

ORDINANCE NO. 2016-2

AN ORDINANCE AMENDING THE RAPHO TOWNSHIP STORM WATER MANAGEMENT ORDINANCE TO REVISE CERTAIN DEFINITIONS AND TO CLARIFY THE AUTHORITY OF CERTAIN OFFICIALS IN PROCESSING PLANS

The Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Storm Water Management Act, Act No. 167 of October 4, 1978, (P.L. 864) (Act 167), Section 680.1 et seq., as amended, delegated the responsibility to local government units to adopt storm water management regulations, which regulations are to be consistent with the requirements of the Lancaster County Act 167 Plan; and

The Board of Supervisors adopted the Rapho Township Storm Water Management Ordinance On May 1, 2014; and

The Board of Supervisors desires to revise certain definitions and to clarify the responsibility of certain public officials in processing storm water management plans.

In consideration of the foregoing, the Board of Supervisors of the Township of Rapho hereby amends the township Storm Water Management Ordinance as follows:

SECTION 1. The definition of "Land Disturbance" in Article 2, Section 202 of the ordinance is amended to provide as follows:

Land Disturbance – Any activity involving grading, tilling, digging, or filling of ground or stripping of vegetation or any other activity that causes an alteration to the natural condition of the land; the erection of a dwelling or other structure; or the modification, removal, filling, or alteration of an existing storm water management facility or drainage easement. Land Disturbance Activities shall be classified as follows:

A. Major Land Disturbance Activity:

- (1) Any use requiring the submission of a subdivision or land development plan as herein defined.
- (2) Any land disturbance not defined as a minor land disturbance activity or deemed to qualify as a minor land disturbance activity by the Township.
- (3) Any use involving the diversion or piping of any natural or man-made watercourse or existing drainage pattern.

B. Minor Land Disturbance Activity: The use of land for any purpose on an existing lot of record, including subdivided lots or land developments approved under a Major Land Disturbance Activity, provided that:

- (1) The use is not within a floodplain area;
- (2) No diversion or piping of any natural or man-made water course or existing drainage pattern is involved;
- (3) The use does not require the submission of a subdivision or land development plan.
- (4) Within the Agricultural and Rural Zoning Districts, the use does not create more impervious area, or more earth disturbance (the removal of ground cover, grading, filling, or excavation) than shown in the table below, either of which shall be measured on a cumulative basis from May 1, 2014.

Parent Tract Size	*Minimum Distance	**Cumulative New Earth Disturbance	**Cumulative New Impervious Areas
0-0.5 acre	20	1000 sq. ft.	500 sq. ft.
0.5-1 acre	50	3500 sq. ft.	2500 sq. ft.
1-2 acre	100	21,780 sq. ft.	10,000 sq. ft.
>2-5 acres	250	43,560 sq. ft.	15,000 sq. ft.
>5 acres	500	43,560 sq. ft.	20,000 sq. ft.

*For the purposes of this subsection, “Minimum Distance” shall be the minimum distance between the downslope portion of the project site and the down slope property line of the property.

**All post developed storm water runoff from the disturbed area or additional impervious area shall leave the site in the same manner as the pre-development condition and that there will be no adverse effects to the adjacent property.

- (5) Temporary and final grading shall, wherever possible, discourage concentrated storm water and allow for sheet flow. Unless otherwise provided for by the approved Plan(s), all runoff shall be in a non-erosive sheet flow condition at all property lines.
- (6) Within all other zoning districts, the use does not create more than five thousand (5,000) square feet of impervious area or involve the removal of ground cover, grading, filling, or excavation of more than five thousand (5,000) square feet, either of which shall be measured on a cumulative basis from May 1, 2014.
- (7) All agricultural activities shall have a Conservation Plan approved by the appropriate officials.

(8) Any use of the land which, in the opinion of the Township, represents minimal ground disturbance or impact to the environment

SECTION 2. A new subpart 6 to Article 6, Section 601 of the ordinance is added, as follows:

6. The Operation and Maintenance Agreement may be approved and executed, on behalf of the Township, by the Township Manager, the Zoning Officer, the Building Code Enforcement Officer or by another public official appointed from time to time by the Board of Supervisors.

SECTION 3. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the ordinance, which shall remain in full force and effect, and for this purpose the provisions of this ordinance are hereby declared to be severable.

SECTION 4. This ordinance shall be effective five (5) days after adoption.

ORDAINED AND ENACTED this 18th day of August, 2016.



BOARD OF SUPERVISORS OF
RAPHO TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA

By: Joe Swan
(Vice) Chairman

Attest: Duan R. Muto
(Asst.) Secretary

I, Duane R. Martin, Secretary of the Board of Supervisors of Rapho Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of Rapho Township held on August 18, 2016, at which meeting a quorum was present and voted in favor thereof.



Duane R. Martin, Secretary