

ORDINANCE NO. 761**MIDDLETOWN TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA**

AN ORDINANCE AMENDING THE MIDDLETOWN TOWNSHIP CODE OF ORDINANCES OF THE TOWNSHIP OF MIDDLETOWN, DELAWARE COUNTY, PENNSYLVANIA, CHAPTER 198, STORMWATER MANAGEMENT, ARTICLE III, SECTION 198-13 BY AMENDING SECTION 198-13(A)(2)(a) TO DECREASE THE ASSUMED PERCENTAGE OF MEADOW CONDITION, BY ADDING SECTION 198-13(A)(2)(c)[3] TO PERMIT CERTAIN ALTERNATIVE STORMWATER CONTROL DESIGNS, BY AMENDING SECTION 198-14(B)(1) TO DECREASE THE ASSUMED PERCENTAGE OF MEADOW CONDITION, BY ADDING SECTION 198-16(I) TO INCLUDE CERTAIN ALTERNATE CRITERIA FOR REDEVELOPMENT SITES, BY ADDING SECTION 198-18(H) TO PERMIT ALTERNATIVES TO APPENDIX F APPROVED BY THE TOWNSHIP ENGINEER AND BY AMENDING SECTION 198-17(C)(2) TO SUBSTITUTE ACTUAL GROUND COVER CONDITIONS FOR ASSUMED CONDITIONS IN CALCULATING PEAK RATE RUNOFF.

The Council of the Township of Middletown, Delaware County, Pennsylvania, hereby ENACTS AND ORDAINS the following amendments to the Code of Ordinances of the Township of Middletown, Delaware County, Pennsylvania:

Section 1.

The Middletown Township Code of Ordinances, Chapter 198, Stormwater Management, Article III, Section 198-13(A)(2)(a) is hereby amended by restating the last sentence of Section 198-13(A)(2)(a) as follows:

For modeling purposes, existing (predevelopment) non-forested pervious areas must be considered meadow in good condition or its equivalent, and 20% of existing impervious area, when present, shall be considered meadow in good condition.

Section 2.

The Middletown Township Code of Ordinances, Chapter 198, Stormwater Management, Article III, Section 198-13 is hereby amended by adding Section 198-13(A)(2)(c)[3] as follows:

In circumstances where it is demonstrated to the reasonable satisfaction of the Township Engineer that the minimum of 0.50 inch of infiltration requirement cannot be physically accomplished, the Township may approve an alternate stormwater volume control design, other than those described in this Sections 198-13(A)(2)(a), (b) or (c), after consultation with and evaluation by the Pennsylvania Department of Environmental Protection (PADEP) and confirmation that the alternative stormwater volume control design is consistent with the

requirements of Title 25 Pennsylvania Code Chapter 102 and meets the current PADEP design guidelines for managing runoff volume, where infiltration is not feasible.

Section 3.

The Middletown Township Code of Ordinances, Chapter 198, Stormwater Management, Article III, Section 198-14(B)(1) is hereby amended by restating the last sentence of Section 198-14(B)(1) as follows:

For modeling purposes, existing (predevelopment) non-forested pervious areas must be considered meadow in good condition or its equivalent, and 20% of existing impervious area, when present, shall be considered meadow in good condition.

Section 4.

The Middletown Township Code of Ordinances, Chapter 198, Stormwater Management, Article III, Section 198-16 is hereby amended by adding Section 198-16(I) as follows:

I. For redevelopment sites, one of the following minimum design parameters shall be accomplished, whichever is most appropriate for the given site conditions as determined by the Township Engineer;

(1) Meet the full requirements specified by Table 198-16.1 for the Ridley Creek watershed or Table 198-16.2 for the Chester Creek Watershed, as applicable to the site, and Sections 198-16(A) through 198-16(H), or

(2) Reduce the total impervious surface on the site by at least twenty percent (20%); based upon a comparison of existing impervious surface to proposed impervious surface. In this case, calculations must be provided that show the peak rate has not increased.

Section 5.

The Middletown Township Code of Ordinances, Chapter 198, Stormwater Management, Article III, Section 198-18 is hereby amended by adding Section 198-18(H) as follows:

Stormwater Management Design Criteria are provided in Appendix F of this Chapter which are intended as design guidelines and the Township may, in circumstances deemed appropriate by the Township, in its sole discretion, permit reasonable alternatives to the design guidelines in Appendix F.

Section 6.

The Middletown Township Code of Ordinances, Chapter 198, Stormwater Management, Article III, Section 198-17(C)(2) is hereby amended and restated as follows:

For redevelopment sites, the ground cover used in determining the existing conditions flow rates for the developed portion of the site shall be based upon actual land cover conditions.

Section 7.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held invalid or unconstitutional by any courts of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not render this Ordinance invalid.

Section 8.

All Ordinances or parts of Ordinances inconsistent herewith are hereby superseded to the extent of any inconsistency with any provision contained herein.

Section 9.

This Ordinance shall be effective thirty-one (31) days after its enactment.

ENACTED AND ORDAINED by the Council of Middletown Township, Delaware County, Pennsylvania, this 9th day of NOVEMBER, 2015.

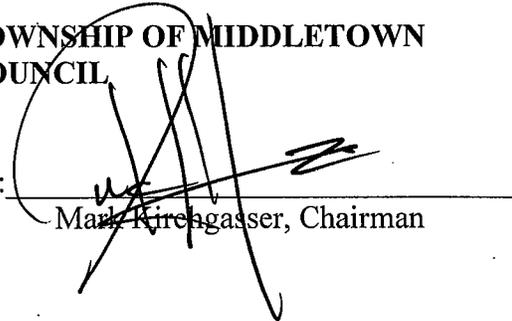
ATTEST:



W. Bruce Clark,
Township Manager

**TOWNSHIP OF MIDDLETOWN
COUNCIL**

By:



Mark Kirengasser, Chairman