

**SILVER SPRING TOWNSHIP**  
**STORM WATER**  
**MANAGEMENT ORDINANCE**  
**OF 2009**

**CUMBERLAND COUNTY, PENNSYLVANIA**



# **SILVER SPRING TOWNSHIP**

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**TOWNSHIP OF SILVER SPRING  
CUMBERLAND COUNTY, PENNSYLVANIA**

**SILVER SPRING TOWNSHIP  
STORM WATER MANAGEMENT ORDINANCE OF 2009**

Originally adopted as Ordinance No. 95-13 on October 11, 1995  
Amended November 17, 1999 (Ordinance No. 99-8)  
Amended February 26, 2003 (Ordinance No. 3 of 2003)  
Amended August 22, 2007 (Ordinance No. 8 of 2007)  
Amended June 24, 2009 (Ordinance No. 10 of 2009)

AN ORDINANCE BY THE BOARD OF TOWNSHIP SUPERVISORS IN AND FOR THE TOWNSHIP OF SILVER SPRING, CUMBERLAND COUNTY, PENNSYLVANIA, CONCERNING THE MANAGEMENT OF STORM WATER RUNOFF WITHIN SAID TOWNSHIP; STATING PUBLIC PURPOSES AND INTENTIONS; DEFINING TERMS; CREATING RULES, REGULATIONS AND CRITERIA FOR SUCH MANAGEMENT, INCLUDING THE DEVELOPMENT OF PLANS AND STUDIES; REQUIRING PERMITS AND INSPECTIONS; PRESCRIBING DESIGN STANDARDS; ESTABLISHING ADMINISTRATIVE PROCEDURES; PROVIDING ENFORCEMENT REMEDIES AND PENALTIES.



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# ARTICLE I

## GENERAL PROVISIONS

### SECTION 101 TITLE

This Ordinance shall be known and may be cited as the “Silver Spring Township Storm Water Management Ordinance of 2003.”

### SECTION 102 STATEMENT OF FINDINGS

The Board of Supervisors of Silver Spring Township finds that inadequate management of storm water runoff increases downstream flooding, eroding and/or silts stream channels, pollutes water, overloads existing drainage facilities, and reduces the groundwater table.

A comprehensive and reasonable program of storm water management regulations is fundamental to the public health, safety, and welfare and to the protection of the citizenry and environment.

### SECTION 103 PURPOSE

The purpose of this Ordinance is to promote the public health, safety and welfare by minimizing the problems described in Section 102 of this Ordinance by provisions designed to:

- a) Manage storm water runoff, soil erosion and sedimentation, both during and upon completion of a land disturbance activity, by regulating activities which cause such problems.
- b) Utilize and preserve existing natural drainage.
- c) Encourage recharge of groundwaters.
- d) Maintain and/or improve the existing flows and quality of streams and watercourses in the municipality and the Commonwealth.
- e) Preserve and/or restore the flood carrying capacity of streams.
- f) Provide for proper maintenance of all storm water management structures.

### SECTION 104 ADOPTION-AUTHORITY-APPLICABILITY

The Board of Supervisors of Silver Spring Township pursuant to the Pennsylvania Storm Water Management Act, Act of October 4, 1978, P.L. 864, No. 167, as amended, the Pennsylvania Municipalities Planning

Code, Act of July 31, 1968, P.L. 805, No. 247, re-enacted and amended by Act 170 of 1988, as amended, and the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, re-enacted and amended July 10, 1947 P.L. 1481, No. 567, as amended, hereby enacts and ordains this Ordinance as the Silver Spring Township Storm Water Ordinance. This Ordinance shall apply to all land disturbance activities as defined in this Ordinance. The standards shall apply to conditions both during and upon completion of a land disturbance activity.

# ARTICLE II

## DEFINITIONS

### SECTION 201 GENERAL

Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this section.

### SECTION 202 GENERAL TERMS

In this Ordinance when not inconsistent with the context:

- a) Words in the present tense imply also the future tense.
- b) The singular includes the plural.
- c) The male gender includes the female gender.
- d) The term “person” includes an individual, partnership, corporation, unincorporated association, estate, or any other legally recognized entity.
- e) The term “shall” or “must” is always mandatory.
- f) The term “may” is permissive.

### SECTION 203 SPECIFIC TERMS

The following words and phrases shall have the particular meaning assigned by this section of this Ordinance. Additionally, the words and phrases which are used in this Ordinance and not defined below shall have the meaning assigned by the Silver Spring Township Subdivision and Land Development Ordinance.

Agriculture - The tilling of the soil, the raising of crops, forestry, horticulture and gardening, including the keeping or raising of livestock, such as cattle, cows, hogs, horses, sheep, goats, poultry, rabbits, birds, fish, bees and other similar animals.

Board of Supervisors - The Board of Supervisors of the Township of Silver Spring, Cumberland County, Pennsylvania.

Carbonate rock. Rock types that are affected by dissolution weathering process caused by slightly acidic groundwater. The most common types

of rock that are categorized as carbonate rock are limestone (calcium carbonate and dolomite calcium magnesium carbonate.)

Cavern. Interconnected solution features within the bedrock surface.

Channel - A natural or artificial watercourse with a definite bed and banks which confine and conduct continuously or periodically flowing water.

Clay liner. Fine grained soil that is used in the construction of a liner that limits the rate of surface water intrusion into the subsurface.

Closed Depression. A bowl shaped depression in the land surface characterized by internal drainage. A ghost lake is a closed depression which has visible standing water after a heavy rainfall event.

Culvert - A structure with appurtenant works which carries a watercourse under or through an embankment of fill.

Dedication - The deliberate appropriation of property by its owner for general public use.

Design Storm - The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 25-year storm) and duration (e.g., 24-hour storm) and used in computing storm water management control systems.

Detention Basin - A reservoir which temporarily contains storm water runoff and releases it gradually into a watercourse or storm water drainage system.

Developer - Anyone who undertakes Land Disturbance Activities as defined in this Ordinance.

Drainage Easement - A right granted by a landowner to a grantee, allowing the use of private land for storm water management purposes.

Erosion - The processes by which soil particles are detached and transported by action of natural forces.

Fault. A fracture in bedrock along which movement has taken place.

Fine Grained Soil. Materials that predominantly consist of silt and clay size particles.

Floodplain - Any area specified as Floodplain in the Zoning Ordinance of Silver Spring Township, as amended, and the Flood-prone Area/Floodplain Building Construction Permit Ordinance of Silver Spring Township, as amended.

Hazardous Materials (chemical or bio-hazard). As defined and regulated by the PADEP or EPA.

Impermeable Liners. A liner system that reasonably prohibits the infiltration or surface water into the subsurface.

Impervious Surface - Any material that covers the land, which inhibits the percolation of storm water directly into the soil, including, but not limited to buildings, pavement, stone areas, and storm water facilities (detention/retention basins) or other equivalent surfaces not designed as a Best Management Practice (BMP). Acceptable BMP's shall be as defined in the Pennsylvania Department of Environmental Protection's Stormwater Best Management Practices Manual, Latest Edition.

Karst. The terrain that results from the dissolution of carbonate rock.

Karst Process. The dissolution of carbonate rock by slightly acidic groundwater. Dissolution weathering – the removal of soluble materials from intact carbonate rock by slightly acidic groundwater.

Land Disturbance Activity - The use of land for activities in the following categories:

a) Major Land Disturbance. The use of land involving:

- (1) Installation of new impervious or semi-impervious surface that is either in excess of five thousand (5,000) square feet or two-thirds (2/3) of the total lot area, or
- (2) Diversion or piping of any natural or man-made watercourse, or
- (3) Removal of ground cover, grading, filling, or other excavation in excess of five (5) acres, except for the agricultural use of land when operated in accordance with a farm conservation plan approved by the Cumberland County Conservation District.

b) Minor Land Disturbance. The use of land involving:

- (1) The installation of new impervious or semi-impervious surface between two thousand (2,000) and five thousand (5,000) square feet, or
- (2) Removal of ground cover, grading, filling or excavation between five thousand (5,000) square feet and five (5) acres, except for the agricultural use of land when operated in

accordance with a farm conservation plan approved by the Cumberland County Conservation District.

For the purpose of defining minor and major land disturbances, area calculations are cumulative.

Lineaments. Linear topographic features that locate faults and fractures.

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

Residual Soil. Soils derived from the in-place weathering of the underlying bedrock.

Retention Basin - A reservoir designed to retain storm water runoff with its primary release of water being through the infiltration of said water into the ground.

Sedimentation Basin - A reservoir designed to retain sediment.

Semi-impervious Surface - A surface such as stone, rock, or other material which prevents some percolation of water into the ground.

Sinkhole. Localized land surface subsidence or collapse due to karst processes. Sinkholes are categorized as solution sinkholes, collapse sinkholes and subsidence sinkholes.

Spring. Where water flows naturally out of the bedrock or the overlying soil mantle on to the land surface.

Storm Sewer - A system of pipes, conduits, swales or other similar structures, including appurtenant works, which carries intercepted runoff, and other drainage, but excludes domestic sewage and industrial waste.

Storm Water Management - A program of controls and measures designed to regulate the quantity and quality of storm water runoff from a development while promoting the protection and conservation of groundwaters and groundwater recharge.

Storm Water Management Facilities - Those controls and measures (e.g., storm sewers, berms, terraces, bridges, dams, basins, infiltration systems, swales, watercourses, and floodplains) used to effect a storm water management program.

Storm Water Runoff - Drainage runoff from the surface of the land resulting from precipitation or snow and ice melt.

Toxic and/or biological or Chemical Hazardous Materials. Biological species or chemical compounds which are deemed to be toxic or hazardous by the Pennsylvania Department of Environmental Protection.

Township - Silver Spring Township, Cumberland County, Pennsylvania.

Watercourse - A permanent or intermittent stream, river, brook, creek, run, channel, swale, pond, lake, or other body of water, whether natural or man-made, for gathering or carrying surface water.

# ARTICLE III

## PERMIT PROCEDURES AND REQUIREMENTS

### SECTION 301      GENERAL

A Land Disturbance Activity, as defined in this Ordinance, shall not be initiated until a Storm Water Management Permit has been issued.

### SECTION 302      APPLICATION PROCEDURE

All applications for a Storm Water Management Permit, the activity for which also constitutes a subdivision or land development, shall be submitted concurrently with all Silver Spring Township Subdivision and Land Development Ordinance applications. Applications for Storm Water Management Permits will be submitted in conjunction with preliminary plans (when preliminary plans are required). Action on the Storm Water Management Permit will be made in conjunction with the preliminary plan under the Subdivision and Land Development Ordinance.

All applications for a Storm Water Management Permit, the activity for which does not constitute a subdivision or land development, shall conform with the below procedures. An Application for a Storm Water Management Permit shall be submitted to the Township-designated representative who has been authorized to receive applications at the Silver Spring Township Building, on any business day.

The Township shall forward the application to the Township Engineer for review.

The Township-designated representative shall, within sixteen (16) days from the municipal receipt of an application, issue a permit (see Appendix No. 4) or disapprove the application and transmit the decision in writing to the applicant and the Township Board of Supervisors. Failure of the Township Engineer to render a decision and communicate it as prescribed above shall not be deemed an approval.

A notice of disapproval shall cite the reasons for disapproval.

### SECTION 303      APPLICATION REQUIREMENTS

303.01      Minor Land Disturbance. An application for a Storm Water Management Permit for a Minor Land Disturbance, as defined in this Ordinance, shall include one (1) completed copy of the Application for a Minor Land Disturbance (see Appendix No. 1) and filing fee in the amounts specified in the fee schedule as established by resolution or ordinance of the Board of Supervisors.

303.02 Major Land Disturbance. An application for a Storm Water Management Permit for a Land Disturbance Activity, as defined in this Ordinance, shall include the following items:

- a) One (1) completed copy of the Application for a Storm Water Management Permit (see Appendix No. 2).
- b) Four (4) copies of the Storm Water Management Plan (see Section 304 for Plan contents).
- c) Filing fee in the amount specified in the fee schedule as established by resolution or ordinance of the Board of Supervisors.
- d) Performance bond, when applicable (see Section 309 for specifications).
- e) Liability insurance, when applicable (see Section 310 for specifications).

SECTION 304 STORM WATER MANAGEMENT PLAN CONTENTS

Storm water management plans shall be prepared by professionals registered in the Commonwealth of Pennsylvania to perform such duties. Designs which entail engineering expertise shall be prepared by engineers with appropriate expertise. The plan shall show, be accompanied by, or be prepared in accordance with the following:

304.01 General

- 304.01.1 The plan shall be clearly and legibly drawn at a scale of ten (10) feet, twenty (20) feet, thirty (30) feet, forty (40) feet, or fifty (50) feet, to the inch. Profile plans shall maintain a ratio of 1:10 vertical to horizontal.
- 304.01.2 The sheet size shall be eighteen by twenty-two inches (18" x 22"). If the plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be numbered to show the relationship to the total number of sheets in the plan (e.g., Sheet 1 of 5).
- 304.01.3 Plans shall be legible in every detail.
- 304.01.4 Name and address of landowner, applicant, and individual who prepared the plan.
- 304.01.5 Plan date and date of latest revision to plan, north point, graphic scale and written scale.

- 304.01.6 A location map, drawn to scale, relating the property to at least two (2) intersections of existing road centerlines, including the approximate distance to the intersection of the centerlines of the nearest existing street intersection.
- 304.01.7 Note on plan indicating any area that is proposed to be offered for dedication to the Township. Any area that is easemented and not to be offered for dedication shall be identified along with a statement that the Township is not responsible for the maintenance of any area not dedicated to and accepted for public use.
- 304.01.8 Certificate, signed and sealed by an individual registered in the Commonwealth of Pennsylvania and qualified to perform such duties, indicating compliance with the provisions of this Ordinance (see Appendix No. 3).
- 304.02 Existing Features
- 304.02.1 Tract boundaries showing distances, bearings and curve data, as located by field survey or deed plotting, total acreage of tract, and total acreage of project if less than the entire tract.
- 304.02.2 Existing contours, at a minimum vertical interval of two (2) feet for land with average natural slope of four percent (4%) or less and at a minimum vertical interval of five (5) feet for more steeply sloping land. Contours shall be accompanied by the location of the benchmark within or immediately adjacent to the subject tract and a notation indicating the datum used. The United States Geodetic Survey shall be used for benchmark datum.
- 304.02.3 Names of all owners of all immediately adjacent land, names of all proposed or existing developments immediately adjacent, and locations and dimensions of any streets or easements shown thereon.
- 304.02.4 Names, locations and dimensions of all existing buildings, street rights-of-way, railroads, utilities, watercourses, drainage facilities, floodplains, wetland, on-lot sewage disposal facilities, easements, and other significant features located either within and adjacent to the property or two hundred (200) feet from the property.
- 304.02.5 The size, slope capacity, and condition of the existing storm water management system and any other facility that may be used to convey storm flows.
- 304.02.6 Soils types as designated by the U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Cumberland County.
- 304.02.7 Designation of the location of on-site and off-site sub-watersheds.

- 304.02.8 Designation of the location of the time of concentration for the on-site and off-site sub-watersheds.
- 304.03 Proposed Features
- 304.03.1 Proposed land use, total number of lots and dwelling units, and extent of commercial, industrial or other non-residential uses.
- 304.03.2 Locations and dimensions of all proposed streets, sidewalks, lot lines, building locations, parking compounds, impervious and semi-impervious surfaces, sanitary sewer facilities, water facilities, storm water management facilities, utilities, and other significant features. This information shall be provided to the detail necessary to construct the facilities.
- 304.03.3 Proposed changes to land surface and vegetative cover including areas to be cut or filled.
- 304.03.4 Proposed Topographical Data. This information shall be provided by contour lines indicating the existing and proposed grades of the site. Contour lines shall be provided at two (2) foot vertical intervals for slopes of four percent (4%) or less, and at vertical intervals of five (5) feet for more steeply sloping land.
- 304.03.5 Plans and profiles of proposed storm water management facilities including horizontal and vertical location. Additionally, a detail with all pertinent construction requirements shall be provided for outlet structures. This information shall be of the quality required for the construction of all facilities.
- 304.03.6 The size, slope, capacity, material, elevation, and condition of the proposed storm water management system and other facility that may be used to convey storm flows. This information shall include invert elevations and top of grate elevations.
- 304.03.7 Plans and profiles of all erosion and sedimentation control measures, temporary as well as permanent.
- 304.03.8 Designation of the location of on-site sub-watersheds.
- 304.03.9 Designation of the location of the time of concentration for the on-site sub-watersheds.
- 304.04 Written Report and Calculations
- 304.04.1 Calculations, assumptions, criteria, methodology, and references used in the design of storm water management facilities, the establishment of capacities, and the pre-development and post-

development peak discharge. This information shall include data on all sub-watersheds. Applicants are encouraged to follow the Standard Computation Table provided in Appendix No. 5.

304.04.2 For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrographs, and outflow hydrographs.

304.04.3 Soil structures and characteristics shall be provided for all proposed groundwater recharge systems, and detention or retention basins which (a) hold two (2) acre feet or more of water, or (b) have an embankment that is six (6) feet or more in height. Plans and data prepared by a registered professional experienced and educated in soil mechanics shall be submitted. This data shall provide design solutions for frost heave potential, spring-swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and back-filling procedures and soil treatment techniques as required to protect the improvements or structures.

The following requirements apply to all proposed groundwater recharge methods of storm water management, such as seepage pits, beds, trenches, leaching wells, and cisterns:

- a) Representative percolation tests must be made throughout the proposed area. At least one percolation test must be included in each soil group and at least one percolation test must be conducted for each five lots proposed for development. Testing, in general, should follow the same guidelines as though testing for an on-lot septic system.
- b) Seepage pits, beds or trenches shall not be permitted for any development of more than five lots, without prior approval of the Township.

304.04.4 Description of all erosion and sedimentation control measures, temporary as well as permanent, including the staging of land moving activities, sufficient in detail to clearly indicate their function. All erosion and sedimentation control measures shall conform to the requirements of the Pennsylvania Department of Environmental Protection, *Soil Erosion and Sedimentation Control Manual*.

304.04.5 Description of an ownership and maintenance program, in a recordable form, that clearly sets forth the ownership and maintenance responsibilities for all temporary and permanent storm water management facilities which shall include the following:

- a) Description of the method and extent of the maintenance requirements.

- b) Identification of an individual, corporation, association or other entity responsible for ownership and maintenance.
- c) When maintained by a private entity, a copy of the legally binding document which provides that the Township shall have the right to:
  - (1) Inspect the facilities at any time.
  - (2) Require the private entity to take corrective measures and assign the private entity reasonable time periods for any necessary action.
  - (3) Authorize maintenance to be done by the Township or an agent or contractor of the Township and the liening of the cost of the work against the properties of the private entity responsible for the maintenance.
- d) Establishment of suitable easements for access to storm water management facilities.
- e) When an assignment of responsibility is made to the Township, it must include an acknowledgement of their formal acceptance of the responsibility.

This document shall be recorded in the Office of the Recorder of Deeds for Cumberland County upon issuance of a permit. In all cases, the document shall be recorded prior to the initiation of construction and be fully effective at the post-construction period.

- 304.04.6 A Pennsylvania Department of Transportation Highway Occupancy Permit for any storm water management facility proposed within the right-of-way of any State road.
- 304.04.7 Acknowledgment that a NPDES, DEP permit or other soil erosion and sediment pollution control approval is not required by law, or if such approval is required by law, then a true and correct copy of such approval shall be provided to the Township.
- 304.04.8 Notification of approval from the applicable State and Federal agencies for any proposed encroachment into the wetland.
- 304.04.9 A schedule for installation of the control measures and devices. In all cases, the proposed storm water management devices must be completed prior to the construction of additional impervious areas.
- 304.04.10 Storm water management plans shall be designed in a manner that is consistent with Section 617 of the Subdivision and Land

Development Ordinance and Section 402.21 of the Storm Water Management Ordinance, and shall also include the submission of a Carbonate Assessment Report, as required in Section 402.05.11 of the Subdivision and Land Development Ordinance.

SECTION 305      MODIFICATION OF PLANS

A modification of an approved Storm Water Management Plan shall require a new permit except that the Township Engineer may authorize modification provided that such modifications do not (1) alter the storm water management facilities in a manner which significantly affects the discharge of storm water to an adjacent property, or (2) significantly relocate a major storm water management facility within the project.

SECTION 306      WAIVER PROCEDURE

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare. The Board of Supervisors may waive any mandatory provision of these regulations to the benefit of the applicant provided that the Board of Supervisors determines that the waiver:

- a) Is consistent with the purpose of the Ordinance as described in Section 103;
- b) Will remove or reduce an unreasonable standard or undue hardship as it applies to the particular property, which is grossly disproportionate to any benefit derived from the standard, or when an alternative standard provides equal or better results; and
- c) Provides for reasonable utilization of the property while securing the public interest.

It shall be the burden of the applicant to demonstrate compliance with the above conditions.

306.01      Waiver Application. Notwithstanding the ability of the Board of Supervisors to independently consider a waiver, all requests for waivers which are desired by the applicant shall be submitted to the designated Township representative, at the Township Building, on any business day. A waiver request shall include twelve (12) copies of all applicable plans, reports and supplementary data and one (1) application form.

306.02      Distribution. One (1) copy of the waiver request will be distributed to the Township Assistant Manager, Township Planning Commission, Township Zoning Officer, Township Engineer, Board of Supervisors and, if necessary, other officials.

- 306.03 Review of the Waiver. The waiver is reviewed by the Township staff and Planning Commission. Recommendations are forwarded to the Board of Supervisors.
- 306.04 Ruling on the Waiver. The Board of Supervisors shall have the authority to approve or disapprove the waiver. In granting any waiver, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements of this Ordinance.

Action on the waiver shall be entered in the minutes of the Board of Supervisors and forwarded to the applicant. Failure of the Board of Supervisors to render a decision and communicate it to the applicant as described herein shall not be a deemed approval of the waiver.

#### SECTION 307 EXPIRATION OF A STORM WATER MANAGEMENT PERMIT

All Storm Water Management Permits shall expire twelve (12) months from the date of issuance unless an extension of time is approved. An extension of an unexpired Storm Water Management Permit shall be issued by the Township Engineer following the submission of a written request if, in the opinion of the Township Engineer, the following characteristics are present: (1) the subject property or affected surrounding area has not been altered in a manner which requires alteration to the Storm Water Management Plan, and (2) in the case where substantial improvements have not been completed, any new standard would not alter the application.

The refusal of an extension of time shall cite the reasons for such refusal.

A Storm Water Management Permit shall not expire while a request for an extension is pending.

#### SECTION 308 SCHEDULE OF INSPECTIONS

Inspections shall be required prior to the start of construction, during installation of materials and structures, and upon the completion of all improvements. Prior to the initiation of construction, the developer shall arrange a pre-construction meeting with the Township Engineer so that an inspection schedule can be coordinated with the construction schedule. The Township Engineer shall be notified two (2) working days in advance of any intended date of construction. The provisions stated herein shall not be construed as mandating periodic inspections and the undertaking of periodic inspections shall not be construed as an acceptance of the work during construction or as a final inspection of the construction. The Township shall inspect all phases of the Land Disturbance Activity including, but not limited to, the following:

- a) Prior to the start of any Land Disturbance Activity.

- b) During construction of the permanent storm water management facilities at such times as specified by the Township.
- c) Upon installation of permanent storm water management facilities.
- d) Upon completion of any final grading, vegetative control measures or other site restoration work done in accordance with the permit.

No work shall begin on a subsequent phase until the preceding phase has been inspected and approval has been noted on the permit.

Any portion of the work which does not comply with the approved plan must be corrected by the applicant. No work may proceed on any subsequent phase until the required corrections have been made.

#### SECTION 309

#### PERFORMANCE GUARANTEE

The Township may, prior to issuing a Storm Water Management Permit, require a Performance Guarantee for storm water detention and/or retention basin, erosion control facility, and other drainage facilities which may adversely affect adjacent properties, streets or other public improvements.

Where required, the developer shall file with the Board of Supervisors, financial security in an amount sufficient to cover the costs of the storm water management facilities. The administration of the financial security shall comply with the financial security provisions of the Silver Spring Township Subdivision and Land Development Ordinance of 1994, as amended.

#### SECTION 310

#### LIABILITY

Neither issuance of the Permit nor compliance with the provisions hereto or any conditions imposed by the municipality shall relieve any person from any responsibility for damage otherwise imposed by law, nor impose any liability upon Silver Spring Township or its officers, appointed professionals, and employees for damages to persons or property.

SECTION 311      MAINTENANCE GUARANTEE

The Township may, prior to issuing a storm water management permit, require the applicant to submit a maintenance guarantee for the structural integrity as well as function of any storm water management facility for a term not to exceed eighteen (18) months from the date of acceptance of dedication by the Board of Supervisors. Said guarantee shall not exceed fifteen (15) percent of the actual cost of installation of said improvements and be of the same type of financial security as required in this Article.

SECTION 312      AS-BUILT PLANS

Upon completion of all required improvements and prior to release of the performance bond, the applicant shall submit an as-built plan showing the location, dimension and elevation of all storm water management facilities. In addition, the plan shall indicate that the resultant grading, drainage structures and/or drainage systems, and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and specifications. The applicant's engineer shall certify that the construction of the storm water management facilities were completed in accordance with the plans and specifications as approved by the Township. The plan shall note all deviation from the previously approved drawings. Three (3) paper copies of the plan shall be submitted to the Township, who shall distribute a paper copy to the Township Engineer and retain the remaining copies for the Township files.

SECTION 313      PAYMENTS IN LIEU OF STORM WATER MANAGEMENT FACILITIES

313.01      Where the applications of the standards and requirements of this Ordinance would result in unique and undue hardship to a particular person or particular site, or where the Township and Township Engineer determine that the intent of this Ordinance would better be accomplished; the Township may, in its sole discretion, require the payment of a fee-in-lieu of compliance with the provisions of this Ordinance. In determining whether a fee may be imposed by the Township in lieu of compliance with the provisions of this Ordinance, the Township shall consider, where relevant, the following criteria:

- 313.01.1      The amount of impervious area to be added to the site;
- 313.01.2      The relationship of such impervious areas to property lines;
- 313.01.3      The area available for on-lot storm water management facilities;
- 313.01.4      The capacity and condition of receiving channels;

- 313.01.5 The location of existing or proposed storm water management facilities which would affect, or be affected by development of the site;
- 313.01.6 Such other information as the person proposing development or the Township may deem relevant.
- 313.02 Where it has been determined by the Township that a fee may be paid in lieu of compliance with the provisions of this Ordinance, the following procedures shall be followed:
- 313.02.1 The amount of the fee, as established by resolution of the Board of Supervisors, shall be for each square foot of impervious material to be added to the site.
- 313.02.2 The fee must be paid to the Township prior to issuance of any permits.
- 313.02.3 All money paid to the Township in this manner shall be kept in a capital reserve fund established as provided by law. Money in such capital reserve fund must be used only for the acquisition of land, construction of facilities, or maintenance of facilities for storm water management purposes.
- 313.02.4 Funds collected pursuant to this section shall be designated as collected from the watershed district in which the proposed development is to occur. Thereafter, monies expended from the fund for storm water management facilities in any one district may not exceed monies collected from that district.
- 313.02.5 The provisions of these regulations governing the setting and collection of fees in lieu of construction of facilities shall not be utilized until the Township has established a capital reserve fund.

# ARTICLE IV

## DESIGN STANDARDS

### SECTION 401 GENERAL DESIGN STANDARDS

In the interest of reducing the total area of impervious surface, preserving existing features which are critical to storm water management, and reducing the concentration of storm water flow, the designer should consider imaginative design concepts and the flexibility provided by the waiver process.

Maximum use should be made of the existing on-site natural and man-made storm water management facilities.

The management of storm water, both during and upon completion of the disturbance associated with a land disturbance activity, shall be accomplished in accordance with the standards of this Ordinance.

### SECTION 402 DESIGN STANDARDS

The management of storm water, both during and upon completion of the disturbance associated with a land disturbance activity, shall be accomplished in accordance with the standards of this Ordinance.

402.01 Pre-Development vs. Post-Development. The peak discharge of the calculated post-development runoff to an adjacent property shall be based upon the location of the property.

402.01.1 The calculated post-development runoff from property located within the Hogestown Run or Trindle Spring Run Watersheds shall be consistent with the peak outflow rates specified in the “Hogestown Run/Trindle Spring Run Watershed, Act 167 Storm Water Management Plan.” Areas of less than 10,000 square feet must meet the provisions of Section 402.01.2.

402.01.2 The calculated post-development runoff from property located outside of the Hogestown Run or Trindle Spring Run Watershed shall be designed so that the peak discharge of the calculated post-development runoff to an adjacent property does not exceed the peak discharge of the calculated pre-development runoff for a Type II storm event. The twenty-four (24) hour rainfall values are as follows:

<u>Frequency</u>	<u>Rainfall</u>
2	2.9"
10	4.7"
25	5.1"
100	6.4"

Runoff calculations for the pre- and post-development comparison shall be based upon the peak flow from a two (2), ten (10), twenty-five (25), and one hundred (100) year storm frequency. The peak discharges and volumes of runoff shall be determined by using the Rational Method for watersheds less than fifteen (15) acres, and for larger watersheds, the latest version of Technical Release No. 55, Urban Hydrology for Small Watersheds, or an acceptable engineering method, subject to Township approval.

For pre-development computations, all runoff coefficients within the project shall be based on meadow use. Off-site land use conditions used to determine storm flows for designing storm facilities shall be based on existing land uses.

402.02 Design Storm For Collection Facilities. The design of storm water management collection facilities that service drainage areas within the site shall be based upon the peak flow from a twenty-five (25) year storm frequency event.

All developments shall include design provisions that allow for the overland conveyance of the post development one hundred (100) year peak flows through the site without damage to any private or public property.

402.03 Method of Calculations. Runoff calculations for on-site storm water conveyance facilities shall be based upon the Rational Method or an acceptable engineering design method, subject to Township approval.

402.04 Criteria, Methodology and Assumptions. Appropriate values for runoff coefficients, time of concentration, and rainfall intensity shall be from the latest edition of the Commonwealth of Pennsylvania, Department of Transportation *Design Manual, Part 2, Highway Design, Chapter 10*. Use of other criteria, methodology, assumptions, references, calculation methods and/or computer modeling may be accepted, provided detailed design information and programming with references are submitted and approved by the Township.

402.05 Coordination with Adjacent Lands. Consideration shall be given to the relationship of the subject property to the drainage pattern of the watershed. The proposed storm water discharge at the perimeter of the site shall not be beyond the capacity of any existing, immediately contiguous, storm water management facility into which it flows, unless the existing flow at the perimeter of the site already exceeds the capacity of the existing facilities into which it flows and the discharge does not alter the calculated pre-development discharge characteristics.

Storm water shall not be transferred from one watershed to another, unless (1) the watersheds are sub-watersheds of a common watershed which join together within the perimeter of the property, (2) the effect of the transfer does not alter the peak discharge onto adjacent lands, or (3) easements from the affected downstream landowners are provided.

Storm water runoff from the subject property shall flow directly into a natural watercourse or into an existing storm sewer system, or onto adjacent properties in a manner similar to the runoff characteristics of the pre-development flow.

402.06 Storm Water Basins. Retention basins and detention basins shall be designed with a minimum one (1) foot freeboard above the design elevation of the one hundred (100) year water surface at the emergency spillway. Additionally, basins shall be designed to safely discharge the full 100-year peak discharge of a post development storm event through an emergency spillway in a manner which will not damage the integrity of the basin.

Basins shall not be located over any existing or proposed utility line.

All stormwater facilities, located in known sinkhole-prone areas, are required to be designed, constructed, and installed in accordance to the provisions of Section 617 of the Subdivision and Land Development Ordinance, and Section 402.21 of the Storm Water Management Ordinance.

The Modified PULS Method of Calculating routing or an acceptable engineering design method, subject to Township approval, shall be used for detention basins.

Basins shall be constructed and maintained to insure the design capacity after sedimentation has taken place.

Basin discharge outlets shall be designed to release runoff in a condition which reflects pre-development characteristics.

Basins which are not designed to release all storm water shall be specifically identified as retention basins or permanent pond basins. All other basins shall have provisions for de-watering, particularly the bottom,

and shall not create swampy and/or unmaintainable conditions. Low flow channels shall be used to de-water the bottom of a basin. A minimum slope of two percent (2%) or a paved low flow channel of at least one percent (1%) shall be provided. Discharge structures shall be designed to eliminate the possibility of blockage during operation.

Basins which are located in or adjacent to a residential zone and viewed by the Township as a potential hazard to the public safety shall be completely surrounded by a fence or wall of not less than four (4) feet in height. The fence or wall shall not have an opening or gap larger than two (2) inches and be provided with a self-closing and self-latching gate.

- 402.07 Groundwater Recharge System. The use of groundwater recharge systems will only be permitted in cases where the applicant has demonstrated that alternative facilities are not possible and the area is not a known sinkhole-prone location. The allowance for the use of infiltration and groundwater recharge shall be based on the analysis required as per section 617 Subdivision and Land Development Ordinance and Section 402.21 of the Storm Water Management Ordinance.
- 402.08 Earth Fill Dams. Basins which are designed with earth fill dams shall be designed by a registered professional engineer with experience in earth-filled dams and shall incorporate the following minimum standards:
- 402.08.1 The maximum water depth (measured from the base to the crest of the emergency spillway) shall not exceed six (6) feet, unless approved by waiver of the Township.
- 402.08.2 The minimum top width of all dams shall be five (5) feet, unless approved by waiver of the Township.
- 402.08.3 The side slopes of earth fill dams shall not be steeper than three (3) horizontal to one (1) vertical on both sides of the embankment.
- 402.08.4 Basins without restricted access shall have impoundment areas with side slopes no greater than five (5) horizontal to one (1) vertical.
- 402.08.5 A cutoff trench of impervious material shall be provided under all dams.
- 402.08.6 All pipes and culverts through dams be reinforced concrete and have properly spaced concrete cutoff collars.
- 402.08.7 All riser pipes shall be reinforced cement concrete.
- 402.08.8 Minimum floor elevations for all structures that would be affected by a basin, other temporary impoundments, or open conveyance systems where ponding may occur shall be two (2) feet above the 100 year water surface and/or one (1) foot above the 500 year water

surface. If basement or underground facilities are proposed, detailed calculations addressing the effects of storm water ponding on the structure and water-proofing and/or flood-proofing design information shall be submitted for approval.

The Township may, upon recommendation of the Township Engineer, impose additional requirements on earth fill dam for the safety and welfare of the Township.

- 402.09 Capacities. The capacities of the pipes, gutters, inlets, culverts, outlet structures, and swales shall consider all possible hydraulic conditions. The following are minimum design standards:
- 402.09.1 Grass swales and roadside gutters shall consider both the channel velocity and stability.
- 402.09.2 The “n” factors to be used for paved or rip-rap swales or gutters shall be based on the latest edition of the Pennsylvania Department of Transportation's *Design Manual, Part 2, Highway Design*, Chapter 10.
- 402.09.3 The “n” factors for corrugated metal pipe shall be based upon the manufacturer's standard. The use of corrugated metal pipe shall not be allowed in areas prone to sinkholes.
- 402.09.4 The velocity to be used in the design of any piped storm water conveyance system shall be a minimum of two and one-half (2½) feet per second.
- 402.09.5 Inlets, culverts, and basin discharge systems shall be designed for the worst case condition. Inlet capacity shall be based on design standards provided by latest edition of the Pennsylvania Department of Transportation's *Design Manual, Part 2, Highway Design*, Chapter 10. If acceptable information is not available, inlets in non-ponding areas shall be designed for a maximum capacity of five (5) cubic feet per second. Where ponding occurs, inlet capacity shall be based on accepted engineering design practices. Culvert design shall consider either inlet/outlet control or a combination of hydraulic losses through the system, whichever is greater. Basin discharge systems shall be designed to the same standards as culverts. If it cannot be readily determined which hydraulic condition controls, the basin discharge rate shall be based on the highest possible discharge rating curve with the basin capacity sized to store the excessive storm runoff based on the lowest possible discharge rating curve.
- 402.10 Storm Water Flow Along Streets and Access Drives. Inlets shall be along the curb line and are not permitted along the curb radius at an intersection. When possible, inlets shall be located away from the side lot property line to avoid conflicts with driveways. For the purpose of inlet placement,

curb, gutter, or roadside swale, flow depths for a ten (10) year storm frequency with a five (5) minute duration shall not exceed three (3) inches in a swale condition, two (2) inches in a gutter condition, and one-half (1/2) inch across intersections and travel lanes. In no case shall inlets be spaced more than six hundred (600) feet apart and function at less than sixty-five percent (65%) efficiency based on the criteria in the *PennDOT Design Manual*.

402.11 Manhole Locations. Manholes shall not be spaced more than five hundred (500) feet apart. Additionally, manholes shall be placed at points of changes in the horizontal or vertical direction of storm sewers. Inlets may be substituted for manholes where they will serve a useful purpose.

402.12 Alignment Requirement. If less than a forty-eight (48) inch diameter, curves in pipes or box culverts, without an inlet or manhole are prohibited. Tee joints, elbows, and wyes are always prohibited.

402.13 Minimum Pipe Size. Storm water management pipe collection and conveyance systems shall have a minimum diameter of fifteen (15) inches.

402.14 Material Specifications. All material and installations must comply with the Township's *Improvements Specifications Manual*.

402.15 Surface Flow Characteristics. The maximum swale, gutter, or curb velocity of storm water runoff shall be maintained at levels which result in a stable condition both during and after construction. The following are considered characteristics of a stable condition:

- a) It neither aggrades or degrades beyond tolerable limits.
- b) The channel banks do not erode to the extent that the channel cross section is changed appreciably.
- c) Sediment bars do not develop.
- d) Erosion does not occur around culverts and bridges or elsewhere.
- e) Gullies do not form or enlarge due to the entry of uncontrolled storm water runoff.

402.15.1 Grass-lined channels shall be considered stable if the calculated velocity does not exceed the allowable velocities shown below:

- a) Three (3) feet per second where only sparse vegetation can be established and maintained because of shade or soil condition.
- b) Four (4) feet per second where normal growing conditions exist and vegetation is to be established by seeding.

- c) Five (5) feet per second where a dense, vigorous sod can be quickly established or where water can be temporarily diverted during establishment of vegetation. Netting and mulch or other equivalent methods for establishing vegetation shall be used.
- d) Six (6) feet per second where there exists a well established sod of good quality.

Where swale bends occur, the allowable velocities listed above shall be divided by the following factors:

<u>Degree of Bend</u>	<u>Velocity</u>
0 to 30	1.50
30 to 60	1.75
60 to 90	2.00
90 and over	2.50

The above grass-lined channel flows may be exceeded if the designer can provide acceptable supportive design criteria as proof of erosion prevention.

- 402.15.2 Where the velocity of storm water runoff exceeds the allowable velocity, erosion protection must be provided. The method of erosion protection proposed must be supported by the appropriate design information and/or references.
- 402.15.3 Sump Pump discharges and similarly, roof drains will be directed to lawn areas away from residences, into areas that will surface drain to conveyance structures (e.g. swales and storm sewer collection systems).
- 402.16 Phasing Plans. When applications are submitted in phases, and if temporary facilities are required for construction of a phase, such facilities shall be included in the submitted plans. All phases of development must comply with the provisions of this Ordinance. In the event temporary measures cannot adequately handle the storm water runoff; the main outfall line shall be included as part of the construction of the proposed phase.
- 402.17 Erosion and Sedimentation. All land disturbance facilities shall conform to the requirements of the Pennsylvania Department of Environmental Protection *Soil Erosion and Sedimentation Control Manual*. The following principles shall be applied to the design plan and construction schedule to minimize soil erosion and sedimentation:

- 402.17.1 Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion.
- 402.17.2 Whenever feasible, natural vegetation shall be retained and protected.
- 402.17.3 The extent of the disturbed area and the duration of its exposure shall be kept to a minimum, within practical limits.
- 402.17.4 Either temporary seeding, mulching, or other suitable stabilization measures shall be used to protect exposed critical areas during construction.
- 402.17.5 Drainage provisions shall accommodate the storm water runoff both during and after construction.
- 402.17.6 Soil erosion and sedimentation facilities shall be installed prior to any on-site grading.
- 402.17.7 The design plan and construction schedule shall incorporate measures to minimize soil erosion and sedimentation.
- 402.17.8 Retention and/or detention basins, and water carrying facilities shall be stabilized in accordance with current engineering and Soil Conservation Service practices.
- 402.18 Floodplain. All storm water management plans shall conform with the Floodplain Standards specified in the Silver Spring Township Zoning Ordinance, as amended.
- 402.19 Easements. When considered appropriate, easements shall be provided where storm water or surface water drainage facilities are existing or proposed, whether located within or beyond the boundaries of the property. Easements for maintenance of pipes and culverts shall run from outlet to inlet. Normal lot grading will not require easements. Swales which receive runoff from more than one other lot must be provided with an easement. Easements shall have a minimum width of twenty (20) feet and shall be adequately designed to provide area for (a) the collection and discharge of water, (b) the maintenance, repair, and reconstruction of the drainage facilities, and (c) the passage of machinery for such work. When considered appropriate, easements shall include a description of an ownership and maintenance program, in a recordable form, that clearly sets forth responsibility for all temporary and permanent storm water management facilities.
- 402.20 Ownership and Maintenance of Storm Water Management Facilities. The intent of these regulations is to provide private ownership and maintenance of storm water management facilities, erosion and sedimentation control facilities and floodplain control facilities. Under no

circumstances does the Township intend to accept dedication of erosion control and sedimentation basins. The Township does not encourage the dedication of storm water management facilities that are located outside public street rights-of-way. Where the Storm Water Management Plan proposes that the Township own or maintain a storm water management facility, a description of the methods, procedures, and the extent of maintenance shall be described in such an offer.

Maintenance of all storm water management facilities during development shall be the sole responsibility of the developer and shall include, but not be limited to:

- 402.20.1 Removal of silt from all basins, traps or other structures or measures when thirty percent (30%) of capacity is filled with silt;
- 402.20.2 Periodic maintenance of temporary control facilities as described in the soil erosion and sedimentation control plan as such replacement of silt fencing, straw filters or similar measures;
- 402.20.3 Establishment or re-establishment of vegetation by seeding and mulching or sodding of scoured areas or areas where vegetation has not successfully been established;
- 402.20.4 Installation of necessary controls to correct unforeseen problems caused by storm events within designed frequencies;
- 402.20.5 Removal of all temporary measures and installation of permanent measures upon completion of the project;
- 402.20.6 Requirements of the Pennsylvania Department of Environmental Protection, Chapter 102 Regulations.

Ownership of all storm water management facilities after construction shall be the sole responsibility of the developer or the private landowner as set forth in the plan. The only storm water management facilities which are to be controlled by the Township shall be those facilities which have been offered for dedication and accepted for dedication by the Township. Future offers for dedication can only be made for facilities which meet current Township specifications.

- 402.21 Sinkhole-Prone Areas
  - a) All storm water management plans shall limit surface water runoff and the intrusion of concentrated flow of surface water into the subsurface. Facilities that are required as part of the storm water management plan shall include storm drains with water tight gasketed joint conduits or adequately lined drainage swales and the collection of surface water flow on pavements into

drop inlets connected to a water tight gasketed joint storm water conduit or adequate lined drainage swales. The storm water conduit must discharge into lined detention basins.

b) Approved storm water conduits include HDPE, PVC, and concrete, with water tight rubber gaskets at each joint. The use of corrugated metal pipe is not permitted. Construction of the piping system must follow all other applicable ordinances. Where rock is encountered at or above the planned conduit design grade the rock shall be undercut and over excavated a minimum of one foot and backfilled with a compacted fine grained soil.

c) All detention facilities in areas of sinkhole prone soil shall be lined. The liner used in a detention basin may consist of a clay liner, a composite synthetic and soil liner or a synthetic liner. The type of liner required shall depend on the condition of the detention basin bottom and the probability of sinkhole occurrence resulting from the construction of the detention basin. The use of low flow channel may also be required depending on the duration and frequency of storm water discharge into the detention basin. Subsurface detention systems must be in leak proof tanks or piping. The Township Engineer shall make the final determination as to what is an acceptable form of liner for the proposed detention basins.

d) Additional items that must be included in the storm water management plan include details with regard to the sealing of all pavement curbs and gutters, manholes and drop inlets.

# ARTICLE V

## ADMINISTRATION

### SECTION 501 REMEDIES

Any person, partnership or corporation who being the owner of land on which a Land Disturbance Activity, as defined in this Ordinance, has occurred or is engaged in shall comply with the provision of this Ordinance and the Storm Water Management Permit. Any Land Disturbance conducted in violation of this Ordinance or the Storm Water Management Permit is hereby declared a public nuisance.

In the event of a violation, Silver Spring Township may initiate the following actions:

#### 501.01 Suspension of a Storm Water Management Permit

501.01.1 Any permit issued under this Ordinance may be suspended by the Township based upon:

- a) The noncompliance with or failure to implement any provision of the Storm Water Management Plan, or
- b) A violation of any provision of this Ordinance relating to the project, or
- c) The creation of any condition or the commission of any act during construction which constitutes or creates a hazard or nuisance or which endangers the life or property of others.

501.01.2 Under the suspension of a permit, only such work as the Township so authorized may proceed. This work shall be limited to that which is necessary to correct the violation. A suspended permit shall be reinstated by the Township when:

- a) The Township has inspected and approved the corrections to the storm water management facilities or the elimination of the hazard or nuisance, and
- b) The Township is satisfied that the violation of the Ordinance has been corrected.

A permit will not expire while under suspension or noncompliance exists with the permit.

501.02 Revoke a Storm Water Management Permit

Based upon a report from the Township Engineer that the existing site condition or further construction is likely to endanger property or create hazardous conditions, the Township may:

- 501.02.1 Revoke a permit.
- 501.02.2 Require protective measures to be taken and assign a reasonable time period for the necessary action.
- 501.02.3 Authorize protective measures to be done and lien all cost of the work against the property on which work is required.

A permit which has been revoked cannot be reinstated. The applicant may apply for a new permit in accordance with the processing procedures in Article III.

501.03 Notification of Suspension or Revocation of a Storm Water Management Permit

In the event of a suspension or revocation of a Storm Water Management Permit, the Township shall provide written notification of the violation to the landowner and/or applicant at his last known address. Such notification shall:

- 501.03.1 Cite the specific violation, describe the requirements which have not been met, and cite the provisions of the Ordinance relied upon.
- 501.03.2 Identify the specific protective measures to be taken.
- 501.03.3 Assign a reasonable time period necessary for action or in the case of revocation, identify if the Township has authorized protective measures to be performed at cost to the landowner.
- 501.03.4 Identify the right to request a hearing before the Board of Supervisors if aggrieved by the suspension or revocation.

501.04 Civil Remedies

Suits to restrain, prevent, or abate a violation of this Ordinance may be instituted in equity or at law by the Township. Such proceedings in equity or law may be initiated before any court of competent jurisdiction. In cases of emergency where, in the opinion of the court, the circumstances of the case require immediate abatement of the unlawful conduct, the court may, in its decree, fix a reasonable time during which the person responsible for the unlawful conduct shall correct or abate the same. The

expense of such proceedings shall be recoverable from the violator in such manner as may now or hereafter be provided by law.

SECTION 502      PENALTIES

Any person who shall violate any of the provisions of this Ordinance, or who shall fail to comply with any written notice from Silver Spring Township which describes a condition of non-compliance, shall be guilty of a summary offense, and upon conviction thereof, shall be subject to a fine payable to Silver Spring Township of not more than one thousand (\$1,000) dollars for each violation, recoverable with cost. In default of payment of the fine, such person shall be liable to imprisonment for not more than thirty (30) days. A new and separate violation shall be deemed to be committed for each day after receipt of the aforesaid notice that such violation exists.

In addition, the Township may institute injunctive, or any other appropriate action or proceeding of 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, writs, or other appropriate forms of remedy or relief.

SECTION 503      (Reserved).

SECTION 504      INSPECTION OF PROPERTY

Upon presentation of proper credentials, duly authorized representatives of Silver Spring Township may enter at reasonable times upon any property within the municipality to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Ordinance.

The landowner shall grant to the Township, or its agents, access to the site of the work at all times, while under construction, for the purpose of inspecting the work.

SECTION 505      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 506      COMPATIBILITY WITH OTHER PERMITS AND ORDINANCES

Permits issued pursuant to this Ordinance do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance of another governing body. Any provision of any other statute, code, ordinance or

regulation which provides greater protection shall control in the event of conflicting regulations.

SECTION 507      MUNICIPAL LIABILITY

The degree of storm water management sought by the provisions of this Ordinance is considered reasonable for regulatory purposes. The issuance of permits by Silver Spring Township, its officers, or employees, shall not be deemed to relieve the developer of responsibility, if any such responsibility exists, to those adversely affected by the drainage of water. Further, the municipality through the issuance of a permit assumes no responsibility to either the developer or the adjoining property owner affected by the drainage of water.

SECTION 508      SAVINGS PROVISION FOR MATTERS IN PROCESS

Applications validly submitted to the Township per approval and any litigation pending under or because of any previously enacted storm water management ordinance prior to the effective date hereof shall be evaluated and governed by such prior ordinance, and, for such limited purpose, such previously enacted ordinance or ordinances shall be saved from repeal as hereafter provided.

SECTION 509      RELATIONSHIP OF OTHER ORDINANCES

Except only as otherwise provided in Section 508, all other ordinances or parts of ordinances inconsistent herewith shall be and are hereby repealed.

SECTION 510      ADOPTION AND EFFECTIVE DATE

This Ordinance shall become effective upon enactment by the Silver Spring Township Board of Supervisors.

# **APPENDICES**



**APPENDIX NO. 1**  
**APPLICATION FOR A STORM WATER MANAGEMENT PERMIT**  
**MINOR LAND DISTURBANCE**

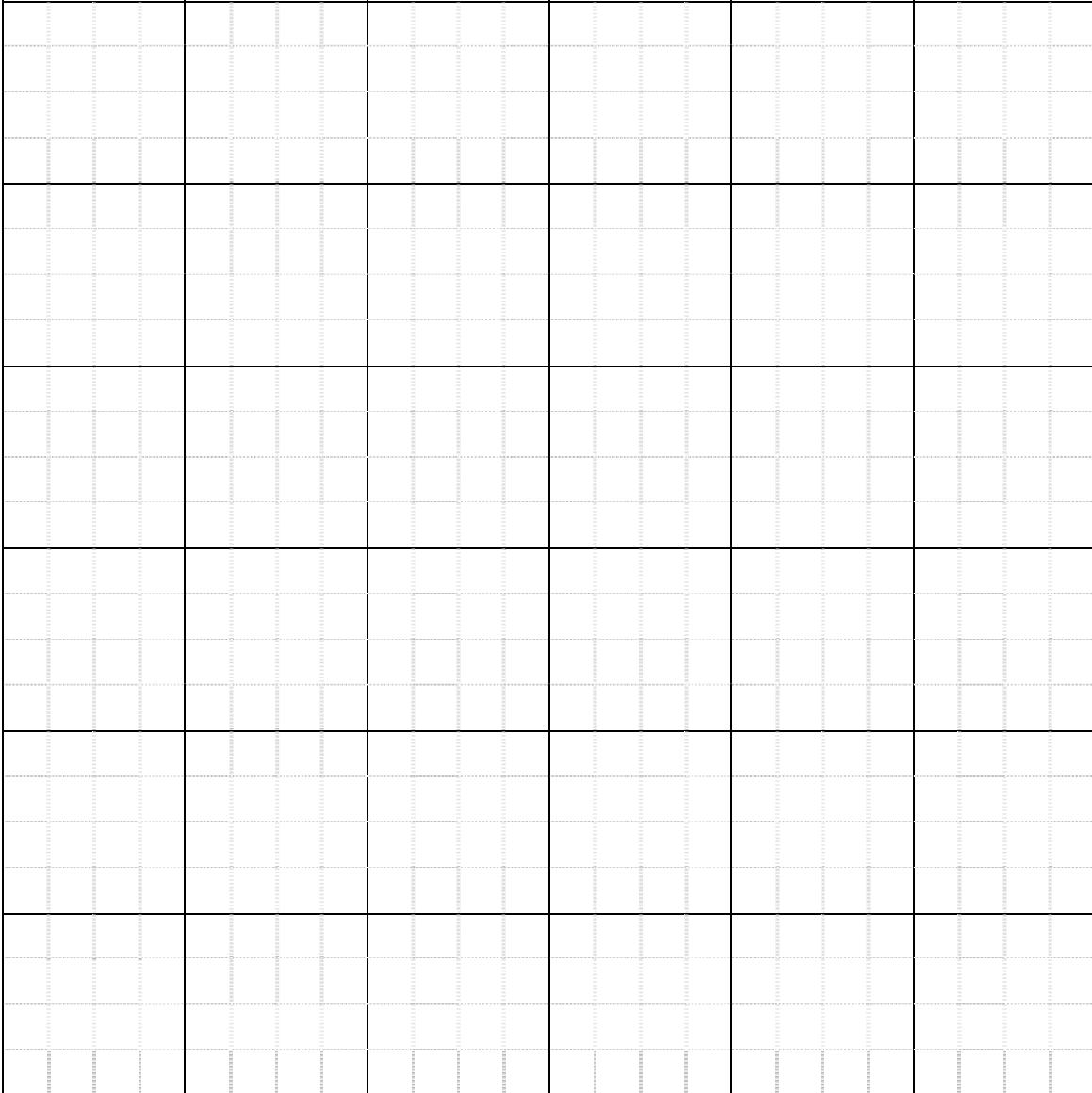
SILVER SPRING TOWNSHIP  
 Cumberland County, Pennsylvania

Application is hereby made to Silver Spring Township for the issuance of a Storm Water Management Permit pursuant to the specifications herewith submitted.	
1. Name of Property Owner(s):	
Address:	
Telephone No.:	
2. Name of Applicant (if other than owner):	
Address:	
	Telephone No.:
3. Project Location:	
4. If the property is the subject of a subdivision or land development, provide plan book record number or Township identification number. _____	
5. Brief Description of Work to be Performed:	
A general plan of the lot configuration, building location, grading, and storm water management facilities shall be shown on the reverse side of this page.	
6. Storm Water Management Plan Prepared By:	
Address:	
Telephone No.:	Fax No.:
The undersigned hereby represents that, to the best of their knowledge and belief, all information listed above and on the reverse side of this page is true, correct, and complete.	
Date:	Signature of Applicant
<b>For Township Use Only</b>	
File No.:	Date of Receipt/Filing:

**PLEASE COMPLETE THE GENERAL PLAN ON THE REVERSE SIDE OF THIS PAGE.**

(See Section 303.01)

# GENERAL PLAN



Scale: 1"= \_\_\_\_\_ (4 squares per inch)

The following shall be shown on the Plan:

Lot Configuration

Building Location

Contours or Flow Arrows

Storm Sewers

Berms

Terraces

Bridges

Dams

Infiltration System

Swales

Watercourses

Floodplains

Basins

**APPENDIX NO. 2**  
**APPLICATION FOR A STORM WATER MANAGEMENT PERMIT**  
**MAJOR LAND DISTURBANCE**

SILVER SPRING TOWNSHIP  
 Cumberland County, Pennsylvania

Application is hereby made to Silver Spring Township for the issuance of a Storm Water Management Permit pursuant to the specifications herewith submitted.	
1. Name of Property Owner(s):	
Address:	
Telephone No.:	
2. Name of Applicant (if other than owner):	
Address:	
	Telephone No.:
3. Project Location:	
4. Type of Earth Disturbance Activity:	
A. New impervious or semi-impervious surface _____ (sq. ft./ac.)	
B. Diversion or piping of natural or man-made watercourse _____ (linear ft.)	
C. Installation of the following:	
Culvert _____	Retention Basin _____
Detention Basin _____	Sediment Basin _____
D. Removal of ground cover, grading, filling, or excavation _____ (sq. ft./ac.)	
5. If the property is the subject of a subdivision or land development, provide plan book record number or Township identification number. _____	
6. Storm Water Management Plan Prepared By:	
Address:	
Telephone No.:	Fax No.:
The undersigned hereby represents that, to the best of their knowledge and belief, all information listed above is true, correct, and complete.	
Date:	Signature of Applicant
<b>For Township Use Only</b>	
File No.:	Date of Receipt/Filing:

(See Section 303.02)

**APPENDIX NO. 3**

**STORM WATER MANAGEMENT PLAN CERTIFICATE**

I hereby certify that, to the best of my knowledge and information, the storm water management facilities shown and described hereon are designed in conformance with the Silver Spring Township Storm Water Management Ordinance.

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Date

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Signature and Seal of the Registered  
Professional Responsible for the  
Preparation of the Plan

(See Section 304.01.8)

**APPENDIX NO. 4**

**STORM WATER MANAGEMENT PERMIT  
LAND DISTURBANCE ACTIVITY  
Silver Spring Township  
Cumberland County, Pennsylvania**

**PERMIT NO.** \_\_\_\_\_

The property of \_\_\_\_\_  
located at \_\_\_\_\_  
has received approval of the storm water management plans dated \_\_\_\_\_  
\_\_\_\_\_, last revised \_\_\_\_\_, in accordance with the Silver  
Spring Township Storm Water Management Ordinance.

Approved By: \_\_\_\_\_  
Date: \_\_\_\_\_

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

**SCHEDULE OF INSPECTIONS**

Approved      Date

During construction of the following specific storm water  
management facilities:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Upon installation of all permanent storm water management  
facilities.

\_\_\_\_\_

Final grading, vegetative control measures, or other site restoration  
work.

\_\_\_\_\_

(See Section 302)

