

ORDINANCE #231-2022

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BRECKNOCK BY REVISING AND AMENDING CHAPTER 93, BRECKNOCK TOWNSHIP STORMWATER MANAGEMENT ORDINANCE OF 2006, OF SAID ORDINANCE.

BE IT HEREBY ENACTED AND ORDAINED, and it is enacted and ordained by authority of the Board of Supervisors of Brecknock Township, that the Code of the Township of Brecknock, Chapter 93, Brecknock Township Stormwater Management Ordinance of 2006 is hereby amended as follows:

Amend Article I, General Provisions, §93-2, to amend subsection A to read as follows, "Inadequate management of accelerated runoff of stormwater resulting from development throughout a watershed increases runoff volumes, flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to carry and control stormwater, undermines flood plain management and flood control efforts in downstream communities, reduces groundwater recharge, threatens public health and safety, and increases nonpoint source pollution of water resources."

Amend Article I, General Provisions, §93-2, to add subsection G to read as follows, "G. The use of green infrastructure and low impact development (LID) are intended to address the root cause of water quality impairment by using systems and practices which use or mimic natural processes to: 1) infiltrate and recharge, 2) evapotranspire, and/or 3) harvest and use precipitation near where it falls to earth. Green infrastructure practices and LID contribute to the restoration or maintenance of pre-development hydrology."

Amend Article II, Definitions, §93-11, to add a definition of "DETENTION VOLUME" to read as follows "The volume of runoff that is captured and released into the Waters of the Commonwealth at a controlled rate."

Amend Article II, Definitions, §93-11, to add a definition of "GREEN INFRASTRUCTURE" to read as follows "Systems and practices that use or mimic natural processes to infiltrate, evapotranspire, or reuse stormwater on the site where it is generated."

Amend Article II, Definitions, §93-11, to add a definition of "LOW IMPACT DEVELOPMENT (LID)" to read as follows "Site design approaches and small-scale stormwater management practices that promote the use of natural systems for infiltration, evapotranspiration, and reuse of rainwater. LID can be applied to new development, urban retrofits, and revitalization projects. LID utilizes design techniques that infiltrate, filter, evaporate, and store runoff close to its source. Rather than rely on costly large-

scale conveyance and treatment systems, LID addresses stormwater through a variety of small, cost-effective landscape features located on-site.”

Amend Article II, Definitions, §93-11, to add a definition of “PROJECT SITE” to read as follows “The specific area of land where any regulated activities in the Municipality are planned, conducted or maintained.”

Amend Article II, Definitions, §93-11, to add a definition of “RETENTION VOLUME/REMOVED RUNOFF” to read as follows “The volume of runoff that is captured and not released directly into the surface Waters of the Commonwealth during or after a storm event.”

Amend Article III, Design Criteria for Stormwater Management Facilities, §93-13.A(4), to add subsection (d) to read as follows, “For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Ordinance; except that the volume controls and peak rate controls of this Ordinance do not need to be retrofitted to existing impervious areas that are not being altered by the proposed regulated activity.”

Amend Article III, Design Criteria for Stormwater Management Facilities, §93-13.A(12), to add subsection (c) to read as follows, “Incorporate methods described in the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual).”

Amend Article III, Design Criteria for Stormwater Management Facilities, §93-15.F, to add the following sentence after the first sentence to read as follows, “The green infrastructure and low impact development practices provided in the BMP Manual shall be utilized for all regulated activities wherever possible.”

Amend Article IV, Stormwater Management Site Plan Requirements, §93-22.A, to add subsection 1) to read as follows, “The Municipality shall notify the applicant in writing within 45 days whether the SWM site plan is approved or denied.” Add subsection 2) to read as follows, “If the Municipality disapproves the SWM site plan, the Municipality will state the reasons for the disapproval in writing. The Municipality may also approve the SWM Site Plan with conditions and, if so, shall provide the acceptable conditions for approval in writing.”

Amend Article IX, Right of Entry, Enforcement and Penalties, to read “Right of Entry, Inspections, Enforcement and Penalties”. Amend Article IX, to add “§93-37.1. Inspections. The landowner or the owner’s designee (including the Municipality 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:

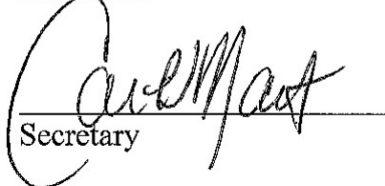
1. Annually for the first 5 years.
2. Once every 3 years thereafter.
3. During or immediately after the cessation of a 10-year or greater storm.

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 Municipality within 30 days following completion of the inspection.”

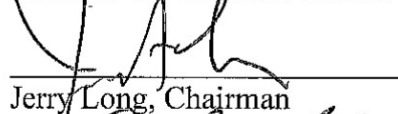
THESE AMENDMENTS SHALL TAKE EFFECT AS PROVIDED FOR BY LAW,
AND ALL ORDINANCE PROVISIONS INCONSISTENT WITH THESE
AMENDMENTS ARE HEREBY REPEALED AND DELETED.

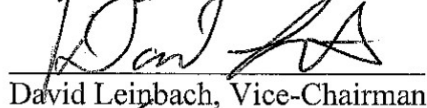
ENACTED AND ORDAINED THIS 08 DAY OF November 2022.

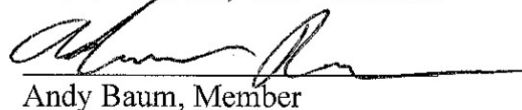
ATTEST:


Secretary

BRECKNOCK TOWNSHIP
BOARD OF SUPERVISORS


Jerry Long, Chairman


David Leinbach, Vice-Chairman


Andy Baum, Member