

**BOROUGH OF WAYNESBORO
FRANKLIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1190

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AMENDING CHAPTER 238, ARTICLE III OF THE CODE OF THE BOROUGH OF WAYNESBORO, REGARDING STORMWATER MANAGEMENT REQUIREMENTS.

WHEREAS, the Borough is empowered by the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101 *et seq.*, as amended, and the Pennsylvania Stormwater Management Act, 32 P.S. § 680.1 *et seq.*, as amended, to regulate land use activities that affect stormwater runoff; and

WHEREAS, Section 1202(5) of the Borough Code, 8 Pa.C.S.A. § 1202(5), authorizes the Borough to make regulations as may be necessary for the health, safety, morals, and general welfare, and safety of the Borough; and

WHEREAS, Borough Council currently, within Chapter 238, Article III, of the Code of the Borough of Waynesboro (the "Code"), regulates stormwater management performance standards and design criteria for stormwater management facilities within the Borough of Waynesboro; and

WHEREAS, Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, deems it to be in the best interest and general welfare of the citizens and residents of the Borough to amend Chapter 238, Article III, Section 8 of the Code regulating stormwater management performance standards.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION I: Chapter 238, Section 8 of the Code, entitled "Stormwater management performance standards", is deleted in its entirety, and hereby amended to read as follows:

§238-8 Stormwater management performance standards.

Predevelopment peak runoff rates shall be computed for the two-, ten-, twenty-five-, and one-hundred-year storm events. The allowable postdevelopment peak runoff rate for each storm event shall be equal to the arithmetic product of the predevelopment peak runoff rate and respective release rate percentage shown on Plate A.^{III} If the postdevelopment peak runoff rates are less than equal to the allowable release rates, no controls are required. Where site conditions are acceptable, infiltration practices shall be employed to control the postdevelopment peak runoff to the appropriate rate. Where the exclusive

use of infiltration practices are not practical or feasible, detention facilities shall be provided solely or in combination with the infiltration facilities to achieve the required peak runoff rate. For the purposes of predevelopment flow rate determination undeveloped land shall be considered as "meadow" in good condition unless the natural ground cover generates a lower curve number or rational "C" value (i.e., forest). Any postdevelopment areas designed to initially be, or existing as, gravel or crushed stone shall be assumed to be impervious for the purposes of comparison to the exemption criteria and redevelopment peak runoff rates and respective release rates.

[1] *Editor's Note: Plate A is included as an attachment to this chapter.*

SECTION II: Repealer. All provisions of previous ordinances of the Code of the Borough of Waynesboro, which are contrary to this Ordinance, are expressly repealed.

SECTION III: Savings Clause. In all other respects, the Code of the Borough of Waynesboro shall remain as previously enacted and ordained.

SECTION IV: Severability. If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION V: Effective Date. This Ordinance shall take effect immediately.


ENACTED, ORDAINED, and APPROVED this 21st day of July, 2021.

ATTEST:

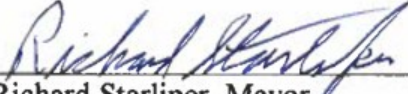


Melinda Knott, Secretary

Waynesboro Borough Council



C. Harold Mumma, President



Richard Starliper, Mayor

