. No new construction or development shall be permitted in any floodway area or, in the absence of a floodway area, within the area measured 50 feet landward from the top-of-bank of any watercourse except as authorized pursuant to 82-6 (B).

D. Developments of special concern.

(1) The commencement of any of the following activities, or the construction, enlargement, or expansion of any structure used or intended to be used for any of the following activities, shall be prohibited:

(a) Hospitals.

(b) Nursing homes.

(c) Jails or prisons.

(2) The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

(3) Recreational vehicles: the long-term parking (greater than or equal to 180 consecutive days) if not fully licensed and ready for highway use.

(4) Fill: the placement of fill material that is not associated with a permitted activity.

(5) Sewage disposal: on-lot or community subsurface sewage disposal systems.

(6) Structures associated with mining or oil and gas production, i.e., water storage, fluid containment, or well pads.

(7) Any type of development or activity shall be prohibited which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises or which will involve the production, storage, or use or any amount of radioactive substances. The following is a list of materials and substances that are considered dangerous to human life:

Acetone

Ammonia

Benzene

Calcium carbide

Carbon disulfide

Celluloid

Chlorine

Hydrochloric acid

Hydrocyanic acid

Magnesium

Nitric acid and oxides of nitrogen

Pesticides (including insecticides, fungicides, and rodenticides)

Petroleum products (gasoline, fuel oil, etc.)

Phosphorus

Potassium

Radioactive substances, insofar as such substances are not otherwise regulated

Sodium

Sulphur and sulphur products

Any other substance as determined by the Borough

SECTION 3 – Section 82-6 Permitted activities/development is amended by deleting existing Section 82-6 in its entirety and replacing it with the revised Section 82-6 as follows:

§ 82-6. Permitted Activities/Development.

The following activities/development are permitted in identified floodplain areas, provided that such activity/development does not involve any activity/development prohibited by § 82-5:

A. Authorized Floodplain activities

(1) Agricultural activities.

(2) Plant nurseries.

(3) Forestry and seed production.

(4) Fish hatcheries.

(5) Parking lots constructed to existing grade.

(6) Temporary fairs or carnivals.

(7) Accessory uses for residential purposes.

(8) Private sportsmen's club activities (for example, archery, hunting, horse shoes, etc.).

(9) Athletic facilities.

(10) Orchards.

(11) Wildlife sanctuaries.

(12) Boat launch sites constructed to existing grade.

(13) Stormwater conveyance and stormwater management facilities for water quality as outlined in the Borough Act 167 Stormwater Management Ordinance.

(14) Recreational vehicles meeting one or more of the following criteria:

i. Must be on the site for fewer than 180 consecutive days; or

ii. Must be fully licensed and ready for highway use.

(15) Maintenance, repair, alteration, installation and removal of existing Flood Control Structures including levees.

B. Authorized Public Utilities Activities in Floodplain and Floodway.

(1) Water supply and sewer disposal facilities designed in accordance with 82-12(G).

(2) Other Public Utilities designed in accordance with 82-12(G).

(3) Any Structure or Development not otherwise regulated herein which has been issued a:

(a) Chapter 105 permit issued by DEP and/or

(b) Chapter 106 permit issued by DEP, as applicable.

SECTION 4 – Section 82-12 Design and construction standards D. (7) is amended by deleting existing Section 82-12, D. (7) in its entirety and replacing it with the revised Section 82-12, D. (7) as follows:

(7) On lot sanitary facilities are prohibited.

SECTION 5 – Section 82-12 Design and construction standards, F. Drainage facilities is amended by deleting existing Section 82-12, F. in its entirety and replacing it with the revised Section 82-12, F. as follows:

F. Drainage facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner in accordance with all applicable Borough stormwater control requirements. The system shall insure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties. All Drainage facilities shall be designed in accordance with Pa Code Title 25 Chapter 105 as applicable.

SECTION 6 – Section 82-12 Design and construction standards, H. Other utilities is amended by deleting existing Section 82-12, H. in its entirety and replacing it with the revised Section 82-12, H. as follows:

H. Other utilities.

a. Utilities such as gas facilities, electrical and telecommunication systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood in accordance with PA Code Title 25 Chapter 105 as applicable.

b. Underground utility lines installed shall be installed in accordance with PA Code Title 25 Chapter 105, as applicable.

SECTION 7 - Severability. It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid or ineffective, if it had advance knowledge that any part would be declared invalid or ineffective.

SECTION 8 - Effective date. This Ordinance shall be effective upon its approval as provided by law.

ORDAINED AND ENACTED into an Ordinance on this 3rd day of November, 2026.

BOROUGH OF EAST STROUDSBURG

By: _____
Borough Council (Vice) President

ATTEST:

_____
(Asst.) Borough Secretary

APPROVED BY:

_____
Mayor

Date: _____

SECRETARY'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1426 adopted by a majority vote of the Borough Council of the Borough of East Stroudsburg at a meeting of the Borough of East Stroudsburg duly held on November 3, 2026. Present at the meeting were and a record of their vote was as follows:

	Present	**Aye**	**Nay**
Sonia Wolbert	_____	_____	_____
Carrie Panepinto	_____	_____	_____
Jane Gagliardo	_____	_____	_____
Paul Shemansky	_____	_____	_____
Charles Garris	_____	_____	_____
Lauren Peterson	_____	_____	_____

Further be it certified that public notice of said meeting was given in the manner provided by law; that said Ordinance shall be duly recorded upon the Minutes of the Council and in the book of ordinances in accordance with law and further that Council has not amended or rescinded the Ordinance, and same is in full force and effect this 3rd of November, 2026.

_____
(Assistant) Secretary

_____
Printed Name

(SEAL)