

TOWNSHIP OF LOYALSOCK
LYCOMING COUNTY, PENNSYLVANIA

ORDINANCE NO. 2018-390

AN ORDINANCE OF THE TOWNSHIP OF LOYALSOCK, LYCOMING COUNTY, PENNSYLVANIA, ADDING TO AND AMENDING CHAPTER 210, WATER OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF LOYALSOCK BY AMENDING SECTION 210-7 PROHIBITED USES BY MAKING THE PROHIBITION PERMANENT AND BY ADDING SECTION 210-10 PROVIDING THE MEANS TO REQUEST A VARIANCE FROM THE PROHIBITION CONTAINED IN SECTION 210-7.

WHEREAS, the Township of Loyalsock (the "Township") has previously adopted an Ordinance regulating the use of water within the Township; and

WHEREAS, Section 210-6 of the Ordinance requires the use of the public water supply system for all drinking water and agricultural purposes for certain parcels of land in the Township; and

WHEREAS, Section 210-7 of said Ordinance prohibits the use of ground water wells and springs for drinking water, agricultural or other portable purposes on certain parcels of land in the Township; and

WHEREAS, the Township has enacted these requirements and restrictions due to the condition of the water in these areas; and

WHEREAS, these requirements and restrictions were set to expire on May 31, 2021; and

WHEREAS, the Township has been informed by the environmental consultant that the Final Report to the Pennsylvania Department of Environmental Protection has been filed and requires that the current Ordinance be made permanent to achieve final approved closure under the law; and

WHEREAS, the Township based upon information provided by an environmental consultant has determined that it is in the best interest and welfare of the residents of the Township to extend the regulations and restrictions contained in this Ordinance permanently for the parcels identified on Attachment A in the Code of Ordinances and attached hereto; and

WHEREAS, the Township based upon the information from the environmental consultant has determined that it is in the best interest and welfare of the residents of the Township to make the regulations.

NOW, THEREFORE, BE IT HEREBY ENACTED AND ORDAINED, as follows:

PART 1

Chapter 210 - Water shall be amended to read as follows:

§210-7. Prohibited Uses.

Use of ground water wells and springs for drinking water, agricultural, or other portable purposes is expressly prohibited within these Township parcels, except as provided in Section 210.10.

§210-9. Notification of Department of Environmental Protection.

The Township shall provide written notification to the Pennsylvania Department of Environmental Protection local office (currently Northcentral Regional Office) of any changes made by the Township to the prohibited uses contained in Section 210-7 or the parcels that the prohibited uses apply to and are identified in Attachment A in the Code of Ordinances.

§210.10. Variance Request

Owners of the Township parcels subject to Section 210.7 may request a variance provided that the property owner demonstrates to the Township and subject to approval by the Department of Environmental Protection, that the groundwater beneath the property subject to the variance request is acceptable for the proposed use.

PART 2

All other provisions of Chapter 210 - Water are hereby reaffirmed.

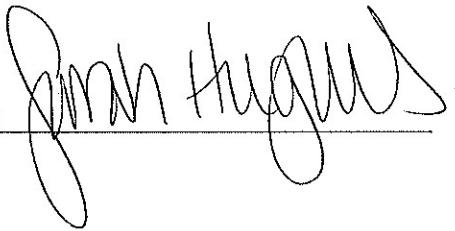
PART 3

This Ordinance shall be effective immediately upon date of enactment.

DULY ENACTED AND ORDAINED this 24th day of November, 2018,
by the Board of Supervisors of the Township of Loyalsock, Lycoming County, Pennsylvania, in lawful session duly assembled.

ATTEST:

TOWNSHIP OF LOYALSOCK

By: 

By: 