

**WEST POTTS GROVE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022- 08

AN ORDINANCE OF WEST POTTS GROVE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE WEST POTTS GROVE TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 2009 REPEALING ARTICLE IV, SECTION 436 (STORMWATER MANAGEMENT AND DRAINAGE); REPEALING APPENDIX C (LOW IMPACT DEVELOPMENT PRACTICES: ALTERNATIVE APPROACH FOR MANAGING STORMWATER RUNOFF); REPEALING APPENDIX D (STORMWATER BEST MANAGEMENT PRACTICES: OPERATIONS AND MAINTENANCE AGREEMENT); AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Commissioners of West Pottsgrove Township, Montgomery County, Commonwealth of Pennsylvania, and, *IT IS HEREBY ENACTED AND ORDAINED* by the authority of the same, that the West Pottsgrove Township Subdivision and Land Development Ordinance of 2009, as amended, is further amended as follows:

SECTION 1. AMENDMENTS.

A. Article IV, Section 436 is REPEALED in its entirety and REPLACED by the provisions set forth in a new Chapter 21 of the Code of Ordinances of West Pottsgrove Township titled “The West Pottsgrove Township Stormwater Management Ordinance of 2022”.

B. Appendix C “Low Impact Development Practices: Alternative Approach for Managing Stormwater Runoff” is hereby REPEALED in its entirety and REPLACED by the provisions set forth in Appendix C titled “Simplified Approach to Stormwater Management for Small Projects” contained in the West Pottsgrove Township Stormwater Management Ordinance of 2022.

C. Appendix D “Stormwater Best Management Practices: Operations and Maintenance Agreement” is hereby REPEALED in its entirety and REPLACED by the provisions set forth in Appendix A titled “Stormwater Operation & Maintenance and Project Improvement Agreement” contained in the West Pottsgrove Township Stormwater Management Ordinance of 2022.

SECTION 2. AUTHORIZATION. This Ordinance is authorized by the general powers vested in the Township by the First Class Township Code and the authority and procedures of the Municipalities Planning Code, as amended, as well as other laws of the Commonwealth of Pennsylvania, including the Municipal Code and Ordinance Compliance Act.


SECTION 3. SEVERABILITY. If a Court of competent jurisdiction declares any provisions of this Ordinance to be invalid, in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of the Code of Ordinances of the Township of West Pottsgrove shall continue to be separately and fully effective.

SECTION 4. RE-ENACTMENT, INTERPRETATION, AND REPEALER. The remaining provisions of the Code of Ordinances of West Pottsgrove Township, and as in force immediately before the enactment of this Ordinance, are intended to be continued and, to the extent not inconsistent herewith, are hereby re-enacted and re-ordained. This Ordinance is intended to be consistent with, shall be interpreted, and construed, in accordance with the Municipal Code and Ordinance Compliance Act, 68 P.S. § 1081 *et seq.*, and as amended from time to time. In the event conflict between this Ordinance and the Municipal Code and Ordinance Compliance Act, or any other applicable Commonwealth statute, such Commonwealth statute shall govern. All prior

Ordinances, Resolutions, or parts thereof in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

SECTION 5. EFFECTIVE DATE. This Ordinance, and all of its terms and provisions, shall become effective as provided by law.

ENACTED AND ORDAINED into law this 21st day of December, 2022, by the Board of Commissioners of West Pottsgrove Township, Montgomery County, Pennsylvania.



Stephen Miller, President

ATTEST: 

Courtney Harris, Secretary