

**ELK TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2015-02**

**AN ORDINANCE OF ELK TOWNSHIP, CHESTER COUNTY,
PENNSYLVANIA, AMENDING THE ELK TOWNSHIP STORMWATER
MANAGEMENT ORDINANCE**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Elk Township, Chester County, Pennsylvania, that the Elk Township Stormwater Management Ordinance be amended as follows:

SECTION 1. Article II – Definitions, Section 202. Definitions

Replace existing definitions of “Point Source” and “Regulated Earth Disturbance Activity” with the following:

Point Source – Any discernible, confined, and discrete Conveyance including, but not limited to, any pipe, ditch, channel, tunnel, or conduit from which stormwater is or may be discharged, as defined in State regulations at 25 Pennsylvania Code § 92a.1.

Regulated Earth Disturbance Activity – Any activity involving Earth Disturbance subject to regulation under 25 Pennsylvania Code Chapter 92a, Chapter 102, or the Clean Streams Law.

SECTION 2. Article III - Stormwater Management Standards, Section 303. Erosion and Sediment Control

Replace existing Section 303.A.1.b. with the following:

- b. A PADEP NPDES Construction Activities Permit as required under Title 25 Pennsylvania Code Chapter 92a, if applicable;

SECTION 3. Article IV – Stormwater Magement (SWM) Site Plan Requirements, Section 403. SWM Site Plan Submission

Replace existing Section 403.A. with the following:

- A. The SWM Site Plan shall be coordinated with the applicable State and Federal permit process and (where applicable) the Elk Township SALDO and Zoning Permit review processes. All permit approvals or letters of adequacy not yet received by the Applicant at the time of submittal of the SWM Site Plan to Elk Township must be submitted to Elk Township prior to (or as a condition of) Elk Township’s final approval of the SWM Site Plan.

SECTION 4. Effect on Other Provisions and Repealer

This Ordinance shall supersede all prior Ordinances and Resolutions as to the specific subject matter contained herein. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 5. Severability


If any section or provision of this Ordinance is declared by any Court of competent jurisdiction to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect the constitutionality, legality or validity of this Ordinance as a whole, nor the constitutionality, legality or validity of any other section or provision of this Ordinance other than the one so declared to be unconstitutional, illegal or invalid.

SECTION 6. Effective Date

The provisions of this Ordinance shall become effective five (5) days after its enactment.

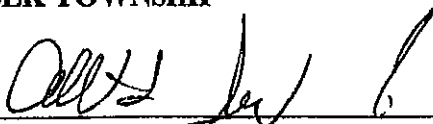
ENACTED AND ORDAINED this 4TH day of May 2015.

ATTEST:



TERRI KUKODA, Secretary


**BOARD OF SUPERVISORS
ELK TOWNSHIP**



ALBERT JEZYK, JR, Chairman



ESTACE WALTERS, Vice Chairman



JAMES GEORGE, Member