

ORDINANCE NO. 285

**AN ORDINANCE OF EAST ROCKHILL TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE EAST ROCKHILL TOWNSHIP STORMWATER MANAGEMENT ORDINANCE NO. 273, AS AMENDED BY ORDINANCE NO. 276 (CHAPTER 26, PART 3, OF THE EAST ROCKHILL TOWNSHIP CODE OF ORDINANCES) BY REVISING CERTAIN EXEMPTION AND MISCELLANEOUS REQUIREMENTS.**

*WHEREAS*, on December 17, 2013, East Rockhill Township Board of Supervisors enacted Ordinance No. 273, and thereafter enacted Ordinance No. 276 on October 21, 2014 amending Ordinance No. 273, implementing and amending certain stormwater management requirements; and,

*WHEREAS*, the East Rockhill Township Board of Supervisors wishes to amend the existing Stormwater Management Ordinance at Chapter 26, Part 3 of the East Rockhill Township Code of Ordinances in order to eliminate any potential inconsistencies; and,

*WHEREAS*, the East Rockhill Township Board of Supervisors desires to amend the East Rockhill Township Stormwater Management Ordinance in accordance with all applicable laws and regulations.

*NOW, THEREFORE, BE IT ORDAINED AND ENACTED* by the Board of Supervisors of East Rockhill Township as follows:

**Section I.**

Chapter 26, Part 3, Section 26-305, Subsection 1.A, of the Code of Ordinances of East Rockhill Township is hereby amended to read as follows:

A. General Exemptions. The following land use activities are exempt from stormwater management peak rate and plan requirements of this Part 3. On all sites where a cumulative area of less than 1000 square feet of impervious surface since September 17, 2002 (the date Ordinance No. 199 was adopted) is proposed, the applicant is exempt from the stormwater management plan submission requirements of Section 26-312 of this Part 3 and Stormwater Management Capital Fund contribution.

1. Use of land for gardening for home consumption.
2. Agricultural activity when operated in accordance with a conservation plan, nutrient management plan, or erosion and sedimentation control plan approved by the Bucks County Conservation District, including activities such as growing crops, rotating crops, the tilling of soil, and grazing animals. Installation of new, or expansion of existing, farmsteads, animal housing, waste storage, production areas, or other areas having impervious surfaces shall be subject to the provisions of this Part 3 unless exempt pursuant to § 26-305, Subsection 1C.

3. Forest management operations following the Department of Environmental Protection's management practices contained in its publication "Soil Erosion and Sedimentation Control Guidelines for Forestry" and operating under an E&S plan approved by the Bucks County Conservation District and which have zoning permit approval from East Rockhill Township.
4. Public road replacement, replacement paving, repaving and/or maintenance.
5. Any aspect of BMP maintenance to an existing SWM facility made in accordance with plans and specifications approved by the Township.
6. Lot line adjustment subdivisions when there is no proposed increase in the amount of impervious surface.

## **Section II.**

Chapter 26, Part 3, Appendix G, of the East Rockhill Township Code of Ordinances, Simplified Stormwater Management Procedures for Existing Single-Family Dwelling Lots, is hereby amended by amending Paragraph 1, Projects Eligible for this Procedure, to read as follows:

Projects eligible for this procedure.

Individual home construction projects on single-family lots that result in less than 2,500 square feet of impervious area (including the building footprint, driveway, sidewalks, and parking areas) and less than 5,000 square feet of earth disturbance, but do not meet exemption criteria of § 26-305C, may utilize the simplified procedure contained in this appendix to meet requirements of Part 3 and are not required to submit formal drainage plans to the Township.

## **Section III.**

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

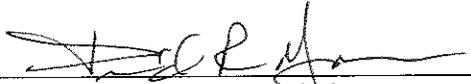
## **Section IV.**

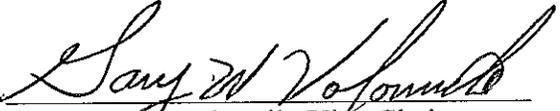
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

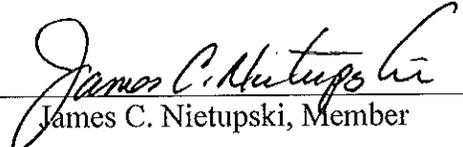
## **Section V.**

This Ordinance shall become effective five (5) days after enactment.

*ENACTED and ORDAINED* this the 13<sup>th</sup> day of December, 2016.

  
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David R. Nyman, Chairman

  
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Gary W. Volovnik, Vice Chairman

  
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James C. Nietupski, Member

Attest:

  
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Marianne Morano, Township Manager