

**AN ORDINANCE OF SOUTH CONNELLSVILLE BOROUGH
AMENDING THE BOROUGH'S STORMWATER MANAGEMENT
ORDINANCE NO. 309 TO RESTRICT AND REGULATION THE
ALTERATION OF EXISTING STORMWATER MANAGEMENT
FACILITIES**

ORDINANCE # 321

WHEREAS, the Borough of South Connellsville, Fayette County, Pennsylvania (the "Borough") desires to restrict and regulate the alteration of existing stormwater management facilities located within the geographical confines of the Borough of South Connellsville in order to protect persons and property within the Borough of South Connellsville.

NOW, THEREFORE, be it enacted and ordained by the Council of the Borough of South Connellsville, as follows:

Section 1. – Amendment: Section 703 of Ordinance No. 309 of South Connellsville Borough shall be amended to read, in its entirety, as follows:

"A. No person shall modify, remove, fill, landscape, or alter any SWM BMPs, facilities, areas, or structures that were installed as a requirement of this Ordinance or that existed as of the effective date of this Ordinance without the written approval of the Municipality, as provided in this section.

B. Any person desiring to modify, remove, fill, landscape, or alter any SWM BMPs, facilities, areas, or structures that were installed as a requirement of this Ordinance or that existed as of the effective date of this Ordinance shall first provide a description and, if requested by the Borough Street Department or Borough Engineer, a drawing of such plans.

C. The Borough Street Department, with the assistance, advice, and recommendation of the Borough Engineer, shall review such plans to determine whether such plans will comply with the requirements of this Ordinance or will cause harm or damage to the property, including rights of way, of the Borough or any private person.

D. All plans shall be evaluated and processed in accordance with Article IV of this Ordinance, including Section 403, 404, 405, 406, and 407 as deemed applicable by the Borough Street Department, Borough Engineer, and/or Borough Council.

E. Article VIII shall also be applicable to any modification, removal, filling, landscaping, or alteration of any SWM BMPs, facilities, areas, or structures that were installed as a requirement of this Ordinance or that existed as of the effective date of this Ordinance."

Section 2. – Severability:

- a) In the event of any provision, section, sentence, clause, or part of this Ordinance being held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Borough that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.


- b) In the event of any legislation by the Commonwealth of Pennsylvania becoming effective dealing with the same or similar subject matter as that included herein, such shall remain in full force and effect if it is more restrictive, and not inconsistent with such legislation, but if such legislation is more restrictive than, inconsistent with, or both, then this Ordinance shall be interpreted according to such legislation and shall be superseded to the extent necessary to give such legislation appropriate effect. However all the remainder of the ordinance shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Section 3. Repealer: All Ordinances or parts of Ordinances expressly inconsistent herewith, or dealing with the same or similar subject matter of this Ordinance, are expressly repealed.

Section 4. Effective Date: This Ordinance shall be effective within five (5) days after adopted by the Council and approved by the Mayor.

ORDAINED AND ENACTED into an Ordinance of the Borough of South Connellsville on this 13 day of September, 2020, by the Council for the Borough of South Connellsville.

ATTEST:



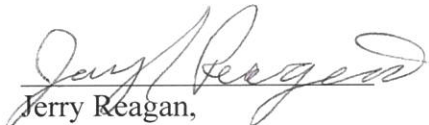
Kelly Addis,
Borough Secretary

**BOROUGH OF SOUTH
CONNELLSVILLE**



George Jay,
President, Borough Council

EXAMINED and APPROVED this 13 day of Sept., 2021.



Jerry Reagan,
Mayor