

**EAST FRANKLIN TOWNSHIP**  
**STORM WATER MANAGEMENT**  
**ORDINANCE No. 01-2000**

**EAST FRANKLIN TOWNSHIP**  
**Application for Stormwater Plan Approval**

Plan Name: \_\_\_\_\_

Property Owner Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Owner Address: \_\_\_\_\_

Owner is Applicant:  Yes  No If No, please provide Applicant information below.

Location of Property (including lot #, plan name, street address, and directions from nearest main crossroads):

\_\_\_\_\_  
\_\_\_\_\_

Professional Engineer: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Does this project require the submission of an Erosion & Sedimentation Control Plan for earth disturbance activities?  NO  YES

E&S Plan was submitted to the Conservation District on \_\_\_\_\_.

E&S Plan was reviewed and approved and a permit was issued on \_\_\_\_\_.

Contractor Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Workers Comp. Cert. provided:  Yes  No

Contractor is exempt (no employees):  Yes  No

Attached:

- Stormwater Management Plan (per Ordinance #01-2000) see pp. 11&12 for plan content
- Narrative Description of the Project
- Stormwater run-off computations
- Construction Specifications
- Hydraulic, hydrologic, and structural computations
- Project Time Schedule
- Maintenance Agreement (Appendix C)
- Maintenance Plan
- PADOT Declaration of Adequacy (where applicable)
- Copy of E&S review & approval correspondence from Armstrong Conservation District
- Requisite Fee (see Fee Schedule)

I hereby certify the information contained herein is true and correct, and I hereby agree that all applicable provisions of the East Franklin Township Stormwater Management Ordinance #1-2000 shall be complied with.

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

EAST FRANKLIN TOWNSHIP  
ARMSTRONG COUNTY, PENNSYLVANIA

ORDINANCE NO. 01-2000

AN ORDINANCE REGULATING, RESTRICTING, AND MANAGING THE METHOD OF CONTROLLING STORMWATER RUN-OFF RESULTING FROM DEVELOPMENT, USE, AND ALTERATION OF LAND IN EAST FRANKLIN TOWNSHIP; REQUIRING PLANS AND OTHER INFORMATION TO BE SUBMITTED TO THE COUNTY CONSERVATION DISTRICT AND THE MUNICIPALITY FOR REVIEW AND APPROVAL; REQUIRING MODIFIED PLANS TO BE SUBMITTED TO THE COUNTY CONSERVATION DISTRICT AND THE MUNICIPALITY FOR REVIEW AND APPROVAL; PROVIDING FOR REVIEW FEES AND IMPROVEMENTS GUARANTEES, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE.

WHEREAS, the Pennsylvania Stormwater Management Act of 1978 empowers the Township of East Franklin, Armstrong County to enact a Stormwater Management Ordinance and to provide for its administration, enforcement, and amendment, and

WHEREAS, the East Franklin Township Board of Supervisors deem it necessary, for the purpose of promoting the health, safety, and general welfare of East Franklin Township, to enact such an Ordinance.

NOW, THEREFORE BE IT ORDAINED, by the East Franklin Township Board of Supervisors, Armstrong County, Pennsylvania, as follows:

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## Article I General Provisions

### Section 101                      Introduction

Stormwater management consists of the planning, design, and control of the conveyance and storage of surface waters resulting from precipitation. Major objectives are the protection of water quality, the prevention of flooding and erosion, and the promotion of the natural recharge of ground-water. The Pennsylvania Storm Water Management Act was enacted in 1978 to address these crucial issues. The intent of the Act is to encourage stormwater run-off planning and management, with the program administered locally, consistent with the Commonwealth's duty as trustee of natural resources and the peoples constitutional right to the preservation of the environment. The Act places major responsibility for managing stormwater on the landowner or developer.

### Section 102                      Short Title

This Ordinance shall be known, and may be cited as the East Franklin Township Stormwater Management Ordinance.

### Section 103                      Authority

This Ordinance is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, the Stormwater Management Act, Act of 1978, October 4, P.L. 864 (Act 167).

### Section 104                      Statement of Findings

The General Assembly found that inadequately managed stormwater run-off is disruptive to the natural drainage system, is costly, and threatens public health and safety. The governing body of East Franklin Township finds that:

- A. Inadequate management of accelerated run-off of stormwater resulting from development throughout a watershed increases flood flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to carry and control stormwater, undermines flood plain management and flood control efforts in downstream communities, reduces groundwater recharge, and threatens public health and safety.
  
- B. A comprehensive program of stormwater management, including reasonable regulation of

development and activities causing accelerated run-off, is fundamental to the public health, safety, and welfare and the protection of the people of the Commonwealth, their resources and the environment.

## Section 105                      Purpose

The purpose of this Ordinance is to promote the public health, safety and welfare by minimizing the damage described in Section 104 A of this Ordinance with provisions designed to:

- A. Control accelerated run-off and erosion and sedimentation problems at their source by regulating the activities that cause such problems;
- B. Utilize and preserve desirable existing natural drainage systems;
- C. Manage the quantity, velocity, and direction of post-development run-off to adequately protect health, safety, and property;
- D. Mitigate flood flows and velocities;
- E. Prevent over-taxing and carrying capacity of streams and waterways;
- F. Prevent over-taxing and carrying capacity of sanitary sewers;
- G. Augment the flood plain management and stormwater control efforts of downstream communities;
- H. Decrease stream pollution through the use of erosion and sedimentation controls;
- I. Maintain or increase the rate of ground-water recharge;
- J. Maintain or improve the quality of ground-water for use by future generations;
- K. Provide for the design, installation and proper maintenance of all permanent stormwater management structures;
- L. Assure that the peak rate of stormwater run-off is no greater after development activities than prior to development; and
- M. Prevent increases in the quantity or rate of run -off which would alter the existing hydraulic characteristics of streams in ways which would cause harmful impacts.

## Section 106

## Applicability

This Ordinance shall apply to all land and water courses within East Franklin Township, Armstrong County in conjunction with the following activities:

- A. Subdivision and/or Land Development;
- B. Land disturbance, earth moving, and/or alteration involving 10,000 square feet or more;
- C. Construction of new or additional impervious surfaces of 10,000 square feet or more (i.e. driveways, parking lots, etc.);
- D. Construction of new buildings or additions to existing buildings when the impervious surfaces of the addition or proposed construction is greater than 10,000 square feet;
- E. Changes or alterations of any water course or drainage-way where the contributory drainage area is greater than 100 acres;
- F. Diversion or piping of any natural or man-made stream channel; and
- G. Installation of stormwater management facilities/controls.

## Section 107

## Exemptions

Any regulated activity that meets the following exception criteria is exempt from the provisions of this Ordinance. This criterion shall apply to the total development even if development is to take place in phases. Exemption shall not relieve the applicant from implementing such measures as are necessary to protect health, safety, and property. No exemption shall be granted for activities as defined in Section 106.E., 106.F., and 106.G.

- A. The Applicant may provide documentation from a Registered Professional Engineer in the Commonwealth of Pennsylvania that the flows from the project site leaves the built project site in the same manner as the pre-development condition, and that there will be no adverse affects to properties along the path of flow(s), or that the increased flow(s) will reach a natural watercourse or an existing stormwater management structure before adversely affecting any property along the path of the flow(s);



- B. Any development activity which will result in the creation of new impervious surface area of not more than 10,000 square feet shall be exempt from the application of the release rate percentage and from the detailed Stormwater Management Plan submission and review requirements. However, development activity which is exempt from submission and review because of its small size must provide adequate on-site management of stormwater to protect neighboring property from harm.
- C. Use of land for gardening for home consumption;
- D. Agricultural purposes when operated in accordance with a Conservation Plan or Erosion and Sedimentation Control Plan found adequate by the Armstrong Conservation District. The agricultural activities such as growing crops, rotating crops, filling of soil and grazing animals and other such activities are specifically exempt from complying with the requirements of this Ordinance;
- E. Forest Management operations as regulated by the Department of Environmental Protection (DEP) Management Practices contained in the publication *Soil Erosion and Sedimentation Control Guidelines for Forestry* and are operating under an Erosion & Sedimentation Control Plan as approved by the Armstrong Conservation District.

## Section 108                      Repealer

Any Ordinance of East Franklin Township that is inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only.

## Section 109                      Severability

Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

## Section 110                      Compatibility with other Restrictions

Permits and approvals issued pursuant to this Ordinance do not relieve the Applicant from the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance. If more stringent requirements concerning regulation of stormwater or erosion and sedimentation control are contained in the other codes, rules, acts, or ordinances, the more stringent regulation(s) shall apply.

## Article II Storm Water Management

### Section 201 Stormwater Management Areas

A. East Franklin Township is hereby divided into Stormwater Management Areas which shall be designated as follows:

#### Glade Run Watershed:

1. The location and boundaries of the Stormwater Management Areas are shown on the official map which is available for inspection at the East Franklin Township Municipal Building - Township Office and is available for purchase as part of the Glade Run Watershed - Stormwater Management Plan at the Armstrong County Department of Planning and Development.
2. When any proposed subdivision, land development, or mobile home park is located in more than one Stormwater Management Area, stormwater may not be transferred from an area with stricter stormwater management criteria to an area with less strict criteria, unless the need for such a transfer is identified in: the County Stormwater Management Plan, the Regional Water Quality Management Plan, or the State Water Plan.

### Section 202 Glade Run Storm Water Management Sub areas

A. In order to implement the provisions of the County Stormwater Management Plan, the Glade Run Watershed in East Franklin Township is hereby divided into Stormwater Management Sub areas which shall be designated as follows:

Sub areas 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 - see Amendment 01-2014

The location and boundaries of the Stormwater Management District are shown on the official map (see Section 201.A.1).

B. When a project or land disturbance activity is located in more than one Stormwater Management District, storm water may not be transferred from a District with stricter stormwater management criteria to a District with less strict criteria, unless the need for such a transfer is identified in: the County Stormwater Management Plan, the Regional Water Quality Management Plan, or the State Water Plan.

**EAST FRANKLIN TOWNSHIP  
ARMSTRONG COUNTY, PENNSYLVANIA**

**ORDINANCE NO 01-2014**

**STORM WATER MANAGEMENT ORDINANCE  
AMENDMENT**

**WHEREAS**, East Franklin Township, Armstrong County Pennsylvania, Ordinance No. 01-2000, was enacted to address and regulate issues related to stormwater management within the Township; and

**WHEREAS**, the Supervisors of East Franklin Township have deemed it to be in the best interest of the Township and its residents to redesignate certain sub areas of Township in accordance with the location and boundaries of the Stormwater Management District as shown on the official map.

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of East Franklin Township and it is hereby ordained and enacted by the Authority of the same as follows:

**Section 1. Redesignation of Glade Run Storm Water Management Sub Areas.** The following language shall be deleted from Section 202 of Ordinance No. 01-2000: "Sub areas 7,9,10,11,12,13,14,15,16,17,18". In place of the deleted language, the following language shall be inserted: "Sub areas 10 through 86, inclusive".

**Section 2. Prior ordinance remains in effect.** Except as expressly set forth herein, the Storm Water Management Ordinance, being East Franklin Township Ordinance No. 01-2000, shall remain in full force and effect.

**Section 3. Severance clause.** If any clause, sentence or other provision of this ordinance shall be declared unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect the remaining provisions of the ordinance.

**Section 4. Effective date.** This ordinance shall become effective immediately upon its enactment.

ORDAINED AND ENACTED this 24th day of April, 2014.

ATTEST:

EAST FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS

*Deanne M. Gao*  
Secretary

*Barry Peters*  
Supervisor

*Don Doldinger*  
Supervisor

*David A. Hunt*  
Supervisor

The following provisions shall be considered the overriding performance standards against which all proposed stormwater control measures shall be evaluated and, they shall apply to all subareas of the Glade Run Watershed in East Franklin Township.

#### A. Stormwater Rate

1. Any landowner and any person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety, or other property. Such measures shall include such actions as are required:
  - a. To assure that the maximum rate of stormwater runoff is no greater after development than prior to development activities.
  - b. To manage the quantity, velocity, and direction of resulting stormwater runoff in a manner which otherwise adequately protects health and property from possible injury.
2. The Stormwater Management Plan for the development site must consider stormwater runoff originating from the site itself.

#### B. Release Rate Percentage

1. Application - All development activities which result in the post development rate of stormwater runoff being greater than the predevelopment rate of stormwater runoff and which use detention/retention facilities to attenuate the flow to predevelopment conditions shall be subject to the Release rate Percentage for the watershed subarea in which the site is located. A listing of the release rate percentage for each subarea in the Glade Run Watershed, which appears in Appendix B of this Ordinance and the subareas, are delineated on the watershed subarea map in the Glade Run Stormwater Management Plan.
2. Definition - The release rate percentage defines the percentage of the predevelopment peak rate of runoff that can be discharged from an outfall on the site following development. It applies uniformly to all land development rate of runoff discharging from each outfall of the development site cannot exceed the release rate percentage for the subarea in which it is located.
3. Procedure for Use - The steps that must be followed to utilize the release rate percentage for a particular development site are:
  - a. Identify the specific subarea in which the development site is located on the watershed subarea release rate map and obtain the subarea release rate percentage from the map or from Appendix B.

- b. Compute the predevelopment and the post development runoff hydrographs for each development site using the soil cover complex method (SCS TR-55), for the 2-, 10-, and 100- year design storms, applying no on-site detention/retention for stormwater management, but including any techniques to minimizing impervious surfaces and/or increase the time of concentration for stormwater runoff flowing over the development site. If the post development peak runoff rate is less than or equal to the predevelopment peak runoff rate, then additional stormwater control shall not be required for that development area. If the post development peak runoff rate is greater than the predevelopment rate of runoff, then stormwater detention will be required (Step C).
  - c. Multiply the subarea release rate percentage by the predevelopment rate of runoff from the development site to determine the maximum allowable release rate from any detention/retention facility for the 2-, 10-, and 100- year storm events for the Glade Run Storm Water Management Plan.
- C. Erosion and Sedimentation - All land disturbance activities shall be conducted in such a way as to minimize erosion and sedimentation. Measures to control erosion and sedimentation shall at a minimum meet the standards of the Conservation District and Chapter 102 (Erosion Control) of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Resources.

## Section 204                      General Requirements

- A. All regulated activities which do not fall under Exemptions, Section 107 of this Ordinance, shall submit to the Armstrong Conservation District, a Stormwater Management Plan consistent with this Ordinance.
- B. All criteria as provided in this Ordinance shall apply to the total proposed development even if development is to take place in stages or phases. All stormwater runoff flowing over the project site must be considered.
- C. Impervious surfaces shall include, but not be limited to, any roof, parking or driveway areas and any new streets and sidewalks. Where impervious surfaces are permitted for parking lots, recreational facilities, non-dedicated streets, or other areas, surface construction specifications shall be noted on the plan.
- D. Roof drains, footer drains or other similar water carrying devices shall be connected to: roadside ditches, drainage-ways, swales, and other runoff dispersion and absorption control devices as approved.
- E. No discharge of toxic materials into any stormwater management system is permitted.
- F. Flow velocities from any storm drain may not result in a deflection of the receiving channel.
- G. Any areas designed to initially be gravel or crushed stone shall be assumed to be an impervious surface for the purposes of comparison to the exemption criteria.

- H. Natural drainage-ways shall be utilized to the maximum extent possible in carrying stormwater run-off, provided such use remains consistent with the purpose of this Ordinance.
- I. Run-off from a site shall not be concentrated or increased and discharged onto adjacent property without the written consent of the adjacent land owners in the form of a drainage easement.
- J. Existing areas of concentrated drainage that discharges onto adjacent property shall not be altered without permission of the altered property owner(s) and shall be subject to any applicable discharge criteria as specified in this Ordinance. Existing areas of diffused drainage discharge shall be subject to any applicable discharge criteria, whether proposed to be concentrated or maintained as diffused drainage, except as otherwise provided for in this Ordinance.
- K. Where a development site is traversed by watercourses, drainage-ways, channels or streams, there shall be provided a drainage easement conforming substantially with the line of such water-course, drainage-way, channel or stream, and of such width as will be adequate to preserve the unimpeded flow of natural discharge or for the purpose of widening, deepening, improving or protecting such drainage facilities.
- L. It is the responsibility of the Developer or his agent to delineate any and all wetlands contained within the development site.
- M. Stormwater management facilities regulated by this Ordinance and located on State transportation rights-of-way shall be subject to approval by PADOT.
- N. The ability to retain and maximize the ground water recharge capacity of the area being developed is encouraged.
- O. Design of stormwater management facilities/controls shall give consideration to providing ground water recharge to compensate for the reduction in the percolation that occurs when the ground surface is paved and roofed over.
- P. A detailed geologic evaluation of the project site may be requested to determine the suitability of recharge facilities. The evaluation shall be performed by a qualified geologist and/or soil scientist; and at a minimum, the evaluation shall address soil permeability, depth to bedrock, susceptibility to sinkhole formation, and sub grade stability.
- Q. Development or construction which is exempt from a submission and review because of its small size must provide adequate on-site management of stormwater to protect neighboring property from harm.
- R. Provisions for management of stormwater on small development sites shall be approved by the Municipal Engineer, and no building permit will be granted prior to receiving such approval.

All activities regulated herein shall be designed and maintained in accordance with the following requirements:

A. All sites shall limit the rate of storm water run-off so that no greater rate of run-off from the site is permitted than that occurring prior to development. For calculation purposes, the site shall be assumed to be a meadow in good condition (Hydrologic Soils Group "C", run-off curve No. 70).

B. Predevelopment, post development, and the design of runoff control facilities shall be computed for storm frequencies of 2-, 10-, and 100- year storm events. The SCS 24-hour, Type II rainfall distribution shall be used for all analyses. The design storm, along with the 24-hour total rainfall for these storm frequencies are:

<u>Design Storm</u>	<u>Rainfall (depth in inches)</u>
2- year	2.60
3- year	3.90
100- year	5.50

C. Storm drainage conveyance systems for projects shall be designed to a minimum of a 1-in-10 year storm without surcharging inlets; conveyance of a 1-in-100 year storm shall be designed so as not to endanger life or seriously damage property.

D. The minimum storage capacity for the stormwater management system shall be the storage capacity required to accommodate a post-development 25-year, 24-hour frequency storm, to be released at a rate not to exceed the predevelopment 2-year, 24-hour storm discharge.

E. Downstream Hydraulic Capacity Analysis (DHC): any DHC analysis conducted in accordance with this Ordinance shall use the following criteria for determining adequacy for accepting increased peak flow rates:

1. Natural or man-made channels or swales must be able to convey the increased run-off associated with a 2-year return period event within their banks at velocities consistent with protection of the channels from erosion. Acceptable velocities shall be based upon criteria included in the *DEP Erosion and Sediment Pollution Control Program Manual*.
2. Natural or man-made channels or swales must be able to convey the increased 25-year return period run-off without creating any hazard to person or property.
3. Culverts, bridges, storm sewers or any other facilities which must pass or convey flows from the tributary area must be designed in accordance with DEP, Chapter 105 regulations (if applicable) and, at a minimum, pass the increased 25-year return period run-off.



- F. Upon the completion of any development activity, it shall be the responsibility of the developer to submit record drawings certified by a Professional Registered Engineer that all storm water management facilities were constructed as approved.
- G. All storm water management facilities shall be completed and fully operable before occupancy permits are issued.
- H. All facilities shall be subject to inspection.

## Section 206                      Design Criteria

Methods of identification and computation and selection of stormwater management techniques to be used in complying with the provisions of this Ordinance shall be in accordance with the following criteria:

- A. All run-off shall be computed using the USDA Soil Conservation Service Soil-Cover Complex Method. The peak discharge and volumes of run-off shall be determined by using the Engineering Field Manual, USDA Soil Conservation Service, and by using Urban Hydrology for Small Watersheds, Technical Release No. 55, UDSA SCS, June 1986, or other methods approved by the Armstrong Conservation District.
- B. Detention ponds and retention basins shall be designed in accordance with *USDA NRCS Pond Specification #3780* or equivalent.
- C. Storm drainage out-fall treatment and/or channel protection shall be provided pursuant to the *Erosion Control Regulations of the Pennsylvania Department of Environmental Resources, 25 PA Coe, Section 102.1, et seq.*
- D. Structure classification shall be pursuant to *Chapter 105, Water Obstructions and Encroachments, Pennsylvania Department of Environmental Resources (25 PA Code), and Engineering Field Manual, Chapter 6, USDA SCS, 1975 (rev.1977).*
- E. Delineation of soil types shall be pursuant to the *Soil Survey of Armstrong County, Pennsylvania, USDA SCS, prepared in cooperation with the Pennsylvania Department of Environmental Resources, August 1977.*
- F. Whenever the vegetation and topography are to be disturbed, such activity must be in conformance with *Chapter 102, Title 25, Rules and Regulations, Part I, Commonwealth of Pennsylvania, Department of Environmental Protection, Subpart C, Protection of Natural Resources, Article II, Water Resources, Chapter 102, Erosion Control* and in accordance with the Armstrong Conservation District.
- G. Methods of stormwater run-off detention and control which may be utilized if appropriate can be found in the *Pennsylvania Handbook of Best Management Practices for Developing Areas, 1998, PA Department of Environmental Protection, PA Association of Conservation Districts, Inc., Keystone Chapter, Soil and Water Conservation Society, and the US Natural Resources Conservation Service.*

The content of the Stormwater Management Plan shall consist of a narrative description of the proposed project, annotated maps, drawings, computations, a schedule of construction, and a Maintenance Plan as per Article VI, Section 602 of this Ordinance. The Stormwater Management Plan shall be prepared by a registered Professional Engineer, and shall contain said Engineer's Seal and Registration Number.

The following information must be shown:

- A. the name of the proposed development and the name and address of the developer/property owner(s) and the individual or firm preparing the plan;
- B. date of drawings and dates of any revisions;
- C. graphic scale (maps shall be drawn at a scale of one (1) inch equals no more than fifty (50) feet);
- D. north point;
- E. total size and tract boundary with distances marked to the nearest foot and bearings to the nearest degree;
- F. existing and proposed use (including the total area of impervious surfaces after construction) ;
- G. existing soil types, flood hazard boundaries, streams, drainage courses, and vegetation;
- H. key map showing all existing natural and man-made features beyond the property boundary affected by the project; extent of the watershed and sub-basin which drains through the project site;
- I. topographic condition of both existing and proposed elevations at intervals of two (2) feet for land with an average natural slope of four (4) percent (%) or less and at intervals of five (5) feet for land an average natural slope exceeding four (4) percent (%);
- J. horizontal and vertical profiles of any existing water-courses, drainage-ways, channels or streams, including hydrologic capacity;
- K. construction specifications, including the materials to be used for stormwater management facility/control structures;
- L. hydraulic, hydrologic, and structural computation for all proposed stormwater management facilities/controls and measures;

- M. a twenty-foot (20') access easement around all stormwater management structures and from such structures to a public right-of-way;
- N. if storm water management facilities are off-site, a note on the plan indicating location and responsibility for conveyance and maintenance; all such off-site facilities shall meet the design standards and criteria specified in this Ordinance and shall be included with the plan;
- O. a statement, signed by the developer/property owner(s), acknowledging the stormwater management facilities/controls to be permanent, and shall be altered or removed only after approval of a revised plan;
- P. signature blocks must be placed on the plan for the Armstrong Conservation District and the East Franklin Township Supervisors (Appendix A).

## Section 208 Supplemental Information

In addition to the plan information as listed in Section 207 above, the following information shall be submitted:

- A. A written description of:
  - 1. the overall project concept;
  - 2. storm water run-off computation as specified;
  - 3. the effect of the project on run-off volume and rate of flow on adjacent property;
  - 4. the effect of the project on run-off volume on a municipal stormwater drainage system when such will be utilized;
  - 5. stormwater controls both during and after development;
  - 6. the proposed project development time schedule.
- B. A Soil Erosion and Sedimentation Control Plan, including all reviews and approvals, as required by the Pennsylvania Department of Environmental Protection and the Armstrong Conservation District.
- C. A declaration of adequacy from District 10 of the Pennsylvania Department of Transportation when utilization of a PADOT storm drainage system is proposed.
- D. A description of the maintenance measures for the stormwater management facilities/controls in accordance with Article VI Improvements Responsibilities of this Ordinance.

## Section 209 Best Management Practices (BMP's) Techniques

### A. Temporary BMP's

Methods of stormwater run-off detention and control, and erosion and sediment control techniques which may be utilized as temporary stormwater management facilities/controls.

- |                                       |                                      |
|---------------------------------------|--------------------------------------|
| 1. Diversion                          | 10. Sediment Trap                    |
| 2. Filter Bag                         | 11. Silt Fence                       |
| 3. Inlet Protection – Block & Gravel  | 12. Stabilized Construction Entrance |
| 4. Inlet Protection – Excavated Drain | 13. Straw Bale Barrier               |
| 5. Inlet Protection – Fabric Inlet    | 14. Stream Bank Stabilization        |
| 6. Interim Stabilization              | 15. Temporary Stream Crossing        |
| 7. Outlet Stabilization Structure     | 16. Tree Preservation and Protection |
| 8. Sediment Basin                     | 17. Trench Plug                      |
| 9. Water Quality Inlet                |                                      |

### B. Permanent BMP's

Methods of stormwater run-off detention and control, and erosion and sediment control techniques which may be utilized as permanent stormwater management facilities/controls:

- |                                    |                                       |
|------------------------------------|---------------------------------------|
| 1. Bioretention                    | 11. Permanent Stabilization Structure |
| 2. Constructed Treatment Wetland   | 12. Vegetative Stabilization          |
| 3. Critical Area Planting          | 13. Dry Pond                          |
| 4. Diversion                       | 14. Wed Pond                          |
| 5. Energy Dissipater               | 15. Riparian Corridor Management      |
| 6. Filter Strip                    | 16. Riparian Forested Buffer          |
| 7. Grass Swale                     | 17. Rooftop Run-off Management        |
| 8. Infiltration Trench & Dry Well  | 18. Closed Sand Filter                |
| 9. Lined Channel                   | 19. Open Sand Filter                  |
| 10. Outlet Stabilization Structure | 20. Slope Drain                       |

- C. The use of other control methods which meet the criteria of this Ordinance will be permitted when approved by the Municipal Engineer and the Armstrong Conservation District.
- D. Various combinations of methods may be tailored to suit the particular requirements and features of the project area.

Section 210                      Additional E&S Control Design Standard for BMP's

- A. Areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase, so as to maintain their maximum infiltration capacity.
- B. Infiltration BMPs shall not be constructed nor receive run-off until the entire contributory drainage area to the infiltration BMP has received final stabilization.

## Article III Plan Submission, Review, and Modification

### Section 301                      Plan Submission and Review

- A. Two (2) copies of the Stormwater Management Plan shall be submitted to the Armstrong Conservation District (ACD) for review and comment and shall be accompanied by any requisite fees as set forth per the Agreement between East Franklin Township and the Armstrong Conservation District.
- B. The ACD shall review the plan submission and shall provide written comments and recommendations to the Applicant and to East Franklin Township.
- C. Should the plan submission be determined to be inadequate, the ACD will forward a deficiency letter to the Applicant and to East Franklin Township.
- D. Should the plan submission be determined to be adequate, the ACD will forward an approval letter to the Applicant and to East Franklin Township.
- E. East Franklin Township shall not approve any activity regulated by this Ordinance that is found to be inadequate.
- F. Permits for all activities that require additional state or federal issuance shall be obtained prior to final approval by East Franklin Township for the activities regulated by this Ordinance.
- G. The Applicant shall be responsible for submitting one (1) copy of As-Built drawings of all stormwater management facilities/controls to the ACD and one (1) copy shall be submitted to East Franklin Township.
- H. The ACD will review the As-Built for consistency with the preapproved plan submission.

### Section 302                      Plan Modifications

- A. Any modification to an approved Stormwater Management Plan which involves a change in control methods or techniques, or which involves the relocation or redesign of control measures, or which are necessary because soil other conditions are not as stated on the approved application (as determined by the ACD), shall be resubmitted for review by the ACD and must be noted on the plan as a revision to the Plan.
- B. All modifications to an approved plan that have not been resubmitted and reviewed by the ACD shall be considered a violation of this Ordinance.

## Article IV Inspections

### Section 401                      Schedule of Inspections

- A. The municipal assignee shall inspect all phases of the installation of the permanent stormwater management facilities/controls at the cost of the Applicant.
- B. During any stage of the work, if the municipal assignee determines that the permanent stormwater management facilities/controls are not being installed in accordance with this Ordinance and per the approved plan, the East Franklin Township Supervisors shall revoke any existing permits until a revised plan is submitted to the Armstrong Conservation District and approved.

## Article V Fees and Expenses

### Section 501                      Review Fees

The fees required by this Ordinance are by Resolution of the East Franklin Township Supervisors and have been established per the Agreement between the East Franklin Township Supervisors and the Armstrong Conservation District. All fees shall be paid by the Applicant.

### Section 502                      Inspection Fees

All fees associated with inspection of the stormwater management facility/controls shall be the responsibility of the Applicant.



## Article VI Improvements Responsibilities

### Section 601                      Improvements Guarantee

- A. The Applicant shall provide a financial guarantee to East Franklin Township for the timely installation and proper construction of all stormwater management facilities/controls as required by this Ordinance equal to one hundred ten (110) percent (%) of the total cost of construction of the required facilities/controls as per the PA Municipalities Planning Code, Act 247, Article V, Section 509 Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval and Section 511 Remedies to Effect Completion of Improvements, and Article V -A, Municipal Capital Improvement.
- B. No improvement guarantee shall be released by the Municipality until all stormwater management facilities/controls have been inspected and found to be properly installed.

### Section 602                      Maintenance Responsibilities

- A. The plan submission shall include an Operation and Maintenance Plan prepared by a Registered Professional Engineer. The Operation and Maintenance Plan shall outline required routine maintenance actions and schedules necessary to insure proper operation of the controls.
- B. The Operation and Maintenance Plan shall establish responsibilities for the continuous operation and maintenance of all proposed controls, consistent with the following:
  - 1. If a development site is to be maintained in a single ownership or if sewer and other public improvements are to be privately owned and maintained, then the ownership and maintenance of stormwater control facilities/controls shall be the responsibility of the property owner or private management entity.
  - 2. The governing body of East Franklin Township shall make the final determination on the continuing maintenance responsibilities prior to final approval. The governing body reserves the right to reject the ownership and operating responsibility for any or all stormwater management facilities/controls.
  - 3. If a development consists of structures or lots which are to be separately owned and in which streets, sewers and other public improvements are to be dedicated to East Franklin Township, stormwater facilities/controls may also be dedicated to and maintained by East Franklin Township, provided the Township agrees to accept the dedications.

## Section 603

### Maintenance Agreement Privately Owned Facilities/Controls

- A. Prior to final approval of the site's Stormwater Management Plan, the applicant/property owner(s) shall sign and record a Maintenance Agreement (Appendix A) covering all privately owned stormwater facilities/controls.
- B. Other items may be included in the Maintenance Agreement where determined necessary to guarantee the satisfactory maintenance of all facilities/controls. The Maintenance Agreement shall be subject to the review and approval of the East Franklin Township Solicitor.

## Section 604

### Municipal Storm Water Maintenance Fund

- A. If stormwater facilities/controls are accepted by East Franklin Township for dedication, the Applicant/Developer/Property Owner may be required to pay a specified amount to East Franklin Township to be deposited in a Municipal Stormwater Maintenance Fund to help defray costs of periodic inspections and maintenance expenses. The amount of the deposit shall be determined as follows:

If the stormwater management facility/control(s) are to be owned and maintained by East Franklin Township, the deposit shall cover the estimated costs for maintenance and inspections for ten (10) years. The Municipal Engineer will establish the estimated costs utilizing information submitted to the Township by the Applicant/Property Owner(s).

- B. If after ten (10) years, there is any amount remaining in the Municipal Stormwater Maintenance Fund less the cost of inspection over the previous ten (10) years, the unused portion of the Maintenance fund deposit will be returned to the depositor upon written request.

## Section 605

### Post-Construction Maintenance Inspections

- A. All stormwater facilities/controls shall be inspected by a Professional Engineer at the expense of the Applicant or Property Owner based on the following schedule unless agreed otherwise by East Franklin Township:
  - 1. Annually for the first five (5) years.
  - 2. Once every three (3) years thereafter.
  - 3. During or immediately after the cessation of a 100 year or greater storm event.
- B. The Professional Engineer conducting the inspection shall submit a report to the East Franklin Township Supervisors regarding the condition of the facility and recommending any necessary repairs.

## Article VII Enforcement & Penalties

### Section 701                      Right-of-Entry

Upon presentation of proper credentials, duly authorized representatives of the municipality may enter at reasonable times upon any property within the municipality to inspect the condition of the stormwater facility/controls in regard to any aspect regulated by this Ordinance.

### Section 702                      Notification of Violation

- A. Whenever any person shall have violated the terms of this Ordinance, the Applicant or person(s) responsible for the violations shall be notified in writing and shall be directed to comply with all terms of this Ordinance within ten (10) days, or such additional period, not to exceed thirty (30) days, as the Township deems necessary and reasonable.
- B. Further, provided the Applicant or person(s) responsible for the violation does not make the necessary and required corrections, East Franklin Township may make the necessary and required corrections and charge the Applicant or person(s) responsible for the cost, plus penalties as specified herein for failure to comply.
- C. Such Notice of Violation must be delivered in writing by certified mail or by posting of the property in a conspicuous place.

### Section 703                      Enforcement

- A. The governing body of East Franklin Township is hereby authorized and directed to enforce all of the provisions of this Ordinance.
- B. All inspections regarding compliance shall be the responsibility of the municipality

### Section 704                      Public Nuisance

- A. The violation of any provision of this Ordinance is hereby deemed a Public Nuisance.
- B. Each day that a violation continues shall constitute a separate violation.

## Section 705

## Penalties

Any person who fails to comply with this Ordinance within the period stated in the Notice of Violation shall, upon conviction thereof, be guilty of a summary offense:

- A. And shall be sentenced to pay a penalty of not more than Three Hundred (\$300.00) Dollars.
- B. Each and every day of continued violation shall constitute a separate violation.
- C. In the event that the owner, developer, or person(s) responsible fails to comply with the terms of this Ordinance within the time specified:
  1. The municipality may take any actions necessary to remove the public nuisance, or
  2. The municipality may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any Court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.
  3. The cost of removal, fine, and penalties herein above mentioned may be entered by East Franklin Township Supervisors as a lien against such property in accordance with existing provisions of law.

## Section 706

## Appeals

### A. Appeals to the East Franklin Township Supervisors

Any person aggrieved by any action of the municipal assignee (duly authorized municipal representative) may appeal in writing to the East Franklin Township Supervisors within ten (10) days of that action.

### B. Appeals to Court:

Any person aggrieved by an decision of the East Franklin Township Supervisors or their municipal assignee (duly authorized municipal representative) may appeal to the Armstrong County Court of Common Pleas within thirty (30) days of that decision.

## Article VIII Interpretation and Definitions

### Section 801                      Language Interpretations

For the purposes of this Ordinance, certain terms and words used herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender, and words of feminine gender include masculine gender.
- B. The word "includes" or "including" shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.
- C. The word "person" includes an individual, firm, association, organization, partnership, trust, company, corporation, or any other similar entity.
- D. The words "shall" and "must" are mandatory; the words "may" and "should" are permissive.
- E. The words "used" or "occupied" include the words "intended, designed, maintained, or arranged to be used or occupied."

### Section 802                      Definitions

The following words and phrases when used in this Ordinance shall have, unless the context clearly indicates otherwise, the meanings given to them in this Section. All words and terms not defined herein shall be used with a meaning of standard usage.

#### Accelerated Erosion

The removal of the surface of the land through the combined action of man's activities and natural processes at a rate greater than would occur because of the natural processes alone.

#### Agricultural Activities

The work of producing crops and raising livestock including tillage, plowing, disking, harrowing, pasturing and installation of conservation measures.

#### Alteration

As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another; also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

#### Applicant

A landowner or developer who has filed an application for approval of stormwater management controls.

### Assignee

The agent for East Franklin Township involved with the administration, review or enforcement of any provision of this Ordinance by contract or memorandum of understanding.

### Bioretention

Two types of bioretention facilities exist: off-line area and on-line areas.

*Off-line Areas* - consist of sand and soil mixtures planted with native plants, which receive runoff from overland flow or from a diversion structure in a traditional drainage system.

*On-line Areas* - consist of sand and soil mixtures planted in grass swales or other conveyance systems that have been modified to enhance pollutant removal by quiescent settling and biofiltration.

### BMP (Best Management Practice)

Stormwater structures, facilities and techniques to maintain or improve the water quality of surface run-off.

### Channel Erosion

The widening, deepening, and head ward cutting of small channels and waterways, due to erosion caused by moderate to large floods.

### Conservation District

The Armstrong County Conservation District.

### Constructed Treatment Wetland

Artificial shallow water-filled basins that have been planted with emergent plant vegetation designed to achieve specific stormwater water-quality objectives before the water is discharged.

### Critical-Area Planting

Consists of planting vegetation, such as trees, shrubs, vines, grasses or legumes, on highly erodible or critically eroding areas (does not include trees planted mainly for wood products).

### Culvert

A structure with appurtenant works which carries a stream under or through an embankment or fill.

### Dam

An artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semi-fluid, or a refuse bank, fill or structure for highway, railroad or other purposes which does or may impound water or another fluid or semi-fluid.

### Design Storm

The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g. 10-yr. storm) and duration (e.g. 24-hour), and used in computing stormwater management control systems.

### Detention Basin

An impoundment structure designed to manage stormwater run-off by temporarily storing the run-off and releasing it at a predetermined rate.

### Developer

A person or persons, partnership, association, corporation or other entity, or any responsible person therein or agent thereof, who undertakes the activities covered by this Ordinance.

### Diversion

A channel constructed across a slope with a supporting ridge on the down slope side.

### Drainage Easement

A right granted by a property owner to a grantee, allowing the use of private land for stormwater management purposes.

### Energy Dissipater

A structure that reduces high energy levels water flows to reduce or prevent erosion.

### Filter Bag

A bag constructed of nonwoven geotextile fabric that filters sediment-laden waters passing thorough it.

### Filter Strip

A vegetated or forested boundary characterized by uniform mild slopes.

### Erosion

The removal of soil, stone, and other surface materials by the action of natural elements.

### Erosion and Sediment Pollution Control Plan

A plan which is designed to minimize accelerated erosion and sedimentation pursuant to 25 PA Code, Chapter 102.

### Flood Plain

Any land area susceptible to being inundated by water from any natural source and specified by the Department of Environmental Protection.

### Floodway

The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year frequency flood.

### Forest Management Operations

All activities connected with growing and harvesting of forest products including the site preparation, cultivation and logging of trees, and the construction and maintenance of roads.

### Grading

The act of excavating and/or filling land for the purpose of changing natural slope.

### Grass Swale

A constructed open-channel drainage way.

### Ground-water Recharge

Replenishment of existing natural underground water supplies.

### Impervious Surface

A surface which prevents the penetration of water into the ground.

### Infiltration Structure

A structure designed to direct run-off into the ground, such as french drains, seepage pits, or seepage trenches.

### Infiltration Trench and Dry Well

Excavated trenches in which stormwater runoff is collected and percolated to the surrounding soil.

### Inlet

A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

### Inlet Protection-Block and Gravel

A sediment control barrier formed around a storm drain inlet by using standard concrete blocks and gravel.

### Inlet Protection-Excavated Drain

A type of inlet protection in which an area at the approach to a storm drain drop inlet or curb inlet is excavated.

### Inlet Protection-Fabric Insert

A fabric sack suspended inside a catch basin.

### Interim Stabilization

The stabilization of disturbed areas with erosion blankets, mulching, or a temporary vegetative cover until permanent cover can be established.

### Land Development

The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (ii) a subdivision of land.



### Land/Earth Disturbance

Any activity involving grading, tilling, digging, or filling of ground or stripping of vegetation or any other activity which causes land to be exposed to erosion.

### Lined Channel

Channels that incorporate erosion-resistant linings on banks and bottoms to resist scour and erosion. Lining materials may include rip rap, gabion mattresses, or interlocking paving blocks, concrete, or synthetic fabrics.

### Municipality

The Township of East Franklin, Armstrong County, Pennsylvania.

### Outlet

Points of water disposal from a stream, river, lake, or artificial drain.

### Outlet Stabilization Structure

A physical device composed of rock, grouted rip rap, or concrete rubble that is placed at the outlet of a pipe.

### Peak Discharge

The maximum rate of flow of water at a given point and time resulting from a storm event.

### Pennsylvania Municipalities Planning Code

Act of 1968, July 31, P.L. 805, No. 247 as reenacted and amended.

### Permanent Vegetative Stabilization

The establishment of perennial vegetative cover on disturbed areas.

### Pond-Dry

A permanent stormwater management facility that temporarily stores incoming stormwater but is typically dry between storm events. To qualify as a BMF, dry ponds incorporate extended detention of runoff derived from small rainfall events.

### Pond-Wet

A permanent stormwater management facility that stores water as a means of enhancing water quality through sediment settlement and stores an additional capacity of water above the permanent pool for detaining stormwater runoff.

### Retention Basin

A basin in which the run-off from a given flood event is stored and is not discharged into the downstream drainage system during the flood event.

### Riparian Corridor Management

Structural measures and management policies designed to restore or enhance the beneficial hydrologic properties of natural stream corridors (including flood and adjacent upland buffers).

### Riparian Forested Buffer

Land that adjoins and is immediately up gradient from rivers or streams that are vegetated with a combination of trees, shrubs, and herbaceous plants.

### Rooftop Runoff Management

Modifications to conventional building design that retard runoff originating from roofs. Modifications include: vegetated roof covers, roof gardens, and vegetated building facades.

### Run-off

That part of precipitation which flows over the land.

### Sand Filter, Closed

A treatment system that treats runoff by settling and filtering through sand and then collected in underground pipes and discharged to a storm drain, a stream, or a channel.

### Sand Filter, Open

A treatment system that treats runoff by diverting the flow into a self-contained bed of sand. Enhanced Open Sand Filters use layers of peat, limestone, or topsoil, and also may have a grass cover crop. Run-off from Open Sand Filters is then collected in underground pipes and can be discharged into a storm drain system, a stream, a channel, or infiltrated to groundwater.

### SCS

Soil Conservation Service, U.S. Department of Agriculture.

### Sediment

Solid material, both mineral and organic, that is in suspension is being transported, or has been moved from its site of origin by water.

### Sedimentation

The process by which mineral or organic matter is accumulated or deposited by the movement of water.

### Sediment Basin

A barrier, dam, retention or detention basin located and designed to retain rock, sand, gravel, silt; or other water transported material.

### Sediment Trap

Temporary control measures that have raised embankments that impound runoff and outlet structures that retard the release of impounded water. Are used for reducing sediment pollution from small disturbed drainage areas.

### Silt Curtain

A temporary geotextile (filter fabric) barrier installed within a water body that controls coarse sediment by creating a settling area.

### Silt Fence

A temporary barrier of entrenched geotextile (filter fabric) stretched across and attached to supporting posts that is used to intercept sediment-laden runoff from small drainage areas.

### Slope Drain

A temporary pipe for draining the top of a slope and conveying the water to a stable discharge point at the bottom of a slope without causing erosion.

### Soil-Cover Complex Method

A method of run-off computation publicized in "*Urban Hydrology for Small Watersheds*," Technical Release No. 55, June 1986.

### Stabilized Construction Entrance

A stabilized pad with a roughened surface, located at points where traffic will be entering or leaving a construction site from a public right-of-way, street, alley, sidewalk, or parking area. Also known as "tire cleaning strips".

### Straw Bale Barrier

A temporary barrier consisting of a row of entrenched and anchored straw bales or similar material used to intercept sediment-laden runoff from small drainage areas of disturbed soil.

### Stream Bank Stabilization

A collection of methods for stabilizing stream banks by vegetative and mechanical means.

### Storm Frequency

The number of times that a given storm "event" occurs or is exceeded on the average in a stated period of years.

### Storm Sewer

The drainage run-off from the surface of the land resulting from precipitation, snow, or ice melt.

### Stormwater

The total amount of precipitation reaching the ground surface.

### Stormwater Management Facility/Control

Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects storm water run-off. Typical stormwater management facilities/controls include, but are not limited to, detention basins, open channels, storm sewers, pipes, and infiltration structures.

### Swale

A low lying stretch of land which gathers or carries surface water run-off.

### Temporary Stream Crossing

A bridge, culvert, or ford placed across a waterway for short-term use by construction vehicles or heavy equipment.

### Tree Preservation and Protection

The protection of desirable trees from mechanical and other injury during land-disturbing and construction activity.

Trench Plug

Temporary or permanent barriers installed at regular intervals in pipe trenches.

USDA

United States Department of Agriculture.

Watercourse

A stream of water, river, brook, creek, or a channel or ditch for water, whether natural or manmade.

Watershed

The entire region or area drained by a river or other body of water, whether natural or artificial; a drainage basin or sub-basin.

Water Quality Inlet

A three-stage underground retention system designed for removing heavy particulates and absorbed hydrocarbons from stormwater runoff. Also known as oil-grit separators.

Wetland

Those areas that are inundated with water or saturated by surface ground water at a frequency and duration sufficient to support, and that under normal circumstance do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, and similar areas.

Article IX  
Enactment

Section 901                      Effective Date

The provisions of this Ordinance shall be effective from and after December  
(month)  
28, 2000.  
(day)      (year)

ORDAINED AND ENACTED by the Supervisors of East Franklin Township, Armstrong  
County, Pennsylvania this December 28, 2000.  
(month)      (day)      (year)

East Franklin Township Supervisors

Larry Collier  
Don Hepb  
Dan Hollenbeck

ATTEST: \_\_\_\_\_  
Secretary

APPENDIX A  
Signature Blocks

Armstrong Conservation District:

The Armstrong Conservation District has reviewed and hereby certifies that this Stormwater Management Plan meets all design standards and criteria of the East Franklin Township Stormwater Management Ordinance.

\_\_\_\_\_  
Armstrong Conservation District

East Franklin Township Supervisors:

The East Franklin Township Supervisors, upon recommendation from the Armstrong Conservation District, has approved this Stormwater Management Plan this \_\_\_\_ day of \_\_\_\_\_, in the year 2\_\_\_\_.

ATTEST:

\_\_\_\_\_  
East Franklin Twp. Secretary

\_\_\_\_\_  
East Franklin Twp. Supervisor

APPENDIX B  
RELEASE RATE PERCENTAGES

RELEASE RATE PERCENTAGES - the primary performance standard for the control of stormwater in the Glade Run Watershed (% represents an average value for the entire subarea).

Sub areas	Release Rate %
7	80
9	60
10	60
11	70
12	60
13	90
14	70
15	80
16	70
17	60
18	50

The release rate percentage applies uniformly to all land development or alterations within a subarea which will result in an increase in the post development rate of runoff from a site or a change in runoff travel time.

APPENDIX C  
East Franklin Township  
Stormwater Management  
Maintenance Agreement

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_,  
(month)  
in the year 20\_\_\_\_, by and between, \_\_\_\_\_

(hereinafter the "Property Owner"), and East Franklin Township, Armstrong County;  
Pennsylvania, (hereinafter "Municipality").

WITNESSETH

WHEREAS, the Property Owner is the owner of certain real estate is recorded by  
deed in the land records of Armstrong County, Pennsylvania, Deed Book\_\_\_\_\_, Page  
\_\_\_\_\_, (hereinafter "Property").

WHEREAS, the Property Owner is proceeding to build and develop Property; and

WHEREAS, the Stormwater Management Plan (hereinafter "Plan") for the Property  
is expressly made a part hereof, as approved or to be approved by the Municipality  
provides for the detention, retention, and control of stormwater within the confines of the  
Property; and

WHEREAS, the Municipality and the Property Owner, his successors, heirs, and  
assigns agree that the health, safety, and welfare of the residents of East Franklin  
Township require that on-site stormwater management facilities or controls be constructed  
and maintained on the Property; and

WHEREAS, the Municipality requires, through the implementation of the approved  
Plan, that stormwater management facilities/controls as shown on the Plan be constructed  
and adequately maintained by the Property Owner, his successors, heirs, and assigns.



NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management facilities/controls shall be constructed by the Property Owner, his successors, heirs, and assigns, in accordance with the terms, conditions and specifications identified in the approved Plan.
2. The Property Owner, his successors, heirs, and assigns, shall maintain the stormwater management facility/controls in good working condition, acceptable to the Municipality, in a way that the facility/controls are performing as per their intended design functions.
3. The Property Owner, his successors, heirs, and assigns, hereby grants permission to the Municipality, the duly authorized municipal representatives/assignees and/or employees, upon presentation of identification if requested, to enter upon the Property at reasonable times, and to inspect the stormwater management facilities/controls whenever the Municipality deems necessary. The purpose of the inspection is to assure safe and proper functioning of the facilities/controls. The inspection shall cover the entire facility, berms, outlet structures, pond area, access roads, etc. When inspections are conducted, the Municipality shall give the Property Owner, his successors, heirs, and assigns, copies of the Inspection Report with findings and evaluations. At a minimum, maintenance inspections shall be performed in accordance with the following schedule:
  - \* Annually for the first five (5) years after construction of the facility/control.
  - \* Once every three (3) years thereafter, or
  - \* During or immediately upon the cessation of a 100 year or greater precipitation event.
4. All reasonable costs for said inspections and inspection reports shall be born by the Property Owner and payable to the Municipality.
5. The Property Owner shall convey to the Municipality, adequate easements and/or rights-of-way to assure access for periodic inspections by the Municipality.
6. In the event the Property Owner, his successors, heirs, and assigns, fail to maintain the stormwater management facilities/controls in good working condition acceptable to the Municipality, the Municipality may enter upon the Property and take such necessary and prudent action to maintain said stormwater management facilities/controls and to charge the costs of the maintenance and/or repairs to the Property Owner, his successors, heirs, and assigns. This provision shall not be construed as to allow the Municipality to erect any structure of a permanent nature on the land of the Property Owner, outside of any easement belonging to the Municipality.
7. It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.

8. The Property Owner, his successors, heirs, and assigns, will perform maintenance in accordance with the approved maintenance schedule for the stormwater management facilities/controls including sediment removal as outlined on the approved Plan.
9. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like on account of the Property Owner's or his successors, heirs, and assigns' failure to perform such work, the Property Owner, his successors, heirs, and assigns, shall reimburse the Municipality upon demand, within thirty (30) days of receipt of invoice thereof, for all costs incurred by the Municipality hereunder. If not paid within said thirty (30) day period, the Municipality may enter a lien against the property in the amount of such costs, or may proceed to recover the costs through proceedings in equity or at law as authorized under the provisions of the PA Municipalities Planning Code, Act 247.
10. The Property Owner, his successors, heirs, and assigns, shall indemnify the Municipality and the authorized agents and employees against any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the Municipality for the construction, presence, existence or maintenance of the stormwater management facilities/controls by the Property Owner, his successors, heirs, and assigns.
11. In the event a claim is asserted against the Municipality, the authorized agents or employees, the Municipality shall promptly notify the Property Owner, his successors, heirs, and assigns, and they shall defend, at their own expenses, any suit based on such claim. If any judgment or claims against the Municipality, the authorized agents or employees shall be allowed, the Property Owner, his successors, heirs, and assigns shall pay all costs and expenses in connection therewith.
12. In the advent of any emergency or the occurrence of special or unusual circumstances or situations, the Municipality may enter the Property, if the Property Owner is not immediately available without notification or identification, to inspect and perform necessary maintenance and repairs, if needed, when the health, safety, and welfare of the citizens is at jeopardy. However, the Municipality shall notify the Property Owner of any inspection, maintenance, or repair undertaken within five (5) days of the activity. The Property Owner shall reimburse the Municipality for those costs.

This Agreement shall be recorded among the land records of Armstrong County, Pennsylvania and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Property Owner, his administrators, executors, heirs, and assigns and any other successor in interest, in perpetuity.

(SEAL)

\_\_\_\_\_  
Municipal Supervisor

\_\_\_\_\_  
Municipal Supervisor

\_\_\_\_\_  
Municipal Supervisor

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Property Owner

WITNESS: \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in Armstrong County, Pennsylvania,  
whose commission expires on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, do hereby certify that  
\_\_\_\_\_ whose name (s) is/are signed to the foregoing Agreement  
bearing date of the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, has acknowledged the same before  
me.

GIVEN UNDER MY HAND THIS \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_  
Notary Public

(SEAL)