

ORDINANCE NO. 21 - 6

**AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, BY AMENDING CHAPTER 152 STORMWATER MANAGEMENT; ARTICLE VIII STORMWATER BMP OPERATION AND MAINTENANCE PLAN REQUIREMENTS; SECTION 152-24.1 RESPONSIBILITIES FOR OPERATION AND MANAGEMENT OF BMPs OF THE CODE OF ORDINANCES, AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH**

*WHEREAS*, The Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the “Second Class Township Code” of Pennsylvania as well as other laws of the Commonwealth of Pennsylvania, do hereby enact and ordain the following amendment to the text of the Hanover Township Code of Codified Ordinances;

*WHEREAS*, the Board of Supervisors of Hanover Township desire to amend its Code of Codified Ordinances by amending responsibilities for operation and maintenance of Stormwater BMPs within the Township.

*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.** Chapter 152 Stormwater Management; Article VIII Stormwater BMP Operation and Maintenance Plan Requirements; Section 152-24.1 Responsibilities for operation and maintenance of BMPs, is deleted in its entirety and replaced as follows:

“A. The BMP operation and maintenance plan for the project site shall establish responsibilities for the continuing operation and maintenance of all permanent Stormwater BMPs as follows:

(1) If a BMP operation and maintenance plan includes structures or lots which are to be separately owned and in which streets, sewers and other public improvements are to be

dedicated to the Township, Stormwater BMPs may also be dedicated to and maintained by the Township.

(2) If a BMP operation and maintenance plan includes operations and maintenance by an Owner or if sewers and other public improvements are to be privately owned and maintained, then the operation and maintenance of Stormwater BMPs shall be the responsibility of the Owner.

B. The Township shall make the final determination on the continuing operations and maintenance responsibilities. The Township reserves the right to accept or reject the operations and maintenance responsibility for any or all of the Stormwater BMPs

C. The Owner shall file inspection reports annually with the Township reporting on the operation and maintenance of the BMP. Inspection forms shall be provided by the Township upon request.”

## **SECTION 2. SEVERABILITY**

If any section, clause, provision, or portion of this Ordinance 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.

## **SECTION 3. REPEALER**

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

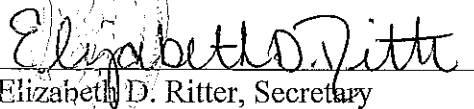
## **SECTION 4. EFFECTIVE**

This Ordinance shall become effective five (5) days from the date of its adoption.

**ENACTED AND ORDAINED** this 14<sup>th</sup> day of September, 2021.

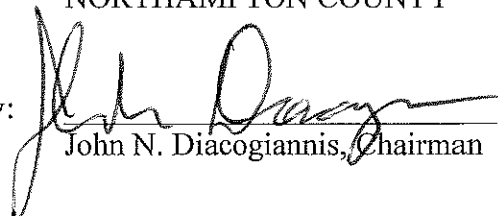
ATTEST;

By:

  
Elizabeth D. Ritter, Secretary

BOARD OF SUPERVISORS  
OF HANOVER TOWNSHIP,  
NORTHAMPTON COUNTY

By:

  
John N. Diacogiannis, Chairman

I hereby certify that the within is a true and correct copy of the proposed Ordinance in this matter.

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James L. Broughal, Esquire  
Solicitor  
Hanover Township, Northampton County