

ORDINANCE NO. 2017-01

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING REGULATIONS AND STANDARDS TO GOVERN AND REGULATE THE GRADING OF LAND, MODIFICATION OF THE NATURAL TERRAIN, THE ALTERATION OF DRAINAGE, AND THE MAINTENANCE OF DRAINAGE NECESSARY TO CONTROL SOIL EROSION, THE ISSUANCE OF GRADING PERMITS, PROVIDING FOR THE ENFORCEMENT THEREOF, AND PROVIDING FOR PENALTIES IN THE EVENT OF A VIOLATION THEREOF.

WHEREAS, the Board of Supervisors of the Township of Washington, Lehigh County, Pennsylvania (herein referred to as the Township) has determined that public health, safety, and welfare will be advanced by regulating the modification of the natural terrain, and the alteration of drainage by providing for regulations related to runoff, grading, erosion and sediment control, and;

WHEREAS, this Ordinance is authorized by the provisions-of the Second Class Township Code, and this Ordinance implements 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 is in support of the efforts of the Lehigh County Conservation District.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Township of Washington, Lehigh County, Pennsylvania, as follows:

SECTION I. TITLE

The name of the Ordinance shall be the Township of Washington On Lot Grading Ordinance.

SECTION II. REGULATED ACTIVITIES

Earthmoving and grading including, but not limited to, removal of vegetation and/or changes to existing topography are activities regulated by this Ordinance.

Earthmoving and grading activities shall also be subject to the requirements of the State Soil Erosion and Sedimentation Control Regulations, the Township Zoning Ordinance, the Township Subdivision and Land Development Ordinance, and the Township Flood Plain Ordinance, and the Township Stormwater Management Ordinance, whether or not it is regulated by this Ordinance.

No person, firm, or corporation may disturb, change, or regrade existing topography in conjunction with building or development construction or site grading without first applying for a grading permit from the Township of Washington.

When the proposed work is of sufficient scope as to create 2,000 square feet or more of new impervious surfaces or create 5,000 square feet or more of earth disturbance, a site grading plan shall be submitted to the Township indicating that the proposed site grading will not adversely affect or change drainage patterns onto adjacent property, will not adversely affect the principal use of the site, and will not cause siltation of downstream properties and drainage facilities. The plan shall be reviewed by Township personnel for adequacy with this Ordinance and with all other Township Ordinances and shall be approved by any State and Federal agencies, as may have jurisdiction.

Building permits shall not be issued for any structure or construction until the grading plan, or a revision to an existing grading plan, is approved by the Township.

The provisions of this Ordinance shall govern all properties within the Township of Washington.

SECTION III. PLAN REQUIREMENTS

The topographic surveying required for a grading plan shall be prepared by a Professional Engineer, Land Surveyor, or Landscape Architect registered in the state of PA.

1. The plan shall be drawn at a scale of no less than one (1) inch equals twenty (20) feet, except for properties exceeding two (2) acres where a smaller scale may be accepted.
2. The drawing size of the plan shall be no less than eight and one-half (8-1/2) inches by eleven (11) inches, and not larger than twenty-four (24) inches by thirty-six (36) inches.
3. All elevations shall be based on field survey on the USGS Datum, and bench marks used shall be indicated.
4. The plan shall show spot elevations of all critical locations.
5. The plan shall show the elevations and location where drainage courses cross the property lines.
6. The plan shall show existing contours for the entire tract on two (2) foot contour intervals.
7. The plan shall show proposed driveway location and gradients.
8. The plan shall show proposed contours at the same contour interval as required in Item No. 6.
9. The plan shall show proposed building top of foundation; elevation of all entries; and elevations of proposed finished ground grade at all significant points around the proposed building.

10. The plan shall show conformance to the Washington Township Floodplain Regulations and Act 167 Ordinance, as revised, if applicable.
11. The plan shall show all existing public utilities, including water, sanitary sewer, storm sewer, gas, and other utilities, and proposed utilities, including connection to existing public facilities or private on-lot facilities. The plan shall include invert elevations and size and location of said utilities as necessary for construction. The plan shall also show the location and disposition of downspouts and footing drain discharge.
12. Four (4) copies of the plan shall be submitted.
13. A reproducible copy of the original plan shall remain in the possession of the property owners.
14. The plan shall include information, as necessary, on adjacent properties to show contours, drainage courses, structure locations, and foundation elevations, within fifty (50) feet of the subject property.

SECTION IV. WAIVER OF PERMIT AND PLAN SUBMITTAL

A permit may be granted without plan submittal if the earth disturbance is necessary for construction of a single-family home on a lot five (5) acres or greater and the proposed earth disturbance creates less than 10,000 square feet of new impervious surfaces and the earth disturbance is located at least 100 feet from the nearest property line. The Developer is still required to secure any State and/or Federal permits or approvals as may be required prior to beginning earth disturbance.

1. CONDITIONS — The request for plan waiver shall include the following:
 - a. Legal description of the property.
 - b. Brief description of the project.

- c. Plot plan showing proposed dwelling with dimensions, distances from property lines, height of foundation, location of driveway, provisions for roof drains, and proposed grading limits.

SECTION V. REQUIRED FEES

1. The fees for a grading permit associated for new building construction shall be one hundred twenty-five dollars (\$125.00).
2. A one thousand dollar (\$1,000.00) escrow deposit is required for plan submission.
3. When a grading plan is to be revised, a twenty-five dollar (\$25.00) fee is required for resubmission.
4. The Developer is required to pay all costs incurred by the Township for review of plan by the Township Engineer and/or Township Solicitor. All outstanding review fees shall be paid prior to the Township issuing any permits.

SECTION VI. INSPECTION

1. The Township Engineer and/or Township staff may enter the property to inspect all grading and construction activities on site.
2. The applicant or permittee shall provide the Township with two (2) copies of a foundation location and elevation survey plan bearing a certification from a licensed Engineer, Surveyor, or Landscape Architect indicating compliance with the plan.

SECTION VII. PENALTIES


Violations of this Ordinance shall be subject to a fine or penalty not to exceed five

hundred dollars (\$500.00) for each and every offence until such violation is corrected.

ENACTED AND ORDAINED this 3rd day of January 2017,

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TOWNSHIP OF WASHINGTON (Lehigh County, Pennsylvania)



President, Board of Supervisors

Attest: 