

- C. No person shall place any structure, fill, landscaping or vegetation into a SWM facility or within a drainage easement that will limit or diminish the functioning of the facility in any manner.
- D. The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of this Commonwealth:
- Discharges from firefighting activities
 - Potable water sources including water line flushing
 - Irrigation drainage
 - Air conditioning condensate
 - Springs
 - Water from crawl space pumps
 - Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used
 - Flows from riparian habitats and wetlands
 - Uncontaminated water from foundations or from footing drains
 - Lawn watering
 - De-chlorinated swimming pool discharges
 - Uncontaminated groundwater
 - Water from individual residential car washing
 - Routine external building wash down (which does not use detergents or other compounds)
 - Diverted stream flows
 - Rising ground waters
- E. In the event that the Township or DEP determines that any of the discharges identified in Section 801.D above significantly contribute to pollution of the waters of this Commonwealth, the Township or DEP will notify the responsible person(s) to cease the discharge.

Section 802. Alteration of SWM BMPs

No person shall modify, remove, fill, landscape, or alter any SWM BMPs, facilities, areas, or structures without the written approval of the Township.

ARTICLE IX - ENFORCEMENT AND PENALTIES

Section 901. Right-of-Entry

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

Section 902. Enforcement

The municipal governing body is hereby authorized and directed to enforce all of the provisions of this ordinance.

- A. Any permit or approval issued by the Township pursuant to this ordinance may be suspended by the Township for:
 - 1. Noncompliance with or failure to implement any provision of the approved SWM Site Plan or O&M Agreement.
 - 2. A violation of any provisions of this ordinance or any other applicable law, ordinance, rule, or regulation relating to the regulated activity.
 - 3. The creation of any condition or the commission of any act during construction or development that constitutes or creates a hazard, nuisance, pollution or endangers the life or property of others.
- B. A suspended permit may be reinstated by the Township when the Township has inspected and approved the corrections to the violation that caused the suspension.
- C. It shall be unlawful for any person, firm, or corporation to undertake any activity under this Chapter on any property except as provided for in the approved stormwater management plan (unless exempt) and pursuant to the requirements of this Chapter. It shall be unlawful to alter or remove any control structure required by the stormwater management plan pursuant to this Chapter or to allow the property to remain in a condition which does not conform to the approved stormwater management plan.
- D. An occupancy permit shall not be issued unless satisfactory inspection has been secured. The occupancy permit shall be required for each lot owner and/or developer for all subdivisions and land development in the Township

Section 903. Violations, Penalties, and Remedies

- A. It shall be a violation of this Ordinance to commit or permit any other person to commit any of the following acts:
 - 1. To commence Regulated Activities prior to obtaining unconditional approval of a SWM Site Plan or in violation of the terms or conditions of a SWM Site Plan approved under this Ordinance.
 - 2. To install, repair, modify or alter SWM Facilities prior to obtaining approvals under this Ordinance, or, in a manner which violates the terms and conditions of any Approval issued under this Ordinance.
 - 3. To misuse or fail to maintain any SWM Facility installed upon a property.

4. To construct any improvements upon, grade, fill or take any other action which will impair the proper functioning of any SWM Facility.
 5. To place false information on, or, omit relevant information from an application for Approval under this Ordinance.
 6. To fail to comply with any other provisions of this Ordinance.
- B. For each violation of the provisions of this Ordinance, the owner, agent, lessee, or contractor or any other person who commits, takes part in, or assists in any such violation shall be liable upon conviction thereof in a summary proceeding to pay a fine of not less than \$200.00 nor more than \$1,000.00 for each offense, together with the costs of prosecution and the Township's reasonable attorney's fees. Each day or portion thereof in which a violation exists shall be considered a separate violation of this Ordinance, and each Section of this Ordinance which is violated shall be considered a separate violation.
- C. The Township may also institute suits to restrain, prevent, or abate a violation of this Ordinance in equity or at law. Such proceedings in equity or at 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 and the Township's reasonable attorney's fees shall be recoverable from the violator in such manner as may now or hereafter be provided by law.
- D. The Board of Supervisors may also take actions relating to suspension or revocation of permits set forth in Section 902.
- E. The Board of Supervisors may, by resolution, appoint a Designee to enforce this Ordinance and may authorize such code enforcement officer to institute summary criminal proceedings without prior action by the Board of Supervisors.

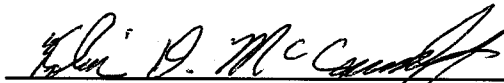
Section 904. Appeals

- A. Any person aggrieved by any administrative action of the Township of Drumore may appeal to Drumore Township Board of Supervisors within 30 days of that action. Any such appeal shall be governed by the procedures of Article V of the Local Agency Law, 2 Pa. C.S.A. 401 et seq.
- B. Any person aggrieved by any decision of the Drumore Township Board of Supervisors may appeal to the Lancaster County Court of Common Pleas, in accordance with Article VII of Local Agency Law, 2 Pa. C.S.A. 701 et seq. the Local Agency Law, within 30 days of that decision.


Section 905. Modification of Ordinance Provisions

- A. The provisions of this Ordinance not relating to water quality are intended as minimum standards for the protection of the public health, safety, and welfare. The Township reserves the right to modify or to extend them conditionally in individual cases as may be necessary in the public interest; provided, however, that such variation shall not have the effect of nullifying the intent and purpose of this Ordinance, and that the applicant shows that to the satisfaction of the Township that the applicable regulation is unreasonable, or will cause undue hardship, or that an alternative proposal will allow for equal or better results. The list of such modifications, along with an explanation of and justification for each modification, shall be included on the plan. This section does not apply during an enforcement action.
- B. In granting waivers/modifications for provisions of this Ordinance not relating to water quality, the Township may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements of this Ordinance.
- C. The Board of Supervisors may delegate by Resolution any initial determinations of violations of this Ordinance, service of notice of violation and enforcement thereof to such Designee, as the Board of Supervisors shall deem, from time to time, qualified for that purpose.

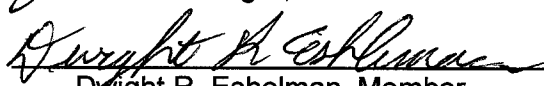
ENACTED and ORDAINED at a regular meeting of the Drumore Township Board of Supervisors on the 1st day of May, 2014. This Ordinance shall take effect immediately.



Kolin D. McCauley, Chairman



James Tollinger, Vice Chairman



Dwight R. Eshelman, Member

ATTEST:



Sharon Roth-Church, Secretary

I hereby certify that the foregoing Ordinance was advertised in the Intelligencer Journal - New Era on April 21, 2014, a newspaper of general circulation in the Township and was duly enacted and approved as set forth at a regular meeting of the Drumore Township Board of Supervisors held on May 1, 2014.



Sharon Roth Church, Secretary