

TOWAMENCIN TOWNSHIP

ORDINANCE #25-05

AN ORDINANCE AMENDING TOWNSHIP CODE CHAPTER 132 [STORMWATER MANAGEMENT] TO COMPLY WITH THE TOWNSHIP'S NPDES PERMIT REQUIREMENTS FOR STORMWATER DISCHARGES FROM THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) AND TO UPDATE SPECIFIC REQUIREMENTS IN THE ORDINANCE, INCLUDING: (1) AMENDING 132-11.R(1)(B); 132-12.C(3); 132-13.C(2); 132-13.C(11); 132-13.H(4); AND 132-13.H(11) REGARDING AUTHORIZED DISCHARGES; INFILTRATION FACILITIES DESIGN; COLLECTION SYSTEM STANDARDS AND PIPE MATERIALS; MINIMUM STORMWATER PIPE DEPTH OF COVER; TIME TO RETURN TO NORMAL CONDITIONS AFTER STORM TERMINATION; AND MINIMUM SLOPE OF RETENTION BASIN BOTTOMS; AND (2) ADDING NEW SECTIONS 132.19.1 ENTITLED "WAIVERS" AND 132-23.C RELATING TO INSPECTION OF STORMWATER MANAGEMENT FACILITIES INSTALLED UNDER THIS ORDINANCE

ENACTED

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ATTESTATION

The attached is an attested copy of Ordinance 25-05 that was enacted by the Board of Supervisors at its July 9, 2025, Meeting.

TOWAMENCIN TOWNSHIP

ROBERT J. IANNOZZI JR.
Solicitor

Date: July 10, 2025

TOWAMENCIN TOWNSHIP

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NOW THEREFORE IT IS HEREBY ENACTED AND ORDAINED by Towamencin Township's Board of Supervisors that the Towamencin Township Code shall be amended as follows:

SECTION 1. AMENDMENT TO SECTION 132-11.R(1)(b) [GENERAL REQUIREMENTS/PROHIBITION AGAINST NONSTORMWATER DISCHARGES/ALLOWABLE DISCHARGES]

Section 132-11.R(1)(b) [General Requirements/Prohibition Against Nonstormwater Discharges/Allowable Discharges] is amended to read as follows:

- (b) The following discharges are authorized unless they are determined to be significant contributors to pollution a regulated small MS4 or to the waters of this Commonwealth:
 - [1] Discharges or flows from firefighting activities.
 - [2] Discharges from potable water sources including water line flushing and fire hydrant flushing, if such discharges do not contain detectable concentrations of Total Residual Chlorine (TRC).

- [3] Non-contaminated irrigation water, water from lawn maintenance, landscape drainage and flows from riparian habitats and wetlands.
- [4] Diverted stream flows and springs.
- [5] Non-contaminated pumped ground water and water from foundation and footing drains and crawl space pumps.
- [6] Non-contaminated HVAC condensation and water from geothermal systems.
- [7] Residential (i.e., not commercial) vehicle wash water where cleaning agents are not utilized.
- [8] Non-contaminated hydrostatic test water discharges, if such discharges do not contain detectable concentrations of TRC.

SECTION 2. AMENDMENT TO SECTION 132-12.C(3) [VOLUME CONTROLS, WATER QUALITY REQUIREMENTS, AND INFILTRATION BMPS]

Section 132-12.C(3) [Volume Controls, Water Quality Requirements, and Infiltration BMPS] is amended to read as follows:

- (3) All infiltration facilities shall be designed to completely infiltrate runoff volume in not less than 24 hours (1 day) and not more than 72 hours (3 days) from the end of the rain event.

SECTION 3. AMENDMENT TO SECTION 132-13.C(2) [DESIGN AND CONSTRUCTION CRITERIA FOR STORMWATER MANAGEMENT FACILITIES/BEST MANAGEMENT PRACTICES/COLLECTION SYSTEM STANDARDS/PIPE MATERIALS]

Section 132-13.C(2) [Design and Construction Criteria for Stormwater Management Facilities/Best Management Practices/Collection System Standards/Pipe Materials] is amended to read as follows:

- (2) Pipe materials. All storm sewer piping shall be Class III reinforced concrete pipe (RCP) or smooth lined high-density polyethylene pipe (HDPE), conforming to PennDOT Publication 408. RCP shall be saw-cut at ends, as

needed, not hammered or broken and all pipe joints and lift holes must be mortared except where designed for infiltration.

SECTION 4. AMENDMENT TO SECTION 132-13.C(11) [DESIGN AND CONSTRUCTION CRITERIA FOR STORMWATER MANAGEMENT FACILITIES/BEST MANAGEMENT PRACTICES/COLLECTION SYSTEM STANDARDS/MINIMUM STORMWATER PIPE DEPTH OF COVER]

Section 132-13.C(11) [Design and Construction Criteria For Stormwater Management Facilities/Best Management Practices/Collection System Standards/Minimum Stormwater Pipe Depth of Cover] is amended to read as follows:

- (11) Stormwater pipes shall have a minimum depth of cover of 18 inches or as designated by the manufacture's recommendations (whichever is greater), and in no case shall any part of the pipe project into the road subbase or curb. Where cover is restricted, equivalent pipe arches may be specified in lieu of circular pipe, to achieve required cover. Stormwater pipes conveying swale flow under driveway crossings shall have a minimum cover of 12 inches, including over the bell, but in no case shall the cover be less than that required for the anticipated traffic loading. For driveway culverts, cover may be less than 12 inches if the design engineer verifies such pipe has sufficient strength for the anticipated vehicle loading. Where cover is restricted, concrete trench drain with bolt-down metal grate may be used.

SECTION 5. AMENDMENT TO SECTION 132-13.H(4) [DESIGN AND CONSTRUCTION CRITERIA FOR STORMWATER MANAGEMENT FACILITIES/BEST MANAGEMENT PRACTICES/STORMWATER DETENTION/RETENTION BASINS/TIME PERIOD TO RETURN TO NORMAL CONDITIONS AFTER TERMINATION OF STORM]

Section 132-13.H(4) [Design and Construction Criteria for Stormwater Management Facilities/Best Management Practices/Stormwater Detention/Retention Basins/Time Period to Return to Normal Conditions After Termination of Storm] is amended to read as follows:

- (4) Stormwater management facilities shall be designed to completely drain in not less than 24 hours (1 day) and not more than 72 hours (3 days) from the end of the rain event, unless the Township determines that

downstream conditions may warrant other design criteria for stormwater release.

SECTION 6. AMENDMENT TO SECTION 132-13.H(11) [DESIGN AND CONSTRUCTION CRITERIA FOR STORMWATER MANAGEMENT FACILITIES/BEST MANAGEMENT PRACTICES/STORMWATER DETENTION/RETENTION BASINS/MINIMUM SLOPE OF DETENTION BASIN BOTTOMS]

Section 132-13.H(11) [Design and Construction Criteria for Stormwater Management Facilities/Best Management Practices/Stormwater Detention/Retention Basins/Minimum Slope of Retention Basin Bottoms] is amended to read as follows:

- (11) In order to ensure proper drainage of the detention basin, a minimum grade of 1% shall be maintained for basins that are not designed to infiltrate and where no underdrain is provided. For above-ground basins, the basin bottom shall be landscaped with vegetation that minimizes maintenance and encourages infiltration. These requirements may be altered when approved by the Township Engineer.

SECTION 7 ADDITION OF NEW SECTION 132-19.1 ENTITLED "WAIVERS"

A new Section 132-19.1 entitled "Waivers" is added that will read as follows:

§ 132-19.1 Waivers.

- A. If the Township determines that any requirement under this Ordinance cannot be achieved for a particular regulated activity, the Township may, after an evaluation of alternatives, approve measures other than those in this Ordinance, subject to the following paragraphs B and C.
- B. Waivers or modifications of the requirements of this Ordinance may be approved by the Township if enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that the modifications will not be contrary to the public interest and that the purpose of the Ordinance is preserved. Cost or financial burden shall not be considered a hardship. Modification may be considered if an alternative standard or approach will provide equal or better achievement of the purpose of the Ordinance. A request for modifications shall be in writing and accompany the Stormwater Management Site Plan submission. The request shall provide the facts

on which the request is based, the provision(s) of the Ordinance involved and the proposed modification.

- C. No waiver or modification of any regulated stormwater activity involving earth disturbance greater than or equal to one acre may be granted by the Township unless that action is approved in advance by the Department of Environmental Protection (DEP) or the delegated county conservation district.

SECTION 8. ADDITION OF NEW SUB-SECTION (C) TO 132-23
[SCHEDULE OF INSPECTIONS]

A new sub-section (C) is added to 132-23 [Schedule of Inspections] is added relating to inspection of stormwater management facilities installed under the Ordinance, which will read as follows:

- C. The landowner or the owner's designee (including the Township for dedicated and owned facilities) shall inspect SWM BMPs, facilities and/or structures installed under this Ordinance according to the following frequencies, at a minimum, to ensure the BMPs, facilities and/or structures continue to function as intended:

- (1) Annually for the first 5 years.
- (2) Once every 3 years thereafter
- (3) During or immediately after the cessation of a 10-year or greater storm.

Inspections should be conducted during or immediately following precipitation events. A written inspection report shall be created to document each inspection. The inspection report shall contain the date and time of the inspection, the individual(s) who completed the inspection, the location of the BMP, facility or structure inspected, observations on performance, and recommendations for improving performance, if applicable. Inspection reports shall be submitted to the Township within 30 days following completion of the inspection.

SECTION 9. SEVERABILITY

This Ordinance's provisions are intended to be severable. If any section, sentence, clause, part, or provision of this ordinance is determined to be illegal, invalid, or unconstitutional by any court of competent jurisdiction, such

determination shall not affect or impair this Ordinance's remaining sections, sentences, clauses, parts, or provisions.

Furthermore, it is hereby declared to be this Board's express intent that this ordinance still be adopted even if such an illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included.

SECTION 10. REPEALER

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

SECTION 11 EFFECTIVE DATE

This Ordinance shall take effect five days from this Board's approval of it as required by Pennsylvania law.

ENACTED and ORDAINED this ____ day of July 2025 by the Board of Supervisors of Towamencin Township.

**TOWAMENCIN TOWNSHIP
BOARD OF SUPERVISORS**

JOYCE F. SNYDER, *Chairperson*

KOFI OSEI, *Secretary*