

AN ORDINANCE

NO. 1142

**AN ORDINANCE To Amend The Code Of Township Of Upper Dublin By Amending Chapter 91, Dumping; Chapter 99, Excavations; Chapter 145, Littering; Chapter 158, Nuisances; Chapter 192, Sewers; Chapter 207, Connecting Roads, and Chapter 218, Swimming Pools; to Include References to and Provisions Regulating Stormwater Management and Water Quality Protection.**

The Board of Commissioners of the Township of Upper Dublin hereby ordains:

**Section 1.** The Code of the Township of Upper Dublin, Chapter 91, Dumping, shall be amended by revising the chapter to provide as follows:

**§ 91-1. Deposit prohibited.**

No paper, trash, rubbish, ashes, junk, waste, discarded materials, pollutant or refuse of any kind shall be thrown, deposited, discharged, or dumped in or on any ravine, ditch, gutter, swale, storm drain, storm sewer or watercourse; or any highway, road, street, avenue, lane, alley, sidewalk or footpath in the Township of Upper Dublin; nor on any public place or private property, vacant or occupied, within the limits of the Township of Upper Dublin.

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**§ 91-4. Violations and penalties.**

A. Any owner, occupant, tenant, person, firm, association or corporation who shall violate any of the provisions of this chapter or who shall fail to comply with the conditions or requirements of any permit granted in accordance with the provisions of this section of this chapter shall, upon conviction thereof, be liable to pay a fine or penalty of one thousand dollars (\$1,000.) for each and every offense and shall remove the paper, trash, rubbish, ashes, junk, waste, discarded materials, pollutant or refuse from the township. Additionally, all costs of cleanup incurred by the township shall be assessed to and paid by the violator.

**Section 2.** The Code of the Township of Upper Dublin, Chapter 99, Excavations, shall be amended by revising the chapter to provide as follows:

**§ 99-6. Permit required; exceptions.**

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D. A single-family house site where the maximum gradient between property lines or the maximum excavation or fill (exclusive of the situations referred to in Subsection C hereof) do not exceed the grades or quantities set forth in the following table:

Single-Family House Site (square feet)	Maximum Gradient Without Permit (feet)	Maximum Excavation or Fill Without Permit (cubic yards)
Less than 6,000	12 in 100	75
From 6,000 to 10,000	15 in 100	100
From 10,001 to 18,000	15 in 100	200
From 18,001 to 30,000	15 in 100	250
From 30,000 to 1 acre	20 in 100	250

**§ 99-7. Permit application.**

A. Every applicant for a grading permit shall file a written application therefore with the Township Engineer. Such application shall:

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(2) Be accompanied by plans and specifications prepared by a registered engineer or surveyor.

(a) Such plans and specifications shall include:

- [1] A contour map showing the present contours of the land after completion of the proposed grading.
- [2] A plot plan showing the location of the grading, boundaries, lot lines, neighboring streets and alleys, buildings, trees over 10 inches in diameter two feet above the ground and sufficient dimensions and other data to show the location of all work.

- [3] A description of the type and classification of the soil.
- [4] Details and location of any proposed drainage structures and pipes, walls and cribbing.
- [5] An erosion and sedimentation control plan.
- [6] The nature of fill material and such other information as the Township Engineer may require to carry out the purposes of this chapter.

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**§ 99-15. Drainage.**

Adequate provisions shall be made to prevent stormwater and surface waters from damaging the cut face of an excavation or the sloping surface of a fill. All excavations and fills shall be made in accordance with Chapter 206, Stormwater Management. Slopes of more than 10 feet in vertical height shall be separated by level berms of at least four feet in width. Berm ditches shall be constructed where necessary to prevent erosion. All drainage provisions shall be of such design as to carry stormwater and surface waters to the nearest practical stormwater facility or natural watercourse approved by the Township Engineer as a safe place to deposit and receive such waters. The Township Engineer may require such drainage structures or pipes to be constructed or installed which in his opinion are necessary to prevent erosion damage and to satisfactorily carry off surface waters.

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**Section 3.** The Code of the Township of Upper Dublin, Chapter 145, Littering, shall be amended by revising the chapter to provide as follows:

**§ 145-2. Definitions and word usage.**

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**PUBLIC PLACE** -- Any and all streets, sidewalks, boulevards, alleys, storm drains, storm sewers, stormwater management facilities, watercourses; parking, loading and unloading areas of commercial, industrial, shopping center and institutional establishments or other places to which the public has access; and any and all public parks, squares, spaces, grounds and buildings.

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**§ 145-3. Deposit in or upon public places prohibited.**

No person shall throw or deposit litter in or upon any public place within the township except in public receptacles, in authorized private receptacles for collection or in official township dumps.

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**§ 145-11. Bodies of water.**

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or watercourse within the township.

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**Section 4.** The Code of the Township of Upper Dublin, Chapter 158, Nuisances, shall be amended by revising the chapter to provide as follows:

**§ 158-2. Sewage disposal.**

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J. Kitchen and laundry wastewater shall only be discharged to a public sanitary sewer system or an approved on-lot sewage facility.

**§ 158-3. Animal excrement.**

- A. Excrement from livestock, pets, and other kept or domesticated animals shall not be allowed to accumulate.
- B. Excrement from livestock, domesticate animals, pets, and other kept animals shall not be deposited in or discharged to storm drains, storm sewers, watercourses, or waters of the commonwealth.

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**§ 158-6. Industrial waste regulations.**

- A. No person, partnership, firm or corporation maintaining a slaughterhouse, rendering works, depository for dead animals, glue works, tannery, wool-washing establishment, paper mill, by-product coke oven, dye works, oil

refinery, medical facility, veterinary facility, dairy, creamery, cheese factory, milk station or similar establishment; or engaged in the manufacture of gas, chemicals, pharmaceuticals, explosives, fertilizers, or similar products; or in the business of soap making, cosmetics, fish oil extraction, bone boiling or similar occupations; shall allow any noxious exhalation, odors, gases or fluids that are deleterious or detrimental to public health to accumulate upon the premises; or be thrown or allowed to discharge into any street, roadway or public place; or be thrown or allowed to discharge into any storm drain, storm sewer, stream, watercourse, or other waters of the commonwealth.

**Section 5.** The Code of the Township of Upper Dublin, Chapter 192, Sewers, shall be amended by revising the chapter to provide as follows:

**§ 192-6. Definitions.**

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**SANITARY SEWAGE** -- The waste products or excrement or other discharge from the bodies of human beings or animals, household liquid waste and all substances defined by the Commonwealth of Pennsylvania as "sewage," but shall not include stormwater, roof or surface waters, steam or air conditioning condensate, oils, tar, grease, gasoline, benzene or other combustible gases and liquids, industrial waste or substances which would impair, impede, affect, interfere with or endanger the sewer system or any part thereof in any manner whatsoever, or the functioning of the processes of sewage treatment.

**SEWER SYSTEM or SANITARY SEWER SYSTEM** -- Refers to the public sanitary sewage collection system and sewage treatment plant acquired, constructed and operated by an operator in the Township and all additions, extensions and improvements thereto. Excludes stormwater management facilities and storm sewers.

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**STORM SEWER** -- A public or private conveyance or system of conveyances (including roads, streets, catch basins, curbs, gutters, ditches, man-made channels, swales, pipes, culverts or storm drains, and other stormwater management facilities) primarily used for collecting and conveying stormwater runoff.

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**§ 192-9. Compliance required; rules and regulations.**

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D. Sewage discharge.

- (1) No stormwater, roof drain, condensate line, cellar seepage, surface or ground waters, oils, tar, grease, gasoline, combustible gases or liquids, garbage or insoluble solids or any substance which would impair or interfere with the sewer system or any part thereof in any manner or with the function of the processes of sewage treatment shall be connected or discharge to the sewer system.

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- (4) Sewage shall not be discharged to storm sewers.

**Section 6.** The Code of the Township of Upper Dublin, Chapter 207, Streets and Sidewalks, shall be amended by revising the chapter to provide as follows:

**§ 207-1. Connecting roads.**

Every driveway, lane, alley and entrance road connecting with any public highway, street, road or avenue of the Township of Upper Dublin shall be so constructed, maintained, and repaired or replaced that the water and surface drainage in the public right-of-way shall not be blocked or diverted from the course of the gutter or other roadside stormwater conveyance and that the surface drainage from such driveway, lane, alley or entrance road shall flow into the gutter or other stormwater conveyance of said public highway, road, street or avenue and not upon the roadbed thereof.

**Section 7.** The Code of the Township of Upper Dublin, Chapter 218, Swimming Pools, shall be amended by revising the chapter to provide as follows:

**§ 218-1. Permit required.**

It shall be unlawful for any person or persons desiring to construct a bathing, swimming place or swimming pool or artificial body of water, or any excavation in which water may collect in excess of a depth of two (2) feet, including a stormwater management facility, until a permit is first obtained from the Building Inspector of the Township of Upper Dublin.

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**§ 218-2. Permit application.**

All applications for permits shall include such plans and drawings in duplicate or other data as may be required by the Building Inspector and shall satisfactorily indicate the method of fencing and latching and the manner of emptying of the pool or body of water

**§ 218-4. Fence required.**

No person or persons shall construct or maintain a bathing, swimming place or artificial body of water, or any excavation in which water may collect in excess of two (2) feet, including a stormwater management structure, within three hundred (300) feet of any property line of the property on which it is located, unless it is surrounded by a substantial wire mesh fence or its approved type not less than four (4) feet nor more than six (6) feet in height. The type, quality and method of construction of said fence shall be such as shall be approved by the Building Inspector with the intent that it shall act as a safeguard and protection to life, especially children.

**§ 218-5. Drainage.**

Discharges of water originating from other than natural sources, such as swimming pools, air-conditioning units, sump pumps or other dry weather flow, and which do not significantly contribute to pollution to surface waters of the Commonwealth, shall be discharged to a stormwater management facility or on the property at a rate and volume to allow for maximum absorption and infiltration. The discharge shall be dechlorinated and free from pollutants. If the sanitary sewer operator grants permission, discharge of pool backwash water, neutralized pool cleaning wastewater and standing water to the sanitary sewer system is the best environmental alternative. If sanitary sewers are not in the immediate area and the water can not be dechlorinated or otherwise treated onsite to remove pollutants, the water should be hauled off-site for disposal at an approved treatment facility.

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**Section 8.** Nothing in this Ordinance or in the Code of the Township of Upper Dublin, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Code prior to the adoption of this amendment.

**Section 9.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section,

sentence, clause, part, or provision had not been included herein.


**Section 10.** This Ordinance shall take affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Upper Dublin Township this 14<sup>th</sup> day of September, 2004.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF UPPER DUBLIN

  
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Robert J. Pesavento, President

ATTEST:

  
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Paul A. Leonard, Secretary/Township Manager