

THE TOWNSHIP OF WEST NOTTINGHAM

Ordinance No. ____ - 2014

AN ORDINANCE OF WEST NOTTINGHAM TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, ADOPTING AMENDMENTS TO CHAPTER 5 – CODE ENFORCEMENT, CHAPTER 9 – GRADING AND EXCAVATING, CHAPTER 22 – SUBDIVISION AND LAND DEVELOPMENT AND CHAPTER 27 – ZONING OF THE WEST NOTTINGHAM TOWNSHIP CODE OF ORDINANCES TO PROVIDE FOR CONSISTENCY WITH CHAPTER 26 WATER: PART 1 – STORMWATER MANAGEMENT OF THE CODE, TO REVISE PRELIMINARY AND FINAL PLAN REQUIREMENTS, TO REVISE THE STORM DRAINAGE PLAN CERTIFICATION REQUIREMENTS AND TO REVISE THE STORMWATER MANAGEMENT IMPROVEMENT, PLANNING AND CONDITIONAL USE PROVISIONS.

WHEREAS, the Board of Supervisors has enacted and adopted an Ordinance adopting the Chester County Model Act 167 Stormwater Management Ordinance as amended for the Township of West Nottingham as Chapter 26 Water: Part 1 – “Stormwater Management” of the West Nottingham Township Code of Ordinances; and

WHEREAS, the Board of Supervisors desires to enact and ordain such correlating amendments to such other such Chapters and Sections of the West Nottingham Township Code of Ordinances as are necessary to provide consistency throughout the Code with the terms and provisions of Chapter 26 Water: Part 1 – Stormwater Management.

NOW THEREFORE, BE IT ORDAINED, by and on behalf of the Board of Supervisors of West Nottingham Township, that the following sections of the West Nottingham Township Code of Ordinances are hereby amended as follows:

Section 1. Chapter 5 – Code Enforcement of the West Nottingham Township Code of Ordinances is hereby amended as follows:

1. Section 117.4 of Chapter 5 Code Enforcement is amended to add the following:

Any person who shall violate Section 1224.8 of this Code shall be subject to the provisions of Part 9 of Chapter 26 Water: Part 1 – Stormwater Management section of the Township Code of Ordinances.

2. Section 118.2 of Chapter 5 Code Enforcement is amended to add the following:

Any person who shall violate Section 1224.8 of this Code shall be subject to the provisions of Part 9 of Chapter 26 Water: Part 1 –

Stormwater Management section of the Township Code of Ordinances.

3. Section 1224.8 D. of Chapter 5 Code Enforcement is amended to state:

D. The requirements of this Section are in addition to and do not replace the requirements found in the West Nottingham Township Chapter 26 Water: Part 1 – Stormwater Management.

Section 2. Chapter 9 – Grading and Excavating of the West Nottingham Township Code of Ordinances is hereby amended as follows:

1. Section 110 is replaced in its entirety by the following:

The provisions of Chapter 26 Water: Part 1 – Stormwater Management section shall be applicable to all grading and excavating permits in conformance with the specification of that ordinance.

Section 3. Chapter 22 – Subdivision and Land Development Ordinance is amended as follows:

1. Section 402.18 is replaced in its entirety by the following:

18. The subdivision plan shall include the design of adequate surface and storm drainage and shall provide for protection against erosion in conformance with Chapter 26 Water: Part 1 – Stormwater Management section.

2. Section 403.25.I is replaced in its entirety by the following:

I.A stormwater management plan in conformance with the Chapter 26 Water: Part 1 – Stormwater Management section.

3. Section 403.25.J is replaced in its entirety by the following:

J. An erosion and sedimentation control plan in conformance with Chapter 26 Water: Part 1 – Stormwater Management Section.

4. Section 616 is replaced in its entirety by the following:

616. The provisions of Chapter 26 Water: Part 1 – Stormwater Management are applicable to all subdivisions and land

developments in conformance with the specifications of that Chapter of the Code.

5. The “Storm Drainage Plan Certification” shall be replaced in its entirety by the following:

STORM DRAINAGE PLAN CERTIFICATION

I hereby certify that, to the best of my knowledge, the Stormwater Management Facilities shown and described hereon are designed in conformance with Chapter 26 Water: Part1- Stormwater Management section of the West Nottingham Township’s Code of Ordinances.

Signature*

Date

Seal**

*Signature of the registered professional responsible for the preparation of the stormwater management plan.

**Seal of the registered professional.

6. Section 308.1 is replaced with the following:

1. A preliminary plan for subdivision or land development as further described in section 402 shall be submitted to the designated Township officer along with the appropriate fees and applications as specified by the Board of Supervisors. Sufficient copies shall be submitted to permit distribution. In addition, an electronic copy of the plans in .pdf form shall also be submitted.

7. Section 309.1.D. is replaced with the following:

D. Three (3) copies of the final plan application, including the final plan and all supporting information required in section 403 of this Chapter, as well as an electronic copy of the final plan in .pdf form shall be submitted to the Township Secretary. The Township Secretary shall submit all applications to the Planning Commission for its review and recommendations prior to review and approval by the Board of Supervisors.

8. Requirements of item number 16 of the Preliminary Application Data Sheet are modified by adding:

- f. .pdf copy of Preliminary Plan
- g. Other

9. Requirements of item number 17 of the Final Application Data Sheet are modified by adding:

- j. .pdf copy of Preliminary Plan
- k. Other

Section 4. Chapter 27 – Zoning of West Nottingham Township’s Code of Ordinances is hereby amended as follows:

1. Section 806.K.1 is replaced in its entirety by the following:

1. The management of stormwater runoff is incorporated in all mobile home park designs in accordance with Chapter 26 Water: Part 1 – Stormwater Management section of the Code.

2. Section 111.H is replaced in its entirety by the following:

H. A stormwater management plan in conformance with Chapter 26 Water: Part 1 – Stormwater Management section of the Code shall be submitted as part of any land development plan for a junkyard.

3. Section 1601.B.9 is replaced in its entirety by the following:

9. The proposed conditional use will be developed using the best stormwater management practices and soil erosion and sedimentation control techniques in accordance with Chapter 26, Water: Part 1 – Stormwater Management and Chapter 9 Grading and Excavating sections of the Code.

Section 5. Severability – The provisions of this Ordinance are severable and if any section, subsection, clause, sentence or part thereof shall be held or declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, the decision shall not affect or impair any of the remaining sections, subsections, clauses, sentences or parts thereof, of this Ordinance; it is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, subsection, clause, sentence or part thereof had not been included therein.

Section 6. Repealer – All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

ENACTED AND ORDAINED this ____ day of _____, 2014.

WEST NOTTINGHAM TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

Candace Miller, Township Secretary

Tiffany Bell, Chairperson

John Vail, Vice Chairperson

Eric Todd