

THE BOROUGH OF HARMONY

BUTLER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF HARMONY, BUTLER COUNTY, PENNSYLVANIA AMENDING SECTION 305 OF ORDINANCE NO. 388 STORMWATER MANAGEMENT REQUIREMENTS TO MODIFY THE CURRENT RELEASE RATES.

WHEREAS, the Pennsylvania Stormwater Management Act (Act 167) requires that each Pennsylvania municipality adopt a stormwater management ordinance to implement a stormwater management plan.

WHEREAS, the BOROUGH COUNCIL has reviewed the proposed amendment; and

WHEREAS, the BOROUGH COUNCIL finds:

1. Inadequate management of accelerated stormwater runoff resulting from development throughout a watershed increases flood flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of existing streams and storm sewers, greatly increases the cost of public facilities to convey and manage stormwater, undermines floodplain management and flood reduction efforts in upstream and downstream communities, reduces groundwater recharge, threatens public health and safety, and increases non-point source pollution of water resources.
2. A comprehensive program of stormwater management, including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety, welfare, and the protection of the people of Municipality and all the people of the Commonwealth, their resources, and the environment.
3. Inadequate planning and management of stormwater runoff resulting from land development and redevelopment throughout a watershed can also harm surface water resources by changing the natural hydrologic patterns; accelerating stream flows (which increase scour and erosion of streambeds and stream banks thereby elevating sedimentation); destroying aquatic habitat; and elevating aquatic pollutant concentrations and loadings such as sediments, nutrients, heavy metals, and pathogens. Groundwater resources are also impacted through loss of recharge.
4. Stormwater is an important water resource which provides groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.

5. Federal and state regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).

WHEREAS, the judgment of the BOROUGH COUNCIL, such an amendment to the Borough of Harmony Ordinance No. 388, Stormwater Management is consistent with the overall Comprehensive Plan adopted by the Borough; and

WHEREAS, revisions in this document will appear as follows: ~~struck-out~~ for items removed and underlined for items added.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF HARMONY, BUTLER COUNTY, PENNSYLVANIA, AND IT IS HEREBY ORDAINED AND ENACTED BY AND WITH THE SAME THAT:

SECTION 1 **SECTION 305**, is amended by replacing Section 305 Rate Controls with the following:

Section C5. Rate Controls

1. ~~Lands contained within Butler County that have not had release rates established under an approved Act 167 Stormwater Management Plan:~~
 - a. ~~Post-development discharge rates shall not exceed the pre-development discharge rates for the 1 year, 2 year, 10 year, 25 year, 50 year, and 100-year storms.~~
1. In accordance with the Lower Connoquenessing Stormwater Planning Study prepared By Herbert, Rowland & Grubic, Inc., dated March 10, 2021, release rates for the watersheds located within the Borough of Harmony shall not exceed 90%. Resolution No. 2021-3-2B supports the recommendation to update the release rates in the Borough's Stormwater Management Ordinance.

SECTION 2 Repealer:

Any Ordinance or part of any Ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of said conflict.

SECTION 3 Severability

Should any sentence, section, clause, part or provision of this ordinance be declared by a court of competent jurisdiction, to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part declared to be invalid.

SECTION 4:

The appropriate Officers of the Borough of Harmony are hereby authorized and directed to execute any and all documents necessary to effectuate the purposes of this Ordinance.

ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF HARMONY
THIS 5th DAY OF April, 2022.

ATTEST

BOROUGH OF HARMONY

Amy Brown
Amy Brown
Borough Secretary

By: Gregory Such
Gregory Such
President, Borough Council

EXAMINED AND APPROVED BY ME THIS 5th DAY OF April, 2022.

Cathy Rape
Cathy Rape, Mayor