

**TOWNSHIP OF EAST NORRITON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 543

**AN ORDINANCE OF THE TOWNSHIP OF EAST NORRITON, MONTGOMERY COUNTY,
PENNSYLVANIA, ESTABLISHING THE EAST NORRITON TOWNSHIP STORM WATER
MAINTENANCE FUND; REPEALING PRIOR INCONSISTENT ORDINANCES AND
PARTS OF ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE; AND CONTAINING
AN EFFECTIVE DATE**

WHEREAS, the Township of East Norriton (“Township”) is a second class township governed by the East Norriton Township Code and the Second Class Township Code, 53 P.S. § 65101 *et seq.*; and

WHEREAS, the Pennsylvania Department of Transportation (“PennDOT”) has adopted a policy requiring local municipalities to submit an application for a Highway Occupancy Permit as either an owner or co-applicant when storm water piping, controls, or Best Management Practices fall within the State right-of-way; and

WHEREAS, the new policy imposes on the municipality primary responsibility for maintenance and therefore allows the municipality to create a storm water maintenance fund in order to defray future maintenance costs; and

WHEREAS, the East Norriton Board of Supervisors has determined that it is in the best interest of the Township to create a defrayed storm water maintenance fund and desires to do so.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted as follows:

SECTION I. TOWNSHIP STORM WATER MAINTENANCE FUND

A. Persons installing storm water piping, controls, or Best Management Practices facilities that fall within State right-of-ways shall be required to make a deposit to the East Norriton Township Storm Water Maintenance Fund (the “Maintenance Fund”). The amount of the deposit shall be calculated for ten (10) years of operation and maintenance expenses and at a rate of \$0.15 per cubic foot of pipe per year based on the total amount of storm water piping within the State right-of-way.

B. If a proposed storm water piping, controls or Best Management Practices facility also serve as a recreational facility, the Township may reduce or waive the Maintenance Fund deposit based upon the value of the land for public recreational purposes.

C. If subsequent to deposit into the maintenance fund, a storm water piping, control or Best Management Practices facility (whether publicly or privately owned) is eliminated due to the installation of storm sewers or other storage facilities, the unused portion of the deposit will be applied to the cost of abandoning the facility and connecting to the storm sewer system or other facility. Any remaining deposit amount after the costs of abandonment are paid will be returned to the depositor.

D. Should storm water piping, controls or Best Management Practices be accepted by the Township for dedication, the Township shall require persons installing storm water piping, controls or Best Management Practices facilities to pay an amount to the Maintenance Fund. The amount of the deposit shall be calculated for ten (10) years of operation and maintenance expenses and at a rate of \$0.025 per square foot of drainage area tributary to the storm water piping, controls, or Best Management Practices facility.

E. The Township may require applicants to pay a fee, in accordance with the Township's Fee Schedule, to the Maintenance Fund to cover storm water related problems which may arise from the land development and earth disturbance activities on existing storm water piping, controls or Best Management Practices facilities.

SECTION II. REPEALER

All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

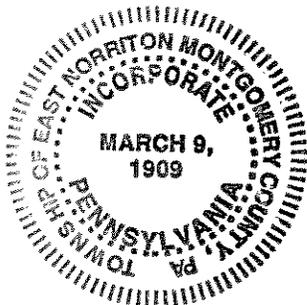
SECTION III. SEVERABILITY

If any section or clause of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions of this Ordinance which shall be deemed severable therefrom.

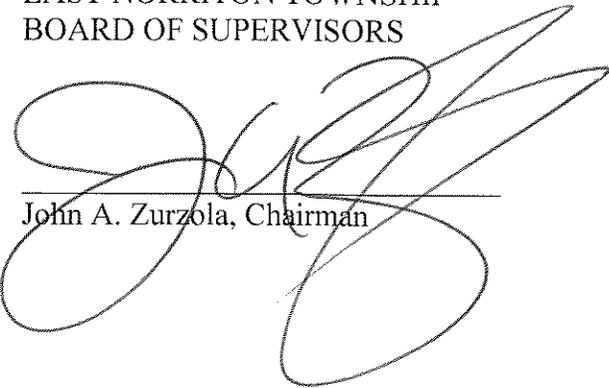
SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective at the earliest possible date permitted by the provisions of the East Norriton Code.

DULY ORDAINED and ENACTED by the Board of Supervisors of the Township of East Norriton this 18th day of September, 2012.



EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS


John A. Zurzola, Chairman

ATTEST:



Donald D. Delamater, Secretary