

HANOVER TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 22-5

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP
OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA TO
AMEND CHAPTER 152 STORMWATER MANAGEMENT, OF THE
CODE OF CODIFIED ORDINANCES, AND REPEAL ALL
ORDINANCES INCONSISTENT HEREWITH.**

WHEREAS, Act 167 of 1978, more formally known as The Pennsylvania Stormwater Management Act (“Act 167”) requires municipalities to “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 a municipality in a manner consistent with the applicable watershed stormwater plan and the provisions of this act”;

WHEREAS, Pennsylvania Department of Environmental Protection (“DEP”) is directed under Act 167 to develop, from time to time, model stormwater ordinances and amendments;

WHEREAS, DEP has developed its 2022 model stormwater ordinance.

NOW THEREFORE, be it enacted and ordained by the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania, and the same is hereby ordained and enacted as follows, to wit:

SECTION 1. The Board of Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the “Second Class Township Code” and Act 167 as amended, as well as other laws of the Commonwealth of Pennsylvania (the “Commonwealth”), do hereby ordain and enact the following amendment to the Hanover Township Stormwater Management Ordinance, as amended.

SECTION 2. Chapter 152 Stormwater Management, Article V Drainage Plan Requirements, § 152-17 Drainage Plan Review, Subsection D is deleted in its entirety and replaced as follows:

“D. The Township shall require an as-built survey of all stormwater BMPs and an explanation of any discrepancies with the drainage plan prior to issuance of a certificate of occupancy or prior to release of developer improvement security, if applicable.”

SECTION 3. Chapter 152 Stormwater Management, Article V Drainage Plan Requirements, § 152-19 Hardship Waiver Procedure is amended to add Subsection F as follows:

“F. No waivers may be granted by the Township for any provisions of this ordinance which may be covered under any required NPDES permit without prior approval from DEP.”

SECTION 4. Chapter 152 Stormwater Management, Article VI Inspections, § 152-20 Schedule of Inspections is amended to add Subsections C and D as follows:

“C. For all regulated earth disturbance activities, the licensed qualified professional shall certify that all permanent stormwater management BMPs have been constructed according to the approved plans and specifications.

D. As-built plans of all stormwater management BMPs shall be submitted to the township along with an explanation of any discrepancies with the construction plans.”

SECTION 5. Chapter 152 Stormwater Management, Article VIII Stormwater BMP Operation and Maintenance Plan Requirements, § 152-24.3 Covenant and agreement for maintenance of privately owned BMP(s) is amended to add Subsection C as follows:

“C. The property owner is required to provide an annual written inspection report for all BMPs to the Township.”

SECTION 6. Chapter 152 Stormwater Management, Article XI Prohibitions, § 152-29 Prohibited discharges and connections, Subsection C is deleted in its entirety and replaced as follows:

“C. Discharges that may be allowed based on the Township finding that the discharge(s) do not significantly contribute pollution to service waters of the Commonwealth are listed below:

- (1) Discharges or flows from firefighting activities.
- (2) Discharges from potable water sources including water line flushing and fire hydrant flushing, if such changes do not contain detectable concentrations of Total Residual Chlorine (TRC).
- (3) Non-contaminated irrigation water, sewer from lawn maintenance, landscape drainage and flows from riparian habitats and wetlands.
- (4) Diverted stream flows and springs.
- (5) Non-contaminated pumped ground water and water from foundation and footing drains and crawl space pumps.
- (6) Non-contaminated HVAC condensation and water from geothermal systems.
- (7) Residential (i.e., not commercial) vehicle wash water where cleaning agents are not utilized.
- (8) Non-contaminated hydrostatic test water discharges, if such discharges do not contain detectable concentrations of TRC.”

SECTION 7. Chapter 152 Stormwater Management, Article XI Prohibitions, § 152-31 Roof drains is deleted in its entirety and replaced as follows:

“§ 152-31 Roof Drains and Sump Pumps.

A. Roof drains shall not be connected to streets, sanitary or storm sewers or roadside ditches, except as provided in Subsection B of this section.

B. When it is more advantageous to connect directly to streets or storm sewers, connections of roof drains to streets or roadside ditches may be permitted by the Township.

C. Roof drains and sump pumps shall discharge to infiltration areas or vegetated BMPs to the maximum extent practicable.”

SECTION 8. SEVERABILITY

If any section, clause, provision or portion of this Ordinance or regulation incorporated herein shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance or regulation.

SECTION 9. REPEALER

All Ordinances and parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 10. EFFECTIVE DATE

This Ordinance shall be effective five (5) days from the date of enactment.

ENACTED AND ORDAINED this 27 day of September, 2022, by the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania.

ATTEST:

By: Christina M. Thomas
Christina M. Thomas, Secretary

HANOVER TOWNSHIP
NORTHAMPTON COUNTY,
PENNSYLVANIA

By: John D. Nagle
JOHN D. NAGLE,
Chairman, Board of Supervisors