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**STORM WATER MANAGEMENT**

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**[HISTORY: Adopted 4-12-2004 by Ord. No. 2004-03.]**

**§ 143-1. Short Title.**

This Ordinance shall be known and may be cited as the "South Greensburg Borough Storm Water Management Ordinance."

**§ 143-2. Statement of Findings.**

The Council of the Borough of South Greensburg finds that:

A. Storm water runoff from lands modified by human activities threatens public health and safety by causing decreased infiltration of rainwater and increased runoff flows and velocities, which overtax the carrying capacity of existing streams and storm sewers, and greatly increases the cost to the public to manage storm water.

B. Inadequate planning and management of storm water runoff resulting from land development and redevelopment throughout a watershed can also harm surface water resources by changing the natural hydrologic patters, accelerating stream flows (which increase scour and erosion of stream-beds and stream-banks thereby elevating sedimentation), destroying aquatic habitat and elevating aquatic pollutant concentrations and loadings such as sediments, nutrients, heavy metals and pathogens. Groundwater resources are also impacted through loss of recharge.

C. A program of storm water management, including reasonable regulation of land development and redevelopment causing loss of natural infiltration, is fundamental to the public health, safety, welfare, and the protections of the people of the Municipality and all the people of the Commonwealth, their resources, and the environment.

D. Storm water can be an important water resource by providing groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.

E. Public education on the control of pollution from storm water is an essential component in successfully addressing storm water.

F. Federal and state regulations require certain municipalities to implement a program of storm water controls. These municipalities are required to obtain a permit for storm water discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).

G. Non-storm water discharges to municipal separate storm sewer systems can contribute to pollution of waters of the Commonwealth by the Township.

**§ 143-3. Purpose**

The purpose of this Ordinance is to promote health, safety, and welfare within the Township and its watershed by minimizing the harms and maximizing the benefits described in § 102 of this Ordinance, through provisions designed to:

A. Manage storm water runoff impacts at their source by regulating activities that cause the problems.

B. Provide review procedures and performance standards for storm water planning and management.

C. Utilize and preserve the existing natural drainage systems as much as possible.

D. Manage storm water impacts close to the runoff source, which requires a minimum of structures and relies on natural processes.

E. Focus on infiltration of storm water, to maintain groundwater recharge, to prevent degradation of surface and groundwater quality and to otherwise protect water resources.

F. Maintain existing flows and quality of streams and watercourses.

G. Meet legal water quality requirements under state law, including regulations at 25 Pa. Code Chapter 93.4(a) to protect and maintain "existing uses" and maintain the level of water quality to support those uses in all streams, and to protect and maintain water quality in "special protection" streams.

H. Prevent scour and erosion of stream banks and streambeds.

I. Provide for proper operations and maintenance of all permanent storm water management BMP's implemented in the Township.

J. Provide a mechanism to identify controls necessary to meet the NPDES permit requirements.

K. Implement an illegal discharge detection and elimination program to address non-storm water discharges into the Municipality's separate storm sewer system.

**§ 143-4. Statutory Authority.**

The Township is empowered to regulate land use activities that affect storm water runoff under the authority of the provisions of the Second Class Township Code, 53 P.S. §67701 et seq. and specifically the terms of 53 P.S. §67704.

**§ 143-5. Applicability.**

A. This Ordinance applies to any Regulated Earth Disturbance activities within the Township of Salem, and all storm water runoff entering into the Township's separate storm sewer system from lands within the boundaries of the Township.

B. Earth Disturbance activities and associated storm water management controls are also regulated under the existing state law and implementing regulations. This Ordinance is intended to operate in coordination with those parallel requirements; the requirements of this Ordinance shall be no less restrictive in meeting the purposes of this Ordinance than existing state law and those implementing regulations referenced herein.

**§ 143-6. Repealer.**

Any other Ordinance, parts of Ordinances, Resolutions, parts of Resolutions or other regulations of the Township inconsistent with any of the provisions of this Ordinance are hereby repealed to the extent of the inconsistency only and this Ordinance shall be deemed controlling.

**§ 143-7. Severability.**

In the event that any section or provision of this Ordinance is declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance and the remaining terms of same shall continue in full force and effect.

**§ 143-8. Compatibility with Other Requirements.**

A. Approvals issued and actions taken under this Ordinance do not relieve the Applicant of the responsibility to secure required permits or approvals for activities regulated by any other Federal, State or Local code, law, regulation or Ordinance. To the extent that this Ordinance imposes more rigorous or stringent requirements for storm water management, the specific requirements contained in this Ordinance shall be followed and controlling.

B. Nothing in this Ordinance shall be construed to affect any Township requirements regarding storm water matters not conflict with the provisions of this Ordinance, such as local storm water management design criteria (e.g. inlet spacing, inlet type, collection system design and details, outlet structure design, etc.). Conflicting provisions in other Municipal Ordinances, now in effect or hereafter enacted, or regulations associated with same, shall be construed to retain the requirements of this ordinance addressing State Water Quality Requirements.