

Chapter 26

Stormwater Management

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Part 1**General Provisions****§26-101. Short Title.**

This Chapter shall be known and may be cited as the “Old Lycoming Township Stormwater Management Ordinance.”

(*Ord. 254, 3/8/2011, §101*)

§26-102. Statement of Findings.

The Board of Supervisors of the Township finds that:

A. Inadequate management of accelerated runoff of stormwater resulting from development throughout a watershed increases 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 non-point source pollution of water resources.

B. A comprehensive program of stormwater management, including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety and welfare and the protection of people of the Commonwealth, their resources and the environment.

C. Stormwater is an important water resource. Less runoff provides for increased groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.

D. Federal and State regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).

(*Ord. 254, 3/8/2011, §102*)

§26-103. Purpose.

The purpose of this Chapter is to promote health, safety, and welfare within the Township and its watershed by minimizing the harms and maximizing the benefits described in §26-102 of this Chapter, through provisions designed to:

A. Meet legal water quality requirements under State law, including regulations at 25 Pa.Code, Chapter 93, to protect, maintain, reclaim and restore the existing and designated uses of the waters of this Commonwealth.

B. Authorize a comprehensive program of stormwater management designated to preserve and restore the flood carrying capacity of Commonwealth streams; to preserve to the maximum extent practicable natural stormwater runoff regimes and natural course, current and cross-section of water of the Commonwealth; and to protect and conserve ground waters and ground-water recharge areas.

- C. Manage stormwater runoff close to the source.
- D. Provide procedures and performance standards for stormwater planning and management.
- E. Maintain groundwater recharge, to prevent degradation of surface and groundwater quality and to otherwise protect water resources.
- F. Prevent scour and erosion of stream banks and streambeds.
- G. Provide proper operations and maintenance of all permanent stormwater management (SWM) best management practices (BMPs) that are implemented within the Township.
- H. Provide standards to meet NPDES permit requirements.
- I. Encourage the provision or upgrade of stormwater BMPs for existing development.
- J. Facilitate the development of Chesapeake Bay nutrient credits for retrofit stormwater facilities or regulated activities that exceed the minimum nutrient reduction standards.

(Ord. 254, 3/8/2011, §103)

§26-104. Statutory Authority.

1. *Primary Authority.* The Township is empowered to regulate these activities by the authority of the Act of October 4, 1978, P.L. 864 (Act 167), 32 P.S. §680.1 *et seq.*, as amended, the Stormwater Management Act and the (appropriate municipal code).

2. *Secondary Authority.* The Township also is empowered to regulate land use activities that affect runoff by the authority of the Act of July 31, 1968, P.L. 805, No. 247, the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, as amended.

(Ord. 254, 3/8/2011, §104)

§26-105. Applicability.

All regulated activities and all activities that may affect stormwater runoff, including land development and earth disturbance, are subject to regulation by this Chapter.

(Ord. 254, 3/8/2011, §105)

§26-106. Compatibility with Other Ordinance Requirements.

Approvals issued and actions taken under this Chapter do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation or ordinance.

(Ord. 254, 3/8/2011, §108)

§26-107. Effect of Watershed Stormwater Plans.

1. After adoption and approval of a watershed stormwater plan in accordance with this Act, the location, design and construction within the watershed of stormwater management systems, obstructions, flood control projects, subdivisions and major land developments, highways and transportation facilities, facilities for the provision of

public utility services and facilities owned or financed in whole or in part by funds from the Commonwealth shall be conducted in a manner consistent with the watershed stormwater plan.

2. Within 6 months following adoption and approval of the watershed stormwater plan, each municipality shall adopt or amend, and shall implement such ordinances and regulations, including zoning, subdivision and development, building code, and erosion and sedimentation ordinances, as are necessary to regulate development within the municipality in a manner consistent with the applicable watershed stormwater plan and the provisions of this Chapter.

(Ord. 254, 3/8/2011, §109)

Part 2

Definitions

§26-201. Definitions.

For the purposes of this Chapter, certain terms and words used herein shall be interpreted as follows:

A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.

B. The word “includes” or “including” shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.

C. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.

Agricultural activity—the work of producing crops including tillage, land clearing, plowing, disking, harrowing, planting, harvesting crops, or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

Applicant—a landowner, developer or other person who has filed an application to the Township for approval to engage in any regulated activity at a project site in the Township.

Best management practice (BMP)—activities, facilities, designs, measures or procedures used to manage stormwater impacts from regulated activities, to meet State water quality requirements, to promote groundwater recharge and to otherwise meet the purposes of this Chapter. Stormwater BMPs are commonly grouped into one of two broad categories or measures: “structural” or “non-structural.” In this Chapter, non-structural BMPs or measures refer to operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff whereas structural BMPs or measures are those that consist of a physical device or practice that is installed to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, rain gardens, sand filters, detention basins, and manufactured devices. Structural stormwater BMPs are permanent appurtenances to the project site.

Buffer, stream buffer, riparian buffer, or aquatic buffer—an area of permanent native vegetation, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake, reservoir, or costal estuarine area.

Conservation district—a conservation district, as defined in §3(c) of the Conservation District Law (3 P.S. §851(c)), which has the authority under a

delegation agreement executed with the Department to administer and enforce all or a portion of the erosion and sediment control program in this Commonwealth.

Design storm—the magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a 5-year storm) and duration (e.g., 24-hours), used in the design and evaluation of stormwater management systems. Also see “return period.”

Detention—the volume of runoff that is captured and released into the waters of this Commonwealth at a controlled rate.

DEP—the Pennsylvania Department of Environmental Protection.

Development site (site)—see “project site.”

Disconnected impervious area (DIA)—an impervious or impermeable surface which is disconnected from any stormwater drainage or conveyance system and is redirected or directed to a pervious area which allows for infiltration, filtration, and increased time of concentration as specified in Appendix 26-B, “Disconnected Impervious Area.”

Disturbed area—an unstabilized land area where an earth disturbance is occurring or has occurred.

Earth disturbance—a construction or other human activity which disturbs the surface of the land, including, but not limited to, clearing and grubbing; grading; excavations; embankments; road maintenance; building construction; the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

Erosion—the natural process by which the surface of the land is worn away by water, wind or chemical action.

Existing condition—the dominant land cover during the 5-year period immediately preceding a proposed regulated activity.

FEMA—Federal Emergency Management Agency.

Floodplain—any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area. Included are lands adjoining a river or stream that have been or may be expected to be inundated by a 100-year flood. Also included are areas that comprise Group 13 Soils, as listed in Appendix A of the Pennsylvania Department of Environmental Protection (PADEP) *Technical Manual for Sewage Enforcement Officers* (as amended or replaced from time to time by PADEP).

Floodway—the channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

Forest management / timber operations—planning and activities necessary for the management of forestland. These include conducting a timber inventory, preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation and

reforestation.

Hydrologic soil group (HSG)—infiltration rates of soils vary widely and are affected by subsurface permeability as well as surface intake rates. Soils are classified into four HSG's (A, B, C, and D) according to their minimum infiltration rate, which is obtained for bare soil after prolonged wetting. The NRCS defines the four groups and provides a list of most of the soils in the United States and their group classification. The soils in the area of the development site may be identified from a soil survey report that can be obtained from local NRCS offices or conservation district offices. Soils become less pervious as the HSG varies from A to D (NRCS).

Impervious surface (impervious area)—a surface that prevents the infiltration of water into the ground impervious surfaces (or areas) shall include, but not be limited to, roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, and any new streets or sidewalks. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration.

Karst—a type of topography or landscape characterized by surface depressions, sinkholes, rock pinnacles/uneven bedrock surface, underground drainage and caves. Karst is formed on carbonate rocks, such as limestone or dolomite.

Land development (development)—inclusive of any or all of the following meanings:

- (1) The division of a parcel of land into two or more parcels.
- (2) The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings, structures, or accessory structures.
- (3) Any use or change in use of buildings or land.
- (4) Any extension of the use of land.
- (5) Any clearing, grading, or other movement of land.
- (6) Mining, dredging, filling, grading, paving, excavation or drilling operations.
- (7) The storage, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities; for which permission may be required pursuant to a municipal land development ordinance.

Municipality—Old Lycoming Township, Lycoming County, Pennsylvania, or its designee.

NRCS—USDA Natural Resources Conservation Service (previously SCS).

Peak discharge—the maximum rate of stormwater runoff from a specific storm event.

Pervious area—any area not defined as impervious.

Project site—the specific area of land where any regulated activities in the Township are planned, conducted, or maintained.

Qualified professional—any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by the Chapter.

Regulated activities—any earth disturbances or any activities that involve the

alteration or development of land in a manner that may affect stormwater runoff.

Regulated earth disturbance activity—activity involving earth disturbance subject to regulation under 25 Pa.Code, Chapter 92, Chapter 102, or the Clean Streams Law, 35 P.S. §679.101 *et seq.*

Retention/removed runoff—the volume of runoff that is captured and not released directly into the surface waters of this Commonwealth during or after a storm event.

Return period—the average interval, in years, within which a storm event of a given magnitude can be expected to occur one time. For example, the 25-year return period rainfall would be expected to occur on average once every 25 years. The probability of a 25-year storm occurring in any 1 year is 0.04 (i.e., a 4 percent chance).

Runoff—any part of precipitation that flows over the land.

Sediment—soils or other materials transported by surface water as a product of erosion.

State water quality requirements—the regulatory requirements to protect, maintain, reclaim, and restore water quality under Pennsylvania Code, Title 25, and the Clean Streams Law, 35 P.S. §691.1 *et seq.*

Stormwater—drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

Stormwater Appeals Board—the panel to hear, review and issue decisions on appeals from determinations of a Township representative under this Chapter. [Ord. 263]

Stormwater management facility—any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

Stormwater management plan—the Lycoming County Act 167 Stormwater Management Plan and the Lycoming Creek Watershed Act 167 Stormwater Management Plan for managing stormwater runoff adopted by the County of Lycoming as required by the Act of October 4, 1978, P.L. 864, (Act 167), as amended, and known as the “Storm Water Management Act,” 32 P.S. §680.1 *et seq.*

Stormwater management best management practices—is abbreviated as SWM BMPs throughout this Chapter.

Stormwater management site plan—will be designated as “SWM site plan” throughout this Chapter.

Stream—for purposes of administration of this Chapter (other regulatory agencies such as the United States Army Corps of Engineers have a different definition), a stream is defined as a perennial and intermittent watercourses identified through site inspection and U.S. Geological Survey (USGS) maps. Perennial streams are those which are depicted on a USGS map with a solid blue line. Intermittent streams are those which are depicted on a USGS map with a dotted blue line.

Subdivision—as defined in the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, 53 P.S. §10101 *et seq.*

USDA—United States Department of Agriculture.

Waters of this Commonwealth—rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Watershed—region or area drained by a river, watercourse or other surface water of the Commonwealth.

Wetland—those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, and similar areas.

(*Ord. 254*, 3/8/2011; as amended by *Ord. 263*, 5/14/2013, Art. 1)

Part 3**Stormwater Management Standards****§26-301. General Requirements.**

1. For all regulated activities, unless preparation of a SWM site plan is specifically exempted in §26-302:

A. Preparation and implementation of an approved SWM site plan is required.

B. No regulated activities shall commence until the Township issues written approval of a SWM site plan, which demonstrates compliance with the requirements of this Chapter.

2. SWM site plans approved by the Township, in accordance with §26-406, shall be on site throughout the duration of the regulated activity.

3. The Township may, after consultation with DEP, approve measures for meeting the State water quality requirements other than those in this Chapter, provided that they meet the minimum requirements of, and do not conflict with, State law including, but not limited to, the Clean Streams Law, 35 P.S. §691.1 *et seq.*

4. For all regulated activities, implementation of the volume controls in §26-303 is required unless exempt under §26-302.

5. For all regulated earth disturbance activities, erosion and sediment control BMPs shall be designed, implemented, operated, and maintained during the regulated earth disturbance activities (e.g., during construction), to meet the purposes and requirements of this Chapter and to meet all requirements under Pennsylvania Code, Title 25, and the Clean Streams Law, 35 P.S. §691.1 *et seq.* Various BMPs and their design standards are listed in the *Erosion and Sediment Pollution Control Program Manual (E&S Manual)*, Commonwealth of Pennsylvania, Department of Environmental Protection, No. 363-2134-008 (2000), as amended and updated.

6. *Impervious Areas.*

A. The measurement of impervious areas shall include all of the impervious areas in the total proposed development even if development is to take place in stages.

B. For development taking place in stages, the entire development plan must be used in determining conformance with this Chapter.

C. For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Chapter; except the volume controls in §26-303 and the peak rate controls of §26-304 do not need to be retrofitted to existing impervious area.

D. For impervious areas that were lawfully placed when constructed but that do not comply with the provisions of this Chapter, the property owner may do any of the following:

(1) Maintain and/or repair existing impervious areas.

(2) Relocate or modify existing impervious areas with different

impervious areas, provided that the relocation or modification does not result in a net increase in impervious area.

(3) Remove and replace existing impervious areas with similar areas, provided that said replacement commences within 1 year of removal; construction of any replacement impervious area that commences more than 1 year after removal of the original impervious area shall constitute new impervious area and shall be undertaken only in full compliance with the provisions of this Chapter.

[Ord. 263]

7. Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification to the adjacent property owner(s). Such stormwater flows shall be subject to the requirements of this Chapter.

8. All regulated activities shall include such measures as necessary to:
- A. Protect health, safety, and property.
 - B. Meet State water quality requirements as defined in Part 2.
 - C. Meet the water quality goals of this Chapter by implementing measures to:

(1) Minimize disturbance to floodplains, wetlands, natural slopes over 8 percent, and existing native vegetation.

(2) Preserve and maintain trees and woodlands. Maintain or extend riparian buffers and protect existing forested buffer. Provide trees and woodlands adjacent to impervious areas whenever feasible.

(3) Establish and maintain non-erosive flow conditions in natural flow pathways.

(4) Minimize soil disturbance and soil compaction. Cover disturbed areas and replace topsoil to a depth sufficient to achieve vegetated cover or 4 inches, whichever is greater. Use tracked equipment for grading when feasible.

(5) Disconnect impervious surfaces by directing runoff to pervious areas, wherever possible.

D. To the maximum extent practicable, incorporate the techniques for low impact development practices described in the *Pennsylvania Stormwater Best Management Practices Manual* (PA BMP Manual).

9. The design of all facilities over Karst shall include an evaluation of measures to minimize adverse effects.

10. Infiltration BMPs should be spread out, made as shallow as practicable, and located to maximize use of natural on-site infiltration features while still meeting the other requirements of this Chapter.

11. Storage facilities should completely drain both the volume control and rate control capacities over a period of time not more than 72 hours from the end of the design storm, or otherwise be treated.

12. For all regulated activities, SWM BMPs shall be designed, implemented, operated, and maintained to meet the purposes and requirements of this Chapter and to meet all requirements under Pennsylvania Code, Title 25, the Clean Streams Law,

35 P.S. §691.1 *et seq.*, the Storm Water Management Act, 32 P.S. §680.1 *et seq.*, and §26-103 of this Chapter.

13. Various BMPs and their design standards are listed in the PA BMP Manual.

14. *Materials Workmanship and Methods.* All materials, workmanship, and methods of work shall comply with the Pennsylvania Department of Transportation Publication 408 Specifications, as accepted and commonly used by the Township, and shall be considered to be incorporated into this Part as if copied in full. In the event a conflict arises between the requirements of this Chapter and the PA DOT Publication 408 Specifications, the Township shall resolve the difference, and said opinion shall be binding.

15. Supplemental standards and criteria contained in Part 9 are hereby incorporated into this Chapter to govern the hydrologic and hydraulic design provisions contained herein.

16. The signature and seal of a registered professional engineer, if required, must be provided at the time of plan submission.

(*Ord. 254, 3/8/2011, §301; as amended by Ord. 263, 5/14/2013, Art. 2*)

§26-302. Exemptions.

1. The following activities are specifically exempt from the plan preparation and submission provisions of this Chapter, but remain subject to the requirements in §26-301.5 through .12 of this Chapter (and erosion and sedimentation pollution control requirements).

A. Regulated activities that create impervious areas smaller in area than 1,000 square feet and regulated activities that disturb less than 5,000 square feet are exempt from the peak rate control and the SWM site plan preparation requirement of this Chapter. Refer to the stormwater management plan (SMP) requirements in Appendix 26-C.

B. Regulated activities that create disconnected impervious areas equal to or greater than 1,000 square feet and less than 5,000 square feet, and regulated activities that disturb equal to or greater than 5,000 square feet and less than 20,000 square feet without point source discharge to surface waters may be exempt from the SWM plan requirements of this Chapter provided that:

(1) The regulated activity is disconnected from impervious areas as specified in Appendix 26-B of this Chapter.

(2) The regulated activity will not alter or be located within any existing swale or drainageway.

Refer to the stormwater management plan (SMP) requirements in Appendix 26-C.

C. Agricultural plowing and tilling are exempt from the rate control and SWM site plan preparation requirements of this Chapter provided the activities are performed according to the requirements of 25 Pa.Code, Chapter 102, "Erosion and Sediment Control."

D. Forest management and timber operations are exempt from the rate control and SWM site plan preparation requirements of this Chapter provided the activities are performed according to the requirements of 25 Pa.Code, Chapter 102,

“Erosion and Sediment Control.”

E. Use of land for gardening for home consumption.

F. Agriculture when operated in accordance with an approved conservation plan.

2. The Township shall require an acceptable minor SWM plan, as described in §26-305.N and Appendix 26-C, be submitted; provided, that:

A. Regulated activities that create impervious areas, if connected to impervious areas, equal to or greater than 1,000 square feet and less than 5,000 square feet.

B. Regulated activities that disturb equal to or greater than 5,000 square feet and less than 20,000 square feet with point source discharge to surface waters.

Refer to the stormwater management plan (SMP) requirements in Appendix 26-C. A sample minor stormwater management plan can be found in Appendix 26-

[Text continued on p. 26-15]

D.

3. Exemptions from any provisions of this Chapter shall not relieve the applicant from the requirements in §26-301.5 through .12.

4. The Township may include permit conditions to specify that regulated activities maintain a minimum distance between proposed impervious areas/stormwater management facility outlets and down slope property line(s).

(Ord. 254, 3/8/2011, §302)

§26-303. Volume Controls.

Water volume controls shall be implemented using the design storm method in paragraph .A or the simplified method in paragraph .B below. For regulated activity areas equal or less than 1 acre that do not require hydrologic routing to design the stormwater facilities, this Chapter establishes no preference for either methodology; therefore, the applicant may select either methodology on the basis of economic considerations, the intrinsic limitations on applicability of the analytical procedures associated with each methodology, and other factors.

A. The design storm method (CG-1 in the PA BMP Manual) is applicable to any size of regulated activity. This method requires detailed modeling based on site conditions.

(1) Do not increase the post-development total runoff volume for all storms equal to or less than the 2-year 24-hour duration rainfall.

(2) For modeling purposes:

(a) Existing (pre-development) non-forested pervious areas must be considered meadow or its equivalent.

(b) Twenty percent of existing impervious area, when present, shall be considered meadow in the model for existing conditions for redevelopment.

B. The simplified method (CG-2 in the PA BMP Manual) provided below is independent of site conditions and should be used if the design storm method is not followed. This method is not applicable to activities that disturb greater than 1 acre, or for projects that require design of stormwater storage facilities. For new impervious surfaces:

(1) Stormwater facilities shall be sized to capture at least the first 2 inches of runoff from all new impervious surfaces.

(2) At least the first 1 inch of runoff from new impervious surfaces shall be permanently removed from the runoff flow, i.e., it shall not be released into the surface waters of this Commonwealth. Removal options include reuse, evaporation, transpiration, and infiltration.

(3) Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first ½ inch of the permanently removed runoff should be infiltrated.

(4) This method is exempt from the requirements of §26-304, "Rate Controls."

(Ord. 254, 3/8/2011, §303)

§26-304. Rate Controls.

1. Areas not covered by a release rate map from an approved Act 167 Stormwater Management Plan:

Post-development discharge rates shall not exceed the predevelopment discharge rates for the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour, storms. If it is shown, that the peak rates of discharge indicated by the post-development analysis are less than or equal to the peak rates of discharge indicated by the pre-development analysis for 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storms, then the requirements of this Section have been met. Otherwise, the applicant shall provide additional controls as necessary to satisfy the peak rate of discharge requirement.

2. Areas covered by a release rate map from an approved Act 167 Stormwater Management Plan:

For the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year storms, the post-development peak discharge rates will follow the applicable approved release rate maps. For any areas not shown on the release rate maps, the post-development discharge rates shall not exceed the predevelopment discharge rates.

(Ord. 254, 3/8/2011, §304)

§26-305. Technical Design Standards.

All regulated activities shall be conducted in conformance with the following standards:

A. After installation of impervious cover, peak discharges for the 2-, 5-, 10-, 25-, 50-, and 100-year frequency storms from the site shall not exceed the respective peak discharge performance standards in this Chapter.

Stormwater runoff shall be managed so that no downstream increases in flood damages or impairment of streets and other public facilities occur. The Township may require that downstream impacts be evaluated at critical locations such as dams, tributaries, existing developments, undersized culverts, and flood prone areas. The Township shall make the final determination with respect to the degree of management required for any site. The applicant shall evaluate the effects of the proposed plan on such critical locations by providing computed water surface elevations (WSEL) for the 10- and 100-year storms. Methods of computation shall have prior approval of the Township. At such downstream critical locations, stormwater management may be exercised by:

- (1) Providing off-site improvements to downstream conveyances in order to contain flow increases.
- (2) Providing downstream drainage easements with sufficient widths to contain the flood limits.

B. *Groundwater Recharge.* The Township may impose stormwater quality measures in accordance with this Chapter to protect against ground or surface water pollution where the type of business or the nature of the stormwater runoff and soils underlying stormwater management facilities would constitute a

substantial risk of contamination.

C. In establishing the site conditions for calculating stormwater runoff prior to development, the following assumptions shall apply:

(1) Woodland or meadow in good condition shall be used for all undeveloped areas.

(2) Average antecedent moisture conditions as defined by the Natural Resource Conservation Service (NRCS).

(3) Determining pre-development peak discharges from Karst geologic areas apply either:

(a) Peak adjustment factors in accordance with the USGS Water Resources Investigations Report 00-4189, "Techniques for Estimating Magnitude and Frequency of Peak Flows for Pennsylvania Streams."

(b) Drainage area reductions equal to the area of undrained depressions or pond factor adjustments in accordance with the *Urban Hydrology for Small Watersheds*, Technical Release No. 55 (TR-55, USDA, NRCS).

D. *Hydrologic Methods*. All plans and designs for stormwater management facilities shall be reviewed by the Township. Plans for facilities other than storm sewers should determine stormwater peak discharge and stormwater runoff by the use of the PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended. The Township may permit the use of the modified rational method or other methods for calculation of the storage capacity of a stormwater management facility from drainage areas of 20 acres or less.

(1) *Coefficients*. Acceptable runoff coefficient values for use in the rational method equation are identified in Appendix 26-E, of this Chapter. When applying the rational method coefficients in Table A-3, "open space" coefficients shall be used for undeveloped, densely vegetated (non-forest) areas instead of "meadow" coefficients. Refer to PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended, for permissible curve numbers.

The rational formula may be used in lieu of the soil cover complex method to compute design flows for the sizing of storm sewers, inlets, and swales.

(2) Rainfall amounts for the return periods specified shall be determined using the *Precipitation-Frequency Atlas of the United States*, Atlas 14, Volume 2 (as amended), U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland, 20910. Rainfall duration for hydrograph generation shall be selected for the specified recurrence intervals on the basis of twice the computed time of concentration for the given watershed and subwatersheds. In no case shall the duration be less than 24 hours.

(3) Time of concentration shall be determined in accordance with the methods presented in PennDOT *Drainage Manual*, Publication Number 13, DM-2 Chapter 10, as amended.

(4) In order to reduce stormwater runoff volumes from developed areas and encourage groundwater recharge, underground basin drains, infiltration

trenches, and cisterns are permitted to which roof leaders may be connected. These drains consist of stone-filled basins which temporarily store and release water below ground surface. Plans for such facilities shall be submitted to the Municipality for approval, and the basins shall be used only in those areas where soils, geologic, and water table conditions permit.

E. Stormwater management facilities and related installations shall be provided:

(1) To permit unimpeded flow of natural watercourses. Such flow may be redirected as required, subject to the approval of the Pennsylvania Department of Environmental Protection.

(2) To ensure adequate drainage of all low points along the curb line of streets.

(3) To intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drained, and to prevent substantial flow of water across intersections or flooded intersections during storms, in accordance with the procedures in the PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended.

(4) To ensure adequate and unimpeded flow of stormwater under driveways in, near, or across natural watercourses or drainage swales. Suitable pipes or other waterways shall be provided as necessary.

(5) To properly drain stormwater runoff from all land development projects. All lot and open areas shall be designed to drain to the nearest practical street or drainage system, existing or proposed, as defined by the Municipality, with no impact on adjoining properties, unless an area specifically designed for stormwater detention is provided.

F. *Storm Sewers and Related Installations.*

(1) Storm sewers, where required by zoning and land use densities, shall be placed under or immediately adjacent to the roadway side of the curb, or as directed by the Township, when parallel to the street within the right-of-way.

When located in undedicated land, they shall be placed within a drainage easement not less than 20 feet wide as approved by the Township.

The use of properly designed, graded, and turfed drainage swales is encouraged in lieu of storm sewers in commercial and industrial areas and, where approved by the Township, in residential areas. Such swales shall be designed not only to carry the required discharge without excessive erosion, but also to increase the time of concentration, reduce the peak discharge and velocity, and permit the water to percolate into the soil, where appropriate. Criteria related to the use and design of drainage swales are as follows:

(a) *Criteria.*

1) Where vegetated drainage swales are used in lieu of or in addition to storm sewers, they shall be designed to carry the 10-year discharge without erosion, and also to increase the time of concentration, reduce the peak discharge and velocity, and permit the water to percolate into the soil.

2) The maximum encroachment of water on the roadway

pavement along roadside swales in cut areas shall not exceed half of a through traffic lane during a 10-year frequency storm of 5-minute duration. Frequent and/or sustained flooding of the sub-base shall be avoided.

3) Swales shall be designed in accordance with PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended. Inlets shall be provided to limit the shoulder encroachment and water velocity.

4) The side slope for any vegetated drainage channel requiring mowing of the vegetation shall have a maximum grade of 3 horizontal to 1 vertical on those areas to be mowed.

5) *Erosion Prevention.* All drainage swales shall be designed to prevent the erosion of the bed and bank areas. Suitable temporary and/or permanent stabilization during vegetative cover establishment shall be provided to prevent erosion.

6) Storm sewers or drainage swales shall discharge to a detention or retention basin to attenuate the peak rate and volume, respectively of stormwater runoff, except as provided in the plan.

7) *Design Standard.* Because of the critical nature of vegetated drainage channels, the design of all vegetated channels shall, as a minimum, conform to the design procedures outlined in the PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended.

(b) *Guidelines.*

1) Deed restrictions may be required on property(ies) containing drainage swales and/or perennial streams. When required, these deed restrictions shall specify that no property owner obstruct or alter any drainage swale or perennial stream identified in the stormwater management plan.

2) The design capacity of storm sewers shall be in accordance with PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended. Storm drainage systems shall be designed without surcharging inlets to provide conveyance of stormwater runoff into a detention basin or similar facility utilized to manage the rate of stormwater runoff. To avoid surcharging inlets, and to ensure that inlets will receive stormwater runoff, the hydraulic grade line at the inlet should be at least 6 inches below the elevation of the inlet grate. Where site grading will direct stormwater runoff from the 100-year design storm to a detention basin or similar facility utilized to manage the rate of stormwater runoff, then the storm sewer may be designed for the 10-year design storm. Where site grading will not direct stormwater runoff from the 100-year design storm to a detention basin or similar facility utilized to manage the rate of stormwater runoff, then the storm sewer shall be designed for the 100-year design storm. Conveyance of storms to the detention basin, up to and including the 100-year frequency, shall be provided so as not to

endanger life or seriously damage property.

3) Storm inlet types and inlet assemblies shall conform to the Pennsylvania Department of Transportation *Standards for Roadway Construction* as approved by the Township.

a) Inlets shall, at a minimum, be located at the lowest point of street intersections to intercept the stormwater before it reaches pedestrian crossings; or at sag points of vertical curves in the street alignment which provide a natural point of ponding of surface stormwater.

b) Where the Township deems it necessary because of special land requirements, special inlets may be approved.

c) The interval between inlets collecting stormwater runoff shall be determined in accordance with the PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended.

d) In curbed sections, the maximum encroachment of water on the roadway pavement shall not exceed half of a through traffic lane or 1 inch less than the depth of curb during the 10-year design storm of 5-minute duration. Inlets shall be provided to limit the encroachment of water on the pavement. When inlets are used in a storm system within the right-of-way limits of a street in lieu of manholes, the spacing of such inlets shall not exceed the maximum distance of 450 feet.

e) The design of storm inlets shall be in accordance with PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended.

4) Accessible drainage structures shall be located on a continuous storm sewer system at all vertical dislocations, at all locations where a transition in storm sewer pipe sizing is required, at all vertical and horizontal angle points exceeding 5 degrees, and at all points of convergence of two or more influent storm sewer mains. The construction locations of accessible drainage structures shall be as indicated on the subdivision drainage plan or area drainage plan approved by the Township.

5) When evidence available to the Township indicates that existing storm sewers have sufficient capacity as determined by hydrograph summation and are accessible, proposed stormwater facilities may connect to the existing storm sewers so long as the peak rate of discharge does not exceed the amount permitted by this Part.

G. Bridges and culverts shall have ample waterway opening to carry expected flows, based on the PennDOT *Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended, or as required by the Township.

H. Detention or retention basins for the management of stormwater peak discharges shall meet the following requirements:

(1) Basins shall be installed prior to or concurrent with any earthmoving or land disturbances which they will serve. The phasing of their construction

shall be noted in the narrative and on the plan.

(2) The design of all facilities over limestone formations shall include measures to prevent groundwater contamination and, where required, sinkhole formation. Soils used for the construction of basins shall have moderate to low erodibility factors (i.e., “K” factors of 0.32 or less).

(3) Energy dissipaters and/or level spreaders shall be installed at points where pipes or drainageways discharge to or from basins.

(4) Outlet structures within detention/retention basins shall incorporate childproof, non-clogging trash racks or grates over all horizontally oriented openings. All vertically oriented openings over 12 inches or larger in any dimension where entry by a child could cause injury or death shall be covered with childproof, non-clogging trash racks, except where such openings carry perennial stream flows. Design openings less than 6 inches in any dimension shall be covered with a pipe screen (e.g., Neenah R-7512 or equivalent). Measures to completely drain detention/retention basins in the event of clogging of the primary design opening(s) shall be incorporated into the design of basin outlet structures. Basin outlet pipes shall have a minimum inside diameter of 15 inches or a cross-sectional area of 176 square inches, except that pipes under a 25-foot or greater fill shall not be less than 24 inches or a cross-sectional area of 453 square inches, and shall consist of reinforced concrete.

Outlet aprons shall be designed and shall extend at a minimum to the toe of the basin slope. Where spillways will be used to manage peak discharges in excess of the 10-year storm, such spillways shall be constructed to withstand the pressures of impounded waters and convey flows at computed outlet velocities without erosion.

(5) When the Pennsylvania Department of Environmental Protection requires facilities to be permitted, the designer shall submit all information to the PA DEP Regional Office, and obtain all necessary approvals and permits pursuant to Pennsylvania Code, Title 25, Chapter 105, “Dam Safety and Waterway Management.”

(6) *Downstream Analysis.*

(a) Where deemed necessary by the Township, the applicant shall submit an analysis of the impacts of detained stormwater flows on downstream areas within the watershed, established with the concurrence of the Township. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impact of peak discharge modifications of the proposed development on critical locations such as dams, tributaries, existing developments, undersized culverts, and flood prone areas.

(b) Review and comment of the analysis by the downstream municipality shall be obtained as deemed necessary.

(7) Detention basins may be waived by the Municipality at sites in close proximity to larger receiving streams, depending on the hydrology of the watershed. This is to facilitate drainage prior to main stream flooding. It shall be incumbent upon the applicant to demonstrate that no downstream increase in stream flooding or channel erosion will result in accordance with this Part,

and that no increases in peak discharge within the receiving stream will occur as outlined in this Part.

(8) *Multiple Use Basins.* The design and construction of multiple use stormwater detention facilities are strongly encouraged. In addition to stormwater management; where appropriate, facilities allow for recreational uses included: ball fields, play areas, picnic grounds, etc. Provision for parking facilities within basins and permanent wet ponds with stormwater management capabilities may also be appropriate. Prior approval and consultation with the Township are required before design. Multiple use basins should be constructed so that potentially dangerous conditions are not created.

(9) *Multiple Development Basins.* Stormwater management facilities designed to serve more than one property or development in the same watershed are encouraged. Staged construction of existing or proposed multiple-use detention facilities by several developers in conjunction with watershed development is encouraged. Each applicant shall be responsible for the incremental increase in stormwater runoff generated by the respective development and incremental construction improvements necessary for the overall detention facility. Prior approval and consultation with the Township is required before design of such facilities.

(10) *Alternative Detention Facilities.* Alternative stormwater detention facilities, including roof top, subsurface basins or tanks and in-pipe detention storage, or other approved alternative designs are permitted as determined by the Township.

I. All calculations shall be submitted to the Township on computation sheets acceptable to the reviewer for approval. If the Township determines through review and independent computation that the size(s) of storm pipes or detention basins is insufficient, the Township may require the applicant to increase the size(s) of said storm pipes or detention basins.

If the storm drainage system design is completed on a computer installation, sufficient supporting data shall be provided to allow comprehensive review by Township officials.

J. When the elevation of any existing or proposed entrance to a structure, including windows, is lower than the elevation of the public cartway serving that site, a drainage plan shall be submitted, reviewed and approved as part of the zoning permit process for the proposed structure.

K. The Township may require that stormwater management facilities located outside of existing or proposed right-of-ways shall be located within and accessible by easements as follows:

(1) *Drainage Easements.* Where a tract is traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement paralleling the line of such watercourse, drainageway, channel or stream. The width of the drainage easement will be adequate to preserve the unimpeded flow of natural drainage in the 100-year floodplain.

Drainage easements shall provide for maintenance, and for the purpose of widening, deepening, improving or protecting such drainage facilities.

(2) *Access Easements.* Where proposed stormwater management facilities are not adjacent to proposed or existing public right-of-ways or are not accessible due to physical constraints, as determined by the Township, a 20-foot wide passable access easement specifying rights of entry shall be provided. Access easements shall provide for vehicle ingress and egress on grades of less than 10 percent for carrying out inspection or maintenance activities.

(3) *Maintenance Easements.* A maintenance easement shall be provided which encompasses the stormwater facility and appurtenances and provides for access for maintenance purposes. The maintenance easement must be located at least 20 feet outside of the 100-year surface elevation and the stormwater facility and appurtenances.

(4) Easements shall stipulate that no trees, shrubs, structures, excavation, or fill be placed, and no regrading is to be performed within the area of the easement without written approval from the Township. Upon approval, such landscaping may be placed in maintenance easements, provided it does not impede access.

(5) Whenever practicable, easements shall be parallel to width and linked to property lines of the subdivision.

(6) All easement agreements shall be recorded with a reference to the recorded easement indicated on the site plan. The format and content of the easement agreement shall be reviewed and approved by the Township.

L. *Sinkhole Protection.*

(1) Stormwater from roadways, parking lots, storm sewers, roof drains, or other concentrated stormwater runoff paths shall not be discharged directly into sinkholes.

(2) To protect sensitive Karst areas, the Township may require basins to contain an impervious liner. The liner may be of the impervious membrane type, placed in accordance with the manufacturer's recommendations, or an approved alternative as approved by the Township.

M. *Erosion and Sedimentation Control.* All plans for erosion and sediment pollution control (E&SPC) shall meet the requirements of the Clean Streams Law, Act of June 22, 1937, P.L. 1987 as amended, 35 P.S. §691.1 *et seq.* and 25 Pa.Code 102.1 *et seq.*, "Erosion Control."

It shall be the responsibility of the applicant to submit the E&SPC plan, application, and other necessary material to the Conservation District or DEP office, as appropriate. A copy of the transmittal letter shall be provided to the Township. Comments shall be received and E&SPC plan approval obtained from the Conservation District prior to stormwater plan approval.

N. *Minor SWM Plan.* A minor SWM plan is required per §26-302.3 and as outlined in Appendix 26-C. Minor SWM plans shall consist of the following, and are not subject to §26-303, "Volume Controls," and §26-304, "Rate Controls," of this Chapter. Minor plan preparation steps are as follows:

(1) Prepare a scaled drawing showing key features of the site.

The plan can be developed from a tax map, site survey, or other accurate drawing of the site. The property and boundaries should be accurate in scale.

The plan should include:

(a) A line showing the limit and location of area(s) that will be cleared for regulated activities such as buildings, driveways and lawns.

(b) The location of all structures, existing and proposed (house, shed, garage, etc.). Include driveways, parking areas, any other impervious surfaces, well and septic system locations.

(c) The location of property boundaries, any streams or wetlands, and separation distances of structure(s) to any water body or stream.

(d) The angle/slope of the property in relation to any water body or stream. Calculate the volume of stormwater runoff created by the project.

(2) Identify the newly created impervious areas. Note on the plan the area of each proposed structure and impervious surface (paved, walkways, etc.) and calculate the sum of the areas. For example:

(a) 20 feet x 20 feet shed = 400 square feet.

(b) 6 feet x 60 feet sidewalk = 360 square feet.

(c) Total Impervious Area = 760 square feet.

(3) Calculate the volume of stormwater runoff.

For minor projects, multiply the total square footage of newly created total impervious area by (2.85 inches/12 inches/feet). For example:

760 square feet x (0.2375feet) = 180.5 cubic feet

(2.85 inches is the 2-year, 24-hour rainfall for Williamsport, PA, taken from NOAA's Hydrometeorological Design Studies Center Precipitation Frequency Data Server for Point Precipitation Frequency Estimates from NOAA Atlas 14).

(4) Identify/choose the appropriate stormwater control measures. Size and place the measures on the project site, and add the measures to the SWM plan.

The volume of stormwater runoff calculated in subparagraph (3) is now used to size the stormwater control storage devices. Vegetative controls and structural measures can be used individually or in combination to provide the required storage volume. The PA BMP Manual identifies structural and non-structural control measures that may be used, as well as instructions to calculate the volume provided by each.

Please note that all minor stormwater management plans should provide appropriate erosion control measures. Refer to paragraph .M above. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* is available for guidance. Please contact the Lycoming County Conservation District for additional information.

A sample minor stormwater management plan can be found in Appendix 26-D.

O. All regulated activities that do not fall under the exemption criteria referenced herein shall submit a drainage plan to the municipality for review. These criteria shall apply to the total proposed development even if development is to take place in stages. Impervious cover shall include, but not be limited to, any roof, parking or driveway areas and any new streets and sidewalks. Any areas

designed to initially be gravel or crushed stone shall be considered to be impervious for the purposes of comparison to the waiver criteria, unless they are installed and maintained as provided for in the PA BMP Manual.

(1) Stormwater drainage systems shall be provided in order to permit unimpeded flow along natural watercourses, except as modified by stormwater management facilities or open channels consistent with this Chapter.

(2) Areas of existing diffused drainage discharge shall be subject to any applicable discharge criteria in the general direction of existing discharge, whether proposed to be concentrated or maintained as diffused drainage areas, except as otherwise provided by this Chapter. If diffused flow is proposed to be concentrated and discharged onto adjacent property, the applicant must document that adequate downstream conveyance facilities exist to safely transport the concentrated discharge, or otherwise prove that no erosion, sedimentation, flooding or other harm will result from the concentrated discharge.

(3) Where a development site is traversed by watercourses, drainage easements shall be provided conforming to the line of such watercourses. The terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations that may adversely affect the flow of stormwater within any portion of the easement. Also, maintenance, including mowing of vegetation within the easement, shall be required, except as approved by the appropriate governing authority.

(4) When it can be shown that, due to topographic conditions, natural drainageways on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainageways. Work within natural drainageways shall be subject to approval by PA DEP through the joint permit application process, or, where deemed appropriate by PA DEP, through the general permit process.

(5) Any stormwater management facilities regulated by this Chapter that would be located in or adjacent to waters of the Commonwealth or wetlands shall be subject to approval by PA DEP through the joint permit application process, or where deemed appropriate by PA DEP, the general permit process. When there is a question whether wetlands may be involved, it is the responsibility of the applicant or his agent to show that the land in question cannot be classified as wetlands, otherwise approval to work in the area must be obtained from PA DEP.

(6) Any stormwater management facilities regulated by this Chapter that would be located on State highway rights-of-way shall be subject to approval by the Pennsylvania Department of Transportation (PA DOT).

(7) Minimization of impervious surfaces and infiltration of stormwater runoff through seepage beds, infiltration trenches, etc., are encouraged, where soil conditions permit, to reduce the size or eliminate the need for detention facilities.

(8) In order to promote overland flow and infiltration, roof drains should not discharge directly to streets or storm sewers. Roof drains may discharge directly to streets or storm sewers when deemed necessary by the

Municipality. Under no circumstances shall roof drains discharge directly to sanitary sewer systems.

(Ord. 254, 3/8/2011, §305)

Part 4**Stormwater Management (SWM) Site Plan Requirements****§26-401. Plan Contents.**

The following items shall be included in the SWM site plan:

A. Appropriate sections from the Township Subdivision and Land Development Ordinance [Chapter 22], and other applicable local ordinances, shall be followed in preparing the SWM site plans. In instances where the Township lacks subdivision and land development regulations, the content of SWM site plans shall follow the County's Subdivision and Land Development Ordinance.

B. The Township shall not approve any SWM site plan that is deficient in meeting the requirements of this Chapter. At its sole discretion and in accordance with this Part, when a SWM site plan is found to be deficient, the Township may either disapprove the submission and require a resubmission, or in the case of minor deficiencies the Township may accept submission of modifications.

C. Provisions for a permanent access or maintenance easement for all physical SWM BMPs, such as ponds and infiltration structures, as necessary to implement the operation and maintenance plan discussed in paragraph .I(9) below.

D. The following signature block for the Township: "(Township Official or designee), on this date (date of signature) has reviewed and hereby certifies that the SWM site plan meets all design standards and criteria of the Township Ordinance No. (Number assigned to the Ordinance)."

E. The following signature block for the registered professional preparing the Plan: "I, _____, hereby certify on this date (date of signature) that the stormwater management plan meets all design standards and criteria of the Ordinance No. (Number assigned to the Ordinance)."

F. The following statement by the owner: "I/we hereby acknowledge that I/we and/or my/our assignees/grantees shall be responsible for maintenance of the stormwater management system shown hereon, in accordance with approved stormwater management ownership and maintenance plan for this project, and that such stormwater system shall remain as a permanent fixture that cannot be altered, replaced, or removed without prior written approval from the Township."

G. A note indicating that as-built plans will be submitted by a qualified professional for all stormwater facilities prior to occupancy, or the release of the surety bond. The Municipality reserves the right to authorize the Municipal Engineer to review said as-built plans.

H. All permits required by the Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation (PA DOT), and U.S. Army Corps of Engineers (USACE) and other regulatory agencies.

I. The SWM site plan shall provide the following information:

(1) The overall stormwater management concept for the project.

(2) A determination of site conditions in accordance with the PA BMP Manual. A detailed site evaluation shall be completed for projects proposed in

areas of carbonate geology or karst topography, and other environmentally sensitive areas such as brownfields.

(3) Stormwater runoff design computations and documentation as specified in this Chapter, or otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this Chapter, including the recommendations and general requirements in §26-301.

(4) Expected project time schedule.

(5) A soil erosion and sediment control plan, where applicable, as prepared for and approved by the approval authority.

(6) The effect (in terms of runoff volumes, water quality, and peak flows) on surrounding properties and aquatic features and on any existing stormwater conveyance system that may be affected by the project.

(7) Plans and profile drawings of all SWM BMPs including open channel structures, pipes, open channels, and swales shall be at the discretion of the Township.

(8) SWM site plan shall show the locations of existing watercourses and existing and proposed on-lot wastewater facilities, water supply wells, and infiltration areas.

(9) The SWM site plan shall include an operation and maintenance (O&M) plan for all existing and proposed physical stormwater management facilities. This plan shall address long-term ownership and responsibilities for operation and maintenance.

(10) Horizontal and vertical profiles of any existing and proposed watercourses, drainageways, channels or streams, including hydraulic capacity.

(11) Hydrologic and hydraulic computations for all existing and proposed stormwater management facilities and measures.

(12) Stormwater management both during and after development.

(13) Unless specifically exempted in writing, the following must also be shown on the SWM site plan, prepared in a form which meets the requirements for recording in the Office of the Register and Recorder of Lycoming County, Pennsylvania:

(a) Annotated maps, drawings, engineering plans, and construction details. Said plan shall be prepared by a registered professional land surveyor, qualified geologist, landscape architect, architect, or engineer licensed in the State of Pennsylvania, with said preparer's seal and registration number affixed to the plan. Plans for tracts of less than 20 acres shall be drawn at a scale of one inch equals no more than 50 feet; for tracts of 20 acres or more, plans shall be drawn at a scale of 1 inch equals no more than 200 feet. Plans shall be submitted on the following sheet sizes: 18 inches x 24 inches, 24 inches x 36 inches, or 36 inches x 42 inches. All lettering shall be drawn to a size to be legible if the plans are reduced to half size. All sheets comprising a submission shall be on one size.

(b) The name of the proposed development and the name and address

of the owner of the property and the individual or firm preparing the plan.

(c) Date of submission and revision, graphic scale, and north arrow.

(d) Total tract boundary with distances marked to the nearest foot and bearings to the nearest degree and the total acreage of the tract.

(e) Key map (drawn to scale) showing all existing natural and man-made features beyond the property boundary affected by the project and the extent of the watershed or sub-basin which drains through the project site for 1,000 feet or as specified by the Township.

(f) Existing and proposed topographic contours shall be provided at intervals not greater than 5 feet for existing and proposed conditions. Topographic contours at intervals less than 5 feet may be required for flat sites, and to depict certain existing and future stormwater management features. The reference datum used to develop topographic contours shall be stated on the plans.

(g) Existing and proposed use, including the total area of impervious surfaces after construction.

(h) Location and selected plant material used for vegetative filter paths to sinkholes, stream buffers, buffer yards, wetlands, streams, and other waters of the Commonwealth, and the location of all notices to be posted, as specified in this Chapter.

(i) If stormwater management facilities are off-site, a note on the plan referring to location and agreements indicating responsibility for conveyance to and maintenance of the facilities; all such off-site facilities shall meet the design standards and criteria specified in this Chapter, and details of the facilities shall be included with the plan.

(*Ord. 254, 3/8/2011, §401*)

§26-402. Plan Submission.

1. Five copies of the SWM site plan shall be submitted to the Township or Ordinance Administrator for distribution to the Township Engineer, County Conservation District, County Planning Commission, and other agencies as applicable.

2. Additional copies shall be submitted as requested by the Township, Ordinance Administrator or DEP.

(*Ord. 254, 3/8/2011, §402*)

§26-403. Plan Review.

1. The SWM site plan shall be reviewed by a qualified professional for the Township for consistency with the provisions of this Chapter. After review, the qualified professional shall provide a written recommendation for the municipality to approve or disapprove the SWM site plan. If it is recommended to disapprove the SWM site plan, the qualified professional shall state the reasons for the disapproval in writing. The qualified professional also may recommend approval of the SWM site plan with conditions and, if so, shall provide the acceptable conditions for approval in writing. The SWM site plan review and recommendations shall be completed within the time allowed by the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, for reviewing subdivision

plans.

2. The Township shall notify the applicant in writing within 45 calendar days whether the SWM site plan is approved or disapproved. If the SWM plan involves a subdivision or land development plan, the notification period is 90 days. If a longer notification period is provided by other statute, regulation, or ordinance, the applicant will be so notified by the Township. If the Township disapproves the SWM plan, the Township shall cite the reasons for disapproval in writing.

3. The Township's approval of a SWM site plan shall be valid for a period not to exceed 5 years. This 5-year time period shall commence on the date that the Township signs the approved SWM site plan. If stormwater management facilities included in the approved SWM site plan have not been constructed, or if an as-built survey (if required) of these facilities has not been approved within this 5-year time period, then the Township may consider the SWM site plan disapproved and may revoke any and all permits. SWM site plans that are considered disapproved by the Township shall be resubmitted in accordance with §26-405 of this Chapter. The 5-year time period may be renewed for a single 5-year term upon request of the applicant if there have been no adopted or pending revisions to this Chapter.

4. A SWM site plan may be adjusted, revised, and resubmitted in accordance with above.

5. Failure of the Township or Ordinance Administrator to render a decision and communicate it to the applicant within 90 days (except when a plan is being reviewed concurrently with another development approval), in which case the time limit for the concurrent development permit shall apply, shall be deemed an approval of the plan. (*Ord. 254, 3/8/2011, §403*)

§26-404. Modification of Plans.

A modification to a submitted SWM site plan that involves a change in SWM BMPs or techniques, or that involves the relocation or re-design of SWM BMPs, or that is necessary because soil or other conditions are not as stated on the SWM site plan as determined by the Township, shall require a resubmission of the modified SWM site plan in accordance with this Part.

(*Ord. 254, 3/8/2011, §404*)

§26-405. Resubmission of Disapproved Stormwater Management Site Plans.

A disapproved SWM site plan may be resubmitted, with the revisions addressing the Township's concerns, to the Township in accordance with this Part. The applicable review fee must accompany a resubmission of a disapproved SWM site plan.

(*Ord. 254, 3/8/2011, §405*)

§26-406. Authorization to Construct and Term of Validity.

The Township's approval of a SWM site plan authorizes the regulated activities contained in the SWM site plan for a maximum term of validity of 5 years following the date of approval unless otherwise authorized by the Township. The Township may specify a term of validity shorter than 5 years in the approval for any specific SWM site plan. Terms of validity shall commence on the date the Township signs the approval for

a SWM site plan. If an approved SWM site plan is not completed according to §26-407 within the term of validity, then the Township may consider the SWM site plan disapproved and may revoke any and all permits. SWM site plans that are considered disapproved by the Township shall be resubmitted in accordance with §26-405 of this Chapter.

(*Ord. 254, 3/8/2011, §406*)

§26-407. As-Built Plans, Completion Certificate and Final Inspection.

1. The developer shall be responsible for completing an as-built plan(s) of all SWM BMPs included in the approved SWM site plan. The as-built plans and an explanation of any discrepancies with the construction plans shall be submitted to the Township.

2. The as-built submission shall include a certification of completion signed by a qualified professional verifying that all permanent SWM BMPs have been constructed according to the approved plans and specifications. If any licensed qualified professionals contributed to the construction plans, then a licensed qualified professional must sign the completion certificate.

3. After receipt of the completion certification by the Township, the Township may conduct a final inspection.

(*Ord. 254, 3/8/2011, §407*)

Part 5**Operation and Maintenance****§26-501. Responsibilities of Developers and Landowners.**

1. The Township shall make the final determination on the continuing maintenance responsibilities prior to final approval of the SWM site plan. The Township may require a dedication of such facilities as part of the requirements for approval of the SWM site plan. Such a requirement is not an indication that the Township will accept the facilities. The Township reserves the right to accept the ownership and operating responsibility for any or the entire stormwater management controls.

2. Facilities, areas, or structures used as Stormwater Management BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions or conservation easements that run with the land.

3. The operation and maintenance plan shall be recorded as a restrictive deed covenant that runs with the land.

(Ord. 254, 3/8/2011, §501)

§26-502. Operation and Maintenance Agreements.

1. The owner is responsible for operation and maintenance of the SWM BMPs. If the owner fails to adhere to the operation and maintenance agreement, the Township may perform the services required and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.

2. Each stormwater management plan shall contain provisions which clearly set forth the ownership and maintenance responsibility of all permanent stormwater management, and erosion and sediment control facilities. Including:

A. Description of maintenance requirements.

B. Establishment of suitable easements for access to all facilities by public officials, in accordance with this Part.

C. Municipalities are exempt from the requirement to sign and record an operation and maintenance agreement.

D. Identification of the responsible party or entity for ownership and maintenance of both temporary and permanent stormwater management, and erosion and sediment pollution control facilities. In meeting this requirement, the following options are hereby provided for upon approval by Old Lycoming Township:

(1) Facilities may be incorporated within individual lots so that the respective lot owners will own and be responsible for maintenance in accordance with recorded deed restriction. A description of the facility or system and the terms of the required maintenance shall be incorporated as part of the deed to the property.

(2) Ownership and maintenance may be the responsibility of a property owners association. The stated responsibilities of the property owners

association in terms of owning and maintaining the stormwater management facilities shall be submitted with final plans for determination of their adequacy, and upon their approval shall be recorded with the approved subdivision plan among the deed records of Lycoming County, Pennsylvania. In addition, the approved subdivision plan and any deed written from said plan for a lot or lots shown herein shall contain a condition that it shall be mandatory for the owner or owners of said lot to be members of said property owners association.

(3) For stormwater management facilities that are proposed as part of the site development plan, the applicant will be required to execute a developer agreement and a maintenance agreement with the Township for the construction and continued maintenance of the facilities prior to the signature approval on the final plan. Access for inspection by the municipality of all such facilities deemed critical to the public welfare at any reasonable time shall be provided.

(4) In the event the above priorities cannot be achieved, or where it is required, the facilities may be dedicated to the Township in accordance with this Chapter. As a condition of Township acceptance of said facilities, the applicant shall provide 15 percent of the cost of improvements, in the form of a maintenance bond, as estimated by the applicant's qualified professional, and approved by the Township, to cover contingency maintenance costs for 18 months from the date of stormwater management facilities acceptance of dedication. The 15 percent bond shall be based on the construction costs of the detention basin and outlet structure within the area dedicated to the Township.

(Ord. 254, 3/8/2011, §502)

Part 6**Fees and Expenses****§26-601. General.**

The Township may include all costs incurred in the review fee charged to an applicant. The review fee may include, but not be limited to, costs for the following:

- A. Administrative/clerical processing.
- B. Review of the SWM site plan.
- C. Attendance at meetings.
- D. Inspections.

(Ord. 254, 3/8/2011, §601)

Part 7

Prohibitions

§26-701. Prohibited Discharges and Connections.

1. Any drain or conveyance, whether on the surface or subsurface, which allows any nonstormwater discharge including sewage, process wastewater, and wash water to enter the waters of this Commonwealth is prohibited.

2. No person shall allow, or cause to allow, discharges into surface waters of this Commonwealth which are not composed entirely of stormwater, except (A) as provided in subsection .3 below, and (B) discharges allowed under a State or Federal permit.

3. The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of this Commonwealth:

Discharges from firefighting activities	Flows from riparian habitats and wetlands
Potable water sources including water line flushing	Uncontaminated water from foundations or from footing drains
Irrigation drainage	Lawn watering
Air conditioning condensate	Dechlorinated swimming pool discharges
Springs	Uncontaminated groundwater
Water from crawl space pumps	Water from individual residential car washing
Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used	Routine external building wash down (which does not use detergents or other compounds)

4. In the event that the Township or DEP determines that any of the discharges identified in subsection .3, significantly contribute to pollution of the waters of this Commonwealth, the Township or DEP will notify the responsible person(s) to cease the discharge.

(Ord. 254, 3/8/2011, §701)

§26-702. Roof Drains.

Roof drains and sump pumps shall discharge to infiltration or vegetative BMPs to the maximum extent practicable to satisfy the criteria for disconnected impervious area.

(Ord. 254, 3/8/2011, §702)

§26-703. Alteration of SWM BMPs.

No person shall modify, remove, fill, landscape, or alter any SWM BMPs, facilities, areas, or structures, without the prior written approval of the Township.

(Ord. 254, 3/8/2011, §703)

Part 8**Enforcement and Penalties****§26-801. Right-of-Entry.**

Upon presentation of proper credentials, the Township may enter at reasonable times upon any property within the Township to inspect the condition of the stormwater structures and facilities in regard to any aspect regulated by this Chapter.

(Ord. 254, 3/8/2011, §801)

§26-802. Inspection.

SWM BMPs should be inspected by the landowner, or the owner's designee (including Township for dedicated and owned facilities) according to the following list of minimum frequencies:

- A. Annually for the first 3 years.
- B. Bi-annually thereafter.
- C. During or immediately after the cessation of a storm event.

(Ord. 254, 3/8/2011, §802)

§26-803. Enforcement.

1. It shall be unlawful for a person to undertake any regulated activity except as provided in an approved SWM site plan, unless specifically exempted in §26-302.

2. It shall be unlawful to violate §26-703 of this Chapter or to alter or remove any control structure required by the SWM site plan.

3. Inspections regarding compliance with the SWM site plan are a responsibility of the Township.

4. If the Township determines at any time that any permanent stormwater management facility has been eliminated, altered, or improperly maintained, the Township shall advise the responsible party of required corrective measures, and shall provide said responsible party with a specific time to implement the required corrective measures. If such action is not taken by the property owner, the Township may cause the work to be done and back-charge all costs to the property owners in accordance with this Chapter.

(Ord. 254, 3/8/2011, §803)

§26-804. Suspensions and Revocation.

1. Any approval or permit issued may be suspended or revoked by the Township for:

A. Noncompliance with or failure to implement any provision of the approved SWM site plan or operation and maintenance agreement.

B. A violation of any provision of this Chapter or any other applicable law, ordinance, rule or regulation relating to the regulated activity.

C. The creation of any condition or the commission of any act during the

regulated activity which constitutes or creates a hazard or nuisance, pollution, or which endangers the life or property of others.

2. A suspended approval may be reinstated by the Township when:

A. The Township has inspected and approved the corrections to the violations that caused the suspension.

B. The Township is satisfied that the violation has been corrected.

3. An approval that has been revoked by the Township cannot be reinstated. The applicant may apply for a new approval under the provisions of this Chapter.

4. If a violation causes no immediate danger to life, public health, or property, at its sole discretion, the Township shall provide a reasonable time frame for the owner to correct the violation. In these cases, the Township will provide the owner, or the owner's designee, with a written notice of the violation and the time period allowed for the owner to correct the violation. If the owner does not correct the violation within the allowed time period, the Township may revoke or suspend any, or all, applicable approvals and permits pertaining to any provision of this Chapter.

(*Ord. 254, 3/8/2011, §804*)

§26-805. Penalties.

Any person who fails to comply with this Chapter within the period stated in the notice of the designated municipal representative shall, upon conviction thereof, be guilty of a summary offense, and shall be sentenced to pay a penalty of not more than \$300. Each and every day of continued violation and of each specific violation shall constitute a separate violation.

A. In the event that the owner, developer, occupant, applicant, property manager or other person responsible fails to comply with the terms of this Chapter within the time specified by the Township representative, the Township may take any actions necessary to remove the public nuisance. The costs of removal of the violation shall be in addition to any penalties for violations for failure to comply.

B. In addition to the fines for violations, costs, and penalties provided for by this Part, the Township may institute proceedings in courts of equity to require owner and/or occupants of real estate to comply with the provision of this Chapter.

C. The cost of removal, fine, and penalties hereinabove mentioned may be entered by the Township as a lien against such property, or properties of individual members of a property owners association, in accordance with existing provisions of law.

(*Ord. 254, 3/8/2011, §805*)

§26-806. Appeals.

1. Appeals from the determination of the municipality or its authorized agent under this Chapter shall be made to the Old Lycoming Township Stormwater Appeals Board. Such appeals shall be in writing, addressed to Stormwater Appeals Board at the Township and shall be filed within 30 days of the date of determination appealed from.

2. All requests to the Stormwater Appeals Board shall state the grounds and facts of unreasonableness or hardship on which the request is based, the provision(s) of the

Chapter, and the minimum modification necessary.

3. The Stormwater Appeals Board shall conduct hearings and make decisions in accordance with the following requirements:

A. Written notice shall be given to the appellant, the Zoning Officer, such other persons as the Township may designate by resolution, to any person who has made timely request for the same and to any other person as the Stormwater Appeals Board shall determine. Written notices shall be given at such time and in such manner as shall be prescribed by the rules of the Stormwater Appeals Board, but shall not give less than 15 days notice of the said hearing.

B. The Township may set reasonable fees by resolution with respect to hearings before the Stormwater Appeals Board. Fees for such hearings may include compensation for the secretary and members of the Stormwater Appeals Board, notice and advertising costs, the cost of stenographic recording and necessary administrative overhead connected with the hearing. The cost, however, shall not include legal expenses of the Stormwater Appeals Board, expenses for engineering, architectural or other technical consultants or expert witness costs.

C. The hearing shall be held within 60 days from the date of the appellant's written request, unless the appellant has agreed, in writing, to the extension of time.

D. The hearing shall be conducted by the Stormwater Appeals Board. A simple majority of the Board being present shall constitute a quorum.

E. The decision of the Stormwater Appeals Board shall be made, in writing, within 30 days of termination of the hearing and shall be communicated by first-class mail to the appellant and any other parties who have appeared at the addresses set forth by them.

F. The parties to the hearing shall be the municipality, the appellant, any person affected by the appeal who has made timely appearance of record before the Stormwater Appeals Board and any other person, including civic, community or State organizations permitted to appear by the Stormwater Appeals Board. The Stormwater Appeals Board shall have the power to require that all persons who wish to be considered parties enter appearance in writing.

G. The Chairman or Acting Chairman of the Stormwater Appeals Board or presiding officer shall have the power to administer oaths and issue subpoenas to compel the attendance of the witnesses and the production of relevant documents and papers, including witness and documents requested by the parties.

H. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine witnesses on all relevant issues.

I. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

J. The Stormwater Appeals Board shall not communicate directly or indirectly with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communications, reports, staff memorandum or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to

contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

K. Where legal counsel is desired, an attorney, other than the Township Solicitor, may be appointed by the Old Lycoming Township Board of Supervisors to serve as counsel to the Stormwater Appeals Board.

4. The Stormwater Appeals Board may grant an appeal to modify the requirements of one or more provisions if the application of this Chapter will exact undue hardship due to peculiar conditions pertaining to the land in question, providing such modification will not be contrary to the public interest and that the purpose and intent of the Chapter is observed.

5. The Stormwater Appeals Board may refer any request for an appeal to the Old Lycoming Township Engineer, the Old Lycoming Township Planning Commission, and/or the Old Lycoming Township Board of Supervisors for advisory comments.

6. Any person aggrieved by any decision of the Township, relevant to the provisions of this Chapter, may appeal to the County Court of Common Pleas in the County where the activity has taken place within 30 days of the Township's decision. (*Ord. 254, 3/8/2011, §803; as amended by Ord. 263, 5/14/2013, Art. 3*)

Part 9**References****§26-901. References.**

1. Pennsylvania Department of Environmental Protection (DEP). No. 363-0300-002 (2006), as amended and updated. *Pennsylvania Stormwater Best Management Practices Manual*. Harrisburg, PA.
2. The Pennsylvania Department of Environmental Protection (DEP). 363-2134-008 (2000), as amended and updated. *Erosion and Sediment Pollution Control Program Manual*. Harrisburg, PA.
3. United States Department of Agriculture (USDA), National Resources Conservation Service (NRCS). *National Engineering Handbook*. Part 630: Hydrology, 1969-2001. Originally published as the *National Engineering Handbook*, §4: Hydrology. Available online at: <http://www.wcc.nrcs.usda.gov/hydro/hydro-techref-neh-630.html>.
4. United States Department of Agriculture (USDA), National Resources Conservation Service (NRCS). 1986. *Technical Release 55: Urban Hydrology for Small Watersheds*, 2nd Edition. Washington, D.C.
5. US Department of Commerce (USDC), National Oceanic and Atmospheric Administration (NOAA), National Weather Service (NWS), Hydrometeorological Design Studies Center. 2004–2006. *Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2*, Silver Spring, Maryland, 20910. Internet address: <http://hdsc.nws.noaa.gov/hdsc/pfds/>.
6. United States Department of Department of Transportation (US DOT), Federal Highway Administration (FHWA). 2001. Hydraulic Engineering Circular Number 22 (HEC-22), *Urban Drainage Design Manual*.
7. *PennDOT Drainage Manual*, Publication Number 13, DM-2, Chapter 10, as amended.
8. Commonwealth of Pennsylvania, Storm Water Management Act No. 167. (*Ord. 254, 3/8/2011, §901*)

APPENDIX 26-A

OPERATION AND MAINTENANCE AGREEMENT
STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES (SWM BMP)

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between _____, (hereinafter the "Landowner"), and _____, Lycoming County, Pennsylvania, (hereinafter "Municipality");

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property as recorded by deed in the land records of Lycoming County, Pennsylvania, Deed Book _____ at Page _____, (hereinafter "Property").

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the SWM BMP Operation and Maintenance Plan approved by the Municipality (hereinafter referred to as the "Plan") for the property identified herein, which is attached hereto as Appendix A and made part hereof, as approved by the Municipality, provides for management of stormwater within the confines of the Property through the use of BMPs; and

WHEREAS, the Municipality, and the Landowner, his successors and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that on-site stormwater BMP be constructed and maintained on the Property; and

WHEREAS, the Municipality requires, through the implementation of the SWM Site Plan, that SWM BMP's as required by said Plan and the Municipal Stormwater Management Ordinance be constructed and adequately operated and maintained by the Landowner, his successors and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Landowner shall construct the BMPs in accordance with the plans and specifications identified in the SWM Site Plan.

2. The Landowner shall operate and maintain the BMPs as shown on the Plan in good working order accordance with the specific maintenance requirements noted on the approved SWM Site Plan.
3. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the Municipality shall notify the Landowner prior to entering the property.
4. In the event the Landowner fails to operate and maintain the BMPs per paragraph 2, the Municipality or its representatives may enter upon the Property and take whatever action is deemed necessary to maintain said BMP(s). This provision shall not be construed to allow the Municipality to erect any permanent structure on the land of the Landowner. It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.
5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the Municipality.
6. The intent and purpose of this Agreement is to ensure the proper maintenance of the onsite BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.
7. The Landowner, its executors, administrators, assigns, and other successors in interests, shall release the Municipality from all damages, accidents, casualties, occurrences or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMP(s) by the Landowner or Municipality.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Lycoming County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs and any other successors in interests, in perpetuity.

ATTEST:

WITNESS the following signatures and seals:

(SEAL)

For the Municipality:

(SEAL)

For the Landowner:

ATTEST:

_____ (City, Borough, Township)

County of Lycoming, Pennsylvania

I, _____, a Notary Public in and for the County and State aforesaid, whose commission expires on the _____ day of _____, 20____, do hereby certify that _____ whose name(s) is/are signed to the foregoing Agreement bearing date of the _____ day of _____, 20____, has acknowledged the same before me in my said County and State.

GIVEN UNDER MY HAND THIS _____ day of _____, 20____.

NOTARY PUBLIC

(SEAL)

APPENDIX 26-B

DISCONNECTED IMPERVIOUS AREA (DIA)

B.1. Rooftop Disconnection

When rooftop downspouts are directed to a pervious area that allows for infiltration, filtration, and increased time of concentration, the rooftop may qualify as completely or partially Disconnected Impervious Area (DIA) and a portion of the impervious rooftop area may be excluded from the calculation of total impervious cover.

A rooftop is considered to be completely or partially disconnected if it meets the requirements listed below:

- The contributing area of rooftop to each disconnected discharge is 500 square feet or less, and
- The soil is not designated as hydrologic soil group “D” or equivalent, and
- The overland flow path from roof water discharge area has a positive slope of 5% or less.

For designs that meet these requirements, the portion of the roof that may be considered disconnected depends on the length of the overland path as designated in Table B.1.

Table B.1: Partial Rooftop Disconnection	
Length of Pervious Flow Path *	Roof Area Treated as Disconnected
(ft)	(% of contributing area)
0 – 14	0
15 – 29	20
30 – 44	40
45 – 59	60
60 – 74	80
75 or more	100

* Flow path cannot include impervious surfaces and must be at least 15 feet from any impervious surfaces.

B.2. Pavement Disconnection

When pavement runoff is directed to a pervious area that allows for infiltration, filtration, and increased time of concentration, the contributing pavement area may qualify as Disconnected Impervious Area (DIA) and that area may be excluded from the calculation of total impervious cover. This applies generally only to small or narrow pavement structures such as driveways and narrow pathways through otherwise pervious areas (e.g. a walkway or bike path through a park).

Pavement is disconnected if the pavement, or area adjacent to the pavement, meets the requirements below:

- The contributing flow path over impervious cover is not more than 75 feet, and
- The length of overland flow is greater than or equal to the contributing length, and
- The soil is not designated as hydrologic soil group “D” or equivalent, and
- The slope of the contributing impervious area is 5% or less, and
- The slope of the overland flow path is 5% or less.

If the discharge is concentrated at one or more discrete points, no more than 1000 square feet may discharge to any one point. In addition, a gravel strip or other spreading device is required for concentrated discharges. For non-concentrated discharges along the entire edge of pavement, this requirement is waived; however, there must be provision for the establishment of vegetation along the pavement edge and temporary stabilization of the area until vegetation becomes stabilized.

REFERENCE

Philadelphia Water Department. 2006. *Stormwater Management Guidance Manual*. Section 4.2.2: *Integrated Site Design*. Philadelphia, PA.

Stormwater Management Plan (SMP) Requirements

Plan Requirement	Impervious Area*	Disturbed Area*	References
Exempt	<1,000 sq. ft.	<5,000 sq. ft.	Section 302.A.
May Be Exempt	1,000 sq. ft. to <5,000 sq. ft. if disconnected from impervious areas	5,000 sq. ft. to <20,000 sq. ft. without point source to surface waters	Section 302.B. Appendix B
Minor SMP	1,000 sq. ft. to < 5,000 sq. ft. if connected to impervious areas	5,000 sq. ft to <20,000 sq. ft with point source to surface waters	Section 305.N. Appendix B Appendix C
SMP	5,000 sq. ft. or greater	20,000 sq. ft. or greater	Article IV

* The measurement of impervious or disturbed areas shall include all of the impervious or disturbed areas in the total proposed development even if development is to take place in stages (Section 301.F.)

APPENDIX 26-D

SAMPLE MINOR STORMWATER MANAGEMENT PLAN

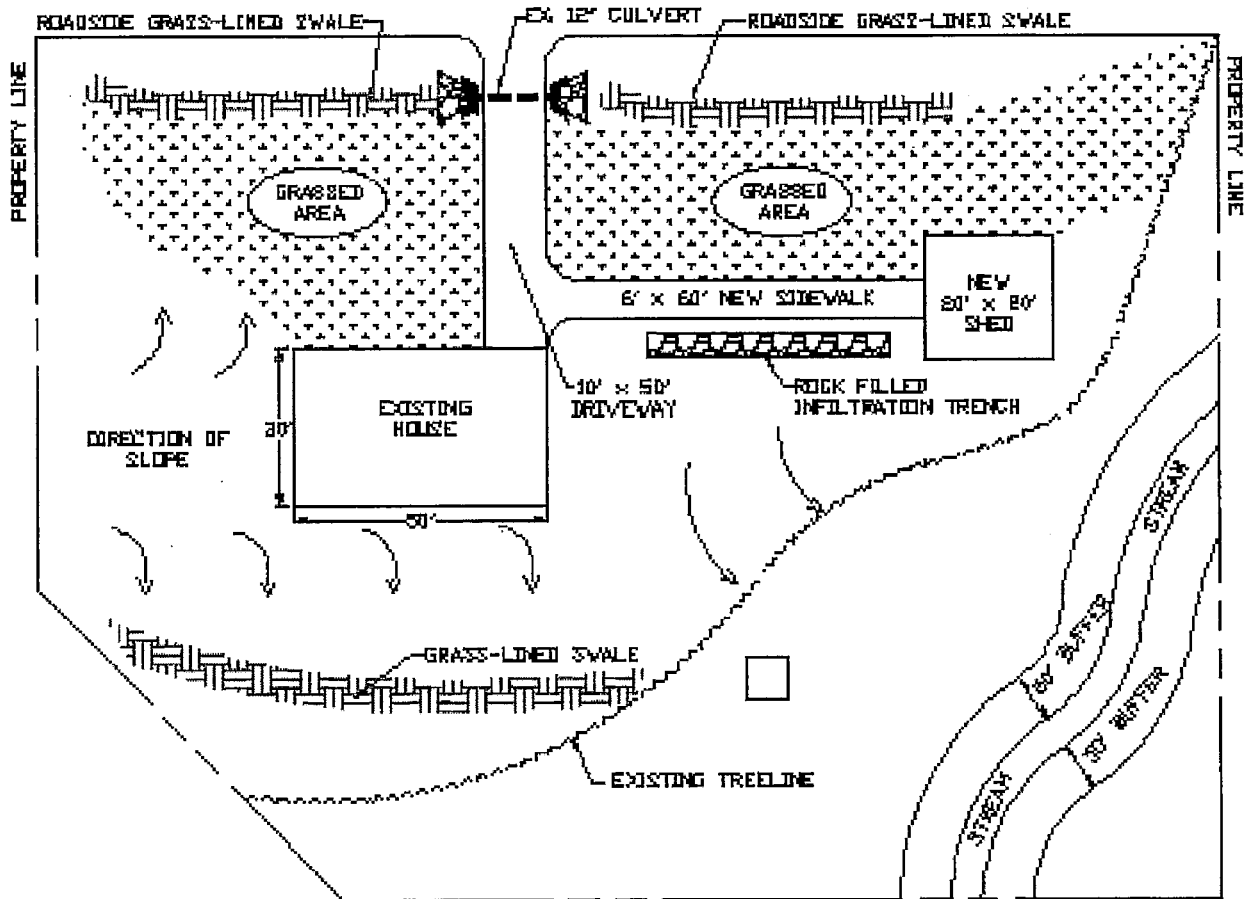
Property Owner _____

Tax ID # _____

Proposed by _____

Date _____ Drawn by _____

Scale _____



Insert Appendix E - Runoff Coefficients

