

sent in
8-17-12

AN ORDINANCE OF [West Shenango Twpnship], [Crawford County], PENNSYLVANIA FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THE [Crawford County] ACT 167 COUNTY-WIDE STORMWATER MANAGEMENT PLAN AND ASSOCIATED REGULATIONS.

WHEREAS, the [West Shenango Township] is a municipality located within [Crawford County]; and

WHEREAS, the Municipality has recognized that a comprehensive program of stormwater management, including reasonable regulation of development and activities causing accelerated erosion and loss of natural infiltration, is fundamental to the public health, safety and welfare and the protection of the residents of the Municipality, their resources and the environment; and

WHEREAS, the [West Shenango Township] has recognized that enforcement of the Stormwater Management Model Ordinance, Implementing the Requirements of the [Crawford County] Act 167 County-Wide Stormwater Management Plan (the “[Crawford County] Stormwater Management Ordinance”) would be both beneficial for its residents and would protect and preserve the health, safety, and welfare of its citizens; and

WHEREAS, the [West Shenango Township] is empowered to regulate these activities by the authority of the Act of October 4, 1978, P.L. 864 (Act 167), 32 P.S. Section 680.1, et seq., as amended, the “Stormwater Management Act” and the [West Shenango Township] Stormwater Management Ordinance; and

NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. The [West Shenango Township] has elected to administer and enforce the provisions of the [Crawford County] Stormwater Management Ordinance through adoption of the [West Shenango Township] Stormwater Management Ordinance.
2. **Effective Date.** This ordinance shall be effective fourteen (14) days after the date of adoption of this Ordinance.
3. **Administration and enforcement.** Administration and enforcement of the Stormwater Management Ordinance within [West Shenango Township] shall be undertaken in any of the following ways as determined by the governing body of this Municipality from time to time by resolution.
 - a. By the designation of an employee of [West Shenango Township] to serve as the [West Shenango Township] Stormwater Program Administrator to act on behalf of the [West Shenango Township].
 - b. By the retention of one or more Stormwater Program Administrator(s) or third-party agencies to act on behalf of the [West shenango Township].
 - c. By agreement with one or more other municipalities for the joint administration and enforcement of this Ordinance through an Intermunicipal Agreement.
 - d. By entering into a contract with another municipality for the administration and enforcement of this Ordinance on behalf of the West Shenango Township].
4. **Effect on prior ordinances.** All stormwater management ordinances or portions of ordinances which were adopted by the [West Shenango Township] on or before 4-7-, 2011, and which equal or

exceed the requirements of the Stormwater Management Ordinance shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Ordinance, as amended from time to time.

- a. All Stormwater Management Ordinances or portions of ordinances which are in effect as of the effective date of this ordinance and whose requirements are less than the minimum requirements of the Stormwater Management Ordinance are hereby amended to conform with the comparable provisions of the Stormwater Management Ordinance.
- b. All relevant ordinances regulations and policies of the [West Shenango Township] not governed by the Stormwater Management Ordinance shall remain in full force and effect.
- c. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

5. **Severability.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part of provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Agreement. It is hereby declared to be the intent of the governing body of this Municipality that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, West Shenango Township] for the administration and enforcement undertaken pursuant to this ordinance shall be established by the governing body of this Municipality by resolution from time to time.

DULY ENACTED AND ORDAINED this [] 7 day of [APRIL], 2011 by the [West Shenango Township] in public session duly assembled.

[West Shenango Township]

[Crawford County]

*****SEE NEXT PAGE FOR SIGNATURES***** Commonwealth of Pennsylvania

By: _____
[Secretary/treasurer]

ATTEST:

[TITLE]

"STORM WATER MANAGEMENT"

NO # 41

ENACTED and ORDAINED at a regular meeting of the

West Shenango Township Supervisors

on this 7 day of April, 2011.

This Ordinance shall take effect immediately.

Thomas Rimko Thomas D. Rimko Supervisor Supervisor
(Name) (Title)

Charles Baker Charles B. Baker Supervisor Supervisor
(Name) (Title)

Randy Schneider Randy K. Schneider Supervisor Supervisor
(Name) (Title)

ATTEST:

Linda D. Bateman Linda D. Bateman
Secretary

I hereby certify that the foregoing Ordinance was advertised in the Meadville Tribune on 3/28/11 a newspaper of general circulation in the Municipality and was duly enacted and approved as set forth at a regular meeting of the West Shenango Township held on 4/7/2011.

Linda D. Bateman Linda D. Bateman
Secretary