

DOYLESTOWN TOWNSHIP
ORDINANCE NO. 423

AN ORDINANCE OF THE TOWNSHIP OF DOYLESTOWN, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE PROVISIONS OF CHAPTER 172, WELLS, ARTICLE I, ABANDONMENT, BY DELEGATING CERTAIN DETERMINATIONS TO THE BUCKS COUNTY HEALTH DEPARTMENT

WHEREAS, Doylestown Township (“Township”) is a Second Class Township duly organized and existing pursuant to the applicable laws of Pennsylvania; and

WHEREAS, the Township’s Board of Supervisors adopted a Code of Ordinances in November of 1991 (“Code”), which said Ordinances include but are not limited to the Wells Ordinance set forth in Chapter 172; and

WHEREAS, the Doylestown Township Board of Supervisors has determined that it is in the best interest of the Township and its residents that the provisions of the Code as set forth in Chapter 172, Article I, Abandonment be amended as hereinafter set forth.

NOW THEREFORE, be it **ORDAINED AND ENACTED** by the Doylestown Township Board of Supervisors that the Code as set forth in Chapter 172, Article I is hereby further amended as follows:

SECTION 1. Chapter 172, Wells, Article I, Abandonment, Section 172-1 shall be amended to read as follows:

§172-1. Conditions.

Abandonment of a well will be deemed to exist where one of the following conditions occurs:

- A. The owner or occupier of the property discontinues usage of the well for a period of two years.
- B. The owner or occupier of the property improperly maintains the well so as to pose a threat to the public health and safety.
- C. The well water is contaminated and unsafe for drinking as determined by the Bucks County Health Department.
- D. The well water is near or within a contaminated cone of influence as determined by the Doylestown Township Municipal Authority (“Municipal Authority”), its engineer, or the Bucks County Health Department.
- E. The owner of the property requests abandonment, in writing, to the Bucks County Health Department.

SECTION 2. Chapter 172, Wells, Article I, Abandonment, Section 172-2 shall be amended to read as follows:

§172-2. Exemption.

Wells may be approved for exemption by the Bucks County Health Department for monitoring purposes only if maintained to provide access to groundwater in order to comply with local, state or federal requirements and shall be exempted from the requirements of this article as long as they are covered with a locked well cap and not used as a potable nor nonpotable water source.

SECTION 3. Chapter 172, Wells, Article I, Abandonment, Section 172-3 shall be amended to read as follows:

§172-3. Sealing requirements.

- A. Bucks County Health Department ordered abandonment and sealing. If the Bucks County Health Department determines that a well is to be abandoned pursuant to this article, the well must be sealed. All landowners whose well is ordered to be abandoned and sealed shall, prior to abandonment and sealing, be connected to a public water system, if available, in such a way that all rules and regulations of the Municipal Authority as well as the governing plumbing codes of the Township are met for such connections.

- B. Sealing procedures. A well abandonment permit is required to be obtained from the Bucks County Health Department.

SECTION 4. Chapter 172, Wells, Article I, Abandonment, Section 172-4 shall be deleted in its entirety.

SECTION 5. In the event a court of competent jurisdiction shall declare any portion of this Ordinance invalid, such invalidity shall not affect the Ordinance in its entirety, as it was the intent of the Board of Supervisors that the Ordinance would have been adopted, even if the offending provision had not been included.

SECTION 6. This Ordinance shall be effective five (5) days after enactment.

DULY ENACTED on this 21 day of May, 2024.

ATTEST:

Stephanie Mason, Manager

**DOYLESTOWN TOWNSHIP BOARD
OF SUPERVISORS**

BY:



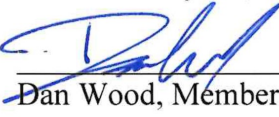
Jennifer Herring, Chair

BY:



Barbara N. Lyons, Vice-Chair

BY:

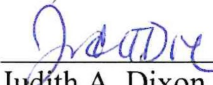


Dan Wood, Member

BY:

Nancy Santacecilia, Member

BY:



Judith A. Dixon, Member