

**EASTTOWN TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. – 2015**

**AN ORDINANCE OF EASTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF EASTTOWN, AS AMENDED, AT CHAPTER 388, “STORMWATER MANAGEMENT”, AT § 388-5.C(2), TO UPDATE THE EXAMPLE AND §388-6.B, TO INCREASE THE IMPERVIOUS COVERAGE THRESHOLD TO 500 SQUARE FEET ;AND OTHER MISCELLANEOUS PROVISIONS CONTAINED HEREIN.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Easttown Township as follows:

**SECTION 1.** Chapter 388, “Stormwater Management”, Article I, “General Provisions”, Section 388-5.C(2) shall hereby be amended as indicated by the interlineations below, with underlined interlineations indicating insertion of language and strike through interlineations indicating the deletion of language:

2. The date of enactment of this chapter shall be the starting point from which to consider tracts as parent tracts relative to future subdivisions and from which impervious surface and earth disturbance computations shall be cumulatively considered. For example: If, after enactment of this chapter, an applicant proposes construction of a ~~six~~four hundred (400) square foot garage, that project would be exempted from the requirements of this chapter as noted in Table 388-6.1. If, at a later date, an applicant proposes to construct a ~~nine~~one-hundred (100) square foot room addition on the same property, the applicant would then be required to implement the stormwater management and plan submission requirements of this chapter for the cumulative total of five hundred (500)~~1,500~~ square feet of additional impervious surface added to the property since adoption of this chapter.

**SECTION 2** Chapter 388, “Stormwater Management”, Article I, “General Provisions”, Section 388-6.B shall hereby be amended as indicated by the interlineations below, with underlined interlineations indicating insertion of language and strike through interlineations indicating the deletion of language:

General exemptions. Regulated activities that involve less than ~~five hundred~~50 (500) square feet of proposed impervious surfaces and less than five thousand (5,000) square feet of earth disturbance or are listed in Subsection C are exempt from those (and only those) requirements of this chapter that are included in the sections and articles listed in Table 388-6.1. Exemptions are for the items noted in Table 388-6.1 only and shall not relieve the landowner from other applicable requirements of this chapter. Exemption shall not relieve the applicant from implementing such measures as are necessary to protect health, safety, and welfare, property, and water quality.

**Table 388-6.1**  
**Thresholds for Regulated Activities that are Exempt from the Provisions of this Chapter as**  
**Listed Below**  
 (see notes below)

Article/Section	Activities Listed in Subsection C	< <del>50</del> <u>500</u> sq. ft. of Proposed Impervious Surfaces and < 5,000 sq. ft. of Proposed Earth Disturbance	≥ <u>500</u> sq. ft. of Proposed Impervious Surfaces or ≥ 5,000 sq. ft. of Proposed Earth Disturbance
Article I	Not exempt	Not exempt	Not exempt
Article II	Not exempt	Not exempt	Not exempt
§§ 388-14, 388-15 and 388-23	Not exempt	Not exempt	Not exempt
§§ 388-13, 388-16, 388-17, 388-18, 388-19, 388-20, 388-21 and 388-22	Exempt	Exempt	Not exempt
Article IV	Exempt	Exempt	Not exempt
Article V	Exempt	Exempt	Not exempt
Article VI	Exempt	Exempt	Not exempt
Article VII	Exempt	Exempt	Not exempt
Article VIII	Not exempt	Not exempt	Not exempt
Article IX	Not exempt	Not exempt	Not exempt
Other erosion, sediment and pollution control requirements	Must comply with Title 25, Chapter 102, of the Pennsylvania Code and other applicable state and municipal codes, including the Clean Streams Law <sup>(1)</sup>		
<b>NOTES:</b>			
•	Specific activities listed in Subsection C are exempt from the indicated requirements, regardless of size.		
•	A proposed regulated activity must be less than both the proposed impervious surfaces and proposed earth disturbance thresholds to be eligible for exemption from the requirements listed in this table.		
•	"Proposed impervious surface" — As defined in this chapter.		
•	"Exempt" — Regulated activities are exempt from the requirements of listed section(s) only; all other provisions of this chapter apply.		

**SECTION 3.** All ordinances or parts of an ordinance conflicting or inconsistent herewith are hereby repealed.

**SECTION 4.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included herein.

**SECTION 5.** General Code is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of the Easttown Township codification and to bring the Ordinance into conformity with the Easttown Township codification.

**SECTION 6.** This ordinance shall become effective five (5) days after enactment as provided by law.

ENACTED AND ORDAINED by the Board of Supervisors of the Township of Easttown this \_\_\_ day of \_\_\_ 2015.

Attest:

TOWNSHIP OF EASTTOWN

\_\_\_\_\_  
Daniel C. Fox, Township Secretary

BY: \_\_\_\_\_  
Fred Pioggia, Chairman

BY: \_\_\_\_\_  
Christopher D. Polites,  
Vice Chairman

BY: \_\_\_\_\_  
James W. Oram, Jr., Member

BY: \_\_\_\_\_  
Marc J. Heppe, Member

BY: \_\_\_\_\_  
Betsy Fadem, Member