

ORDINANCES

8000001

1484	Ordinance amending Zoning Chapter 290 relating to tower & non tower wireless Communication facilities – enacted 12/11/14	#5 - 24
1485	Ordinance approving Bus & Merc Tax Amnesty Program with Ross & NHSD-enacted April 2, 2015	25-26
1486	AN ORDINANCE PROVIDING SEWER TAP FEES FOR HIGHLAND PLANNED RESIDENTIAL DEVELOPMENT (IN ROSS TWP) – ENACTED 09/10/15	27-28
1487	AN ORDINANCE ADOPTING 5.4 MILLS FOR 2016, ENACTED 12.10.15	29
1488	AN ORDINANCE APPROPRIATING ESTIMATED \$5,562,870 FOR 2016 – ENACTED 12.10.15	30
1489	AN ORDINANCE REPLACING #1445 RE: STORM WATER MGMT – ENACTED 02.11.16 (PAGE 41-42 BLANK – PAGE 61-62 NONEXISTANT)	31-88
1490	AN ORDINANCE AMENDING CHAPTER 290 ZONING SETION 290-11 & 44 – ENACTED 8.11.16	89
1491	Ordinance setting 2017's tax rate @ 5.4 mils – Enacted 12.08.2016	90
1492	Ordinance designating \$5,698,605 (+\$200,000 PIB) for Year 2017 – Enacted 12.08.2016	91
1493	Ordinance establishing 4-way stops at intersections of State Alley & Ridgewood and Amherst & Lehigh and establishing no parking any time/ east side of Carlisle between Adrian & Oberlin	92
1494	Ordinance establishing the northbound facing traffic on Bellevue at Schwitter – enacted on September 14, 2017	93
1495	Ordinance fixing 2018's tax rate at 5.40 Mills – enacted 12.14.17	94
1496	Ordinance appropriating \$6,068,253 for specific funds for 2018 – enacted 12.14.17	95
1497	Ordinance amending Ordinance #1480 regarding curb cuts – enacted 08.09.18	96-97
1498	Ordinance adopting 2018 International Property Maintenance Code – enacted 08.09.18	98-100
1499	Ordinance re-establishing a general schedule of fees – enacted 11.08.18	101-102
1500	Ordinance Replacing #1489 Re: Storm Water Mgmt – enacted 11.08.18	103-143
1501	Ordinance appropriating \$6,041,349 for specific funds for 2019 – enacted 12.13.18	144
1502	Ordinance fixing 2019's tax rate at 5.40 Mills – enacted 12.13.18	145
1503	Ordinance establishing criteria for issuance of handicap parking permits – enacted 2.14.19	146-148
1504	Ordinance amending Chapter 290, Zoning as to small wireless facilities – enacted 3.14.19	149-150
1505	Ordinance designated as the "Quality of Life Ordinance" – enacted 3.14.19	151-161
1506	Ordinance fixing 2020's tax rate – enacted 12.12.19	162-163
1507	Ordinance appropriating \$5,831,849 for specific funds for 2020 – enacted 12.12.19	164
1508	Ordinance amending Chapter 98 of Borough code – amusement devices – enacted 2.13.20	165-166
1509	Ordinance amending Ordinance 1505 "Quality of Life Ordinance" – enacted 9.10.20	167-182
1510	Ordinance authorizing cable franchise with Comcast – enacted 8.13.20	183-184
1511	Ordinance amending Chapter 290-zoning, specifically 290-9 and 290-24(a) – enacted 11.12.20	185
1512	Ordinance appropriating \$5,914,532 for specific funds for 2021 – enacted 12.10.20	186
1513	Ordinance fixing 2021's tax rate at 6.30 Mills – enacted 12.10.20	187

**BOROUGH OF WEST VIEW
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1484

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, PENNSYLVANIA; PROVIDING FOR THE AMENDMENT OF THE ZONING ORDINANCE OF WEST VIEW BOROUGH, AS CODIFIED AT CHAPTER 290 OF THE WEST VIEW BOROUGH CODE; PROVIDING FOR PURPOSES AND FINDINGS OF FACT RELATED TO THE ADOPTION OF THE AMENDMENT; PROVIDING FOR DEFINITIONS; ESTABLISHING CERTAIN GENERAL AND SPECIFIC STANDARDS RELATING TO THE LOCATION, PLACEMENT, CONSTRUCTION AND MAINTENANCE OF TOWER-BASED WIRELESS COMMUNICATIONS FACILITIES AND NON-TOWER WIRELESS COMMUNICATION FACILITIES; PROVIDING FURTHER FOR THE REGULATION OF SUCH FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY AND OUTSIDE THE PUBLIC RIGHTS-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of West View, Allegheny County, Commonwealth of Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION I. Short Title.

This Ordinance shall be known as the "West View Borough Wireless Communications Facilities Ordinance."

SECTION II. Purposes and Findings of Fact.

- A. The purpose of this Ordinance is to establish uniform standards for the siting, design, permitting, maintenance, and use of wireless communications facilities in West View Borough. While the Borough recognizes the importance of wireless communications facilities in providing high quality communications service to its residents and businesses, the Borough also recognizes that it has an obligation to protect public safety and to minimize the adverse visual effects of such facilities through the standards set forth in the following provisions.
- B. By enacting this Ordinance, the Borough intends to:
- a. Promote the health, safety, and welfare of Borough residents and businesses with respect to wireless communications facilities;
 - b. Provide for the managed development of wireless communications facilities in a manner that enhances the benefits of wireless communication and accommodates

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the needs of both Borough residents and wireless carriers in accordance with federal and state laws and regulations;

- c. Establish procedures for the design, siting, construction, installation, maintenance and removal of both tower-based and non-tower based wireless communications facilities in the Borough, including facilities both inside and outside the public rights-of-way;
- d. Address new wireless technologies, including but not limited to, distributed antenna systems, data collection units, cable wi-fi and other wireless communications facilities;
- e. Encourage the co-location of wireless communications facilities on existing structures rather than the construction of new tower-based structures;
- f. Protect Borough residents from potential adverse impacts of wireless communications facilities and preserve, to the extent permitted under law, the visual character of established communities and the natural beauty of the landscape; and
- g. Update the Borough's wireless facilities regulations to incorporate changes in federal and state laws and regulations.

SECTION III. Definitions.

Chapter 290, Section 9 of the West View Borough Zoning Ordinance is hereby amended by removing the following definitions "Wireless Communications Antenna"; "Wireless Communications Equipment Building"; and "Wireless Communication Tower." Chapter 290, Section 9 is further amended to include the following definitions to the "Definitions" section:

- 1. *Antenna*—any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An Antenna may include an omnidirectional Antenna (rod), directional Antenna (panel), parabolic Antenna (disc) or any other wireless Antenna. An Antenna shall not include Tower-Based Wireless Communications Facilities defined below.
- 2. *Co-location*—the mounting of one or more WCFs, including Antennae, on an existing Tower-Based WCF, or on any structure that already supports at least one Non-Tower WCF.
- 3. *Distributed Antenna Systems (DAS)*—network of spatially separated Antenna sites connected to a common source that provides wireless service within a geographic area or structure.
- 4. *Emergency*—a condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the Rights-of-Way to be unusable and result in loss of the services provided.

5. *Height of a Tower-Based WCF* - The vertical distance measured from the ground level, including any base pad, to the highest point on a Tower-Based WCF, including Antennae mounted on the tower and any other appurtenances.
6. *Monopole*—a WCF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications Antennae and connecting appurtenances.
7. *Non-Tower Wireless Communications Facility (Non-Tower WCF)*—all non-tower wireless communications facilities, including but not limited to, Antennae and Related Equipment. Non-Tower WCF shall not include support structures for Antennae or any Related Equipment that is mounted to the ground or at ground-level.
8. *Related Equipment*— Any piece of equipment related to, incident to, or necessary for, the operation of a Tower-Based WCF or Non-Tower WCF. By way of illustration, not limitation, “Related Equipment” includes generators and base stations.
9. *Stealth Technology*—camouflaging methods applied to wireless communications towers, Antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted Antennae, building-mounted Antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.
10. *Substantially Change*—(1) Any increase in the height of a Wireless Support Structure by more than 10%, or by the height of one additional Antenna array with separation from the nearest existing Antenna not to exceed twenty (20) feet, whichever is greater, except that the mounting of the proposed Wireless Communications Facility may exceed the size limits set forth herein if necessary to avoid interference with existing Antennae; or (2) any further increase in the height of a Wireless Support Structure which has already been extended by more than 10% of its originally approved height or by the height of one additional Antenna array.
11. *Tower-Based Wireless Communications Facility (Tower-Based WCF)*—any structure that is used for the purpose of supporting one or more Antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles, utility poles and light poles. DAS hub facilities are considered to be tower-based WCFs.
12. *Wireless*—transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.
13. *Wireless Communications Facility (WCF)*—the Antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of

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transmitting, receiving, distributing, providing, or accommodating wireless communications services.

14. *Wireless Communications Facility Applicant (WCF Applicant)*—any person that applies for a wireless communication facility building permit, zoning approval and/or permission to use the public right-of-way (ROW) or other Borough owned land or property.
15. *Wireless Support Structure*—a freestanding structure, such as a Tower-Based Wireless Communications Facility or any other support structure that could support the placement or installation of a Wireless Communications Facility if approved by the Borough.

SECTION IV. Repealer

The following terms, conditions and provisions of Section 290-20(I) of the West View Borough Zoning Code are and hereby REPEALED and REPLACED by provisions set forth under Sections V through XI of this Ordinance.

SECTION V. General Requirements for All Non-Tower Wireless Communications Facilities

- A. The following regulations shall apply to all Non-Tower Wireless Communications Facilities located within the Borough, including those inside the public rights-of-way:
 1. Permitted in All Zones Subject to Regulations. Non-Tower WCFs are permitted in all zones subject to the restrictions and conditions prescribed below and subject to applicable permitting by the Borough.
 2. Prohibited on Certain Structures. Commercial Non-Tower WCFs shall not be located on single-family detached residences, single-family attached residences, or any accessory residential structure.
 3. Standard of Care. Any Non-Tower WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Borough.
 4. Wind. All Non-Tower WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA-222-E, as amended).

5. Aviation Safety. Non-Tower WCFs shall comply with all federal and state laws and regulations concerning aviation safety.
6. Public Safety Communications. No Non-Tower WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
7. Radio Frequency Emissions. No Non-Tower WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.
8. Removal. In the event that use of a Non-Tower WCF is discontinued, the owner shall provide written notice to the Borough of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:
 - a. All abandoned or unused WCFs and accessory facilities shall be removed within two (2) months of the cessation of operations at the site unless a time extension is approved by the Borough.
 - b. If the WCF or accessory facility is not removed within two (2) months of the cessation of operations at a site, or within any longer period approved by the Borough, the WCF and/or associated facilities and equipment may be removed by the Borough and the cost of removal assessed against the owner of the WCF.
9. Timing of Approval. Within thirty (30) calendar days of the date that an application for a Non-Tower WCF is filed with the Borough, the Borough shall notify the applicant in writing of any information that may be required to complete such application. Within ninety (90) calendar days of receipt of a complete application, the Borough shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the Borough to complete an application, the time required by the applicant to provide the information shall not be counted toward the Borough's ninety (90) day review period.
10. Insurance. Each Person that owns or operates a Non-Tower WCF shall provide the Borough with a certificate of insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Non-Tower WCF.
11. Indemnification. Each Person that owns or operates a Non-Tower WCF shall, at its sole cost and expense, indemnify, defend and hold harmless the Borough, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the Person, its officers, agents, employees or

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contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of the Non-Tower WCF. Each Person that owns or operates a Non-Tower WCF shall defend any actions or proceedings against the Borough in which it is claimed that personal injury, including death, or property damage was caused by the construction, installation, operation, maintenance or removal of a Non-Tower WCF. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs and all other costs of indemnification.

12. Maintenance. To the extent permitted by law, the following maintenance requirements shall apply:

- a. The Non-Tower WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
- b. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Borough's residents.
- c. All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.

B. In addition to the regulations in Section V of this Ordinance, the following additional regulations shall apply to all Non-Tower Wireless Communications Facilities, such as Antennae, that do not Substantially Change the physical dimensions of the Wireless Support Structure to which they are attached:

1. Permit Required. Applicants proposing the modification of an existing Tower-Based WCF shall obtain a Building Permit from the Borough zoning office. In order to be considered for such, the applicant must submit a permit application to the Borough Zoning Office.
2. Permit Fees. The Borough may assess appropriate and reasonable permit fees directly related to the Borough's actual costs in reviewing and processing the application for approval of a Non-Tower WCF or \$1,000, whichever is less.

C. In addition to the regulations in Section V of this Ordinance, the following additional regulations shall apply to all Non-Tower Wireless Communications Facilities that Substantially Change the Wireless Support Structure to which they are attached:

1. Permit Required. Any applicant proposing the construction of a new Non-Tower WCF, or the modification of an existing Non-Tower WCF, shall first obtain a Building Permit from the Borough Zoning Office. New construction and modifications shall be prohibited without such a permit. After receipt of the Permit application, the Borough Zoning Officer shall determine whether zoning relief is necessary under the Borough Code.
2. Historic Buildings. No Non-Tower WCF may be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places, or is eligible to

be so listed, or is listed on the official historic structures and/or historic districts list maintained by the Borough, or has been designated by the Borough to be of historical significance.

3. Retention of Experts. The Borough may hire any consultant(s) and/or expert(s) necessary to assist the Borough in reviewing and evaluating the application for approval of the WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Ordinance. The applicant and/or owner of the WCF shall reimburse the Borough for all costs of the Borough's consultant(s) in providing expert evaluation and consultation in connection with these activities.
5. Permit Fees. The Borough may assess appropriate and reasonable permit fees directly related to the Borough's actual costs in reviewing and processing the application for approval of a Non-Tower WCF, as well as related inspection, monitoring and related costs.

SECTION VI. Non-Tower Wireless Facilities Outside the Rights-of-Way

The following additional regulations shall apply to Non-Tower Wireless Communications Facilities located outside the Rights-of-Way that Substantially Change the Wireless Support Structure to which they are attached:

1. Development Regulations. Non-Tower WCFs shall be co-located on existing structures, such as existing buildings or Tower-Based WCFs, if possible, subject to the following conditions:
 - a. Such WCF does not exceed the lesser of a total maximum height of fifteen (15) feet or the maximum height permitted in the underlying zoning district. If the planned Non-Tower WCF exceeds this height specification, the WCF applicant shall obtain a variance.
 - b. If the WCF applicant proposes to locate the Related Equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district and commercial accessory buildings.
 - c. A security fence of not less than six (6) feet shall surround any separate communications equipment building. Vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.
2. Special Exception. If co-location of the Non-Tower WCF on an existing Support Structure is not technologically feasible, the Applicant shall apply to the Zoning Hearing Board for a Special Exception.

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3. Design Regulations.

- a. Non-Tower WCFs shall employ Stealth Technology and be treated to match the supporting structure in order to minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the Borough.
- b. The total height of any support structure and mounted WCF shall not exceed the maximum height permitted in the underlying zoning district, unless the applicant obtains a variance.
- c. In accordance with industry standards, all Non-Tower WCF applicants must submit documentation to the Borough justifying the total height of the Non-Tower structure. Such documentation shall be analyzed in the context of such justification on an individual basis.
- d. Non-Commercial Usage Exemption. Borough citizens utilizing satellite dishes and Antennae for the purpose of maintaining television, phone, and/or internet connections at their respective residences shall be exempt from the Siting and Design Regulations enumerated in this Ordinance.

4. Removal, Replacement, Modification.

- a. The removal and replacement of Non-Tower WCFs and/or accessory equipment for the purpose of upgrading or repairing the WCF is permitted, so long as such repair or upgrade does not increase the overall size of the WCF or the numbers of Antennae.
- b. Any material modification to a wireless telecommunication facility shall require a prior amendment to the original permit or authorization.

5. Reservation of Rights. In accordance with applicable law, the Borough reserves the right to deny an application for the construction or placement of any Non-Tower WCF for numerous factors, which include but are not limited to, visual impact, design, and safety standards.

6. Inspection. The Borough reserves the right to inspect any WCF to ensure compliance with the provisions of this Ordinance and any other provisions found within the Borough Code or state or federal law. The Borough and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

SECTION VII.

Non-Tower Wireless Facilities in the Rights-of-Way

A. The following additional regulations shall apply to all Non-Tower Wireless Communications Facilities located in the Rights-of-Way:

1. Co-location. Non-Tower WCFs in the ROW shall be co-located on existing poles, such as existing utility poles or light poles. Collocated facilities shall be permitted by right. If co-location is not technologically feasible, the Applicant shall locate its Non-Tower WCFs on existing poles or structures that do not already act as Support Structures.
2. Special Exception. Applicants that propose to locate Non-Tower WCFs, such as Antennae, on existing structures that do not already support a WCF, shall apply to the Borough Zoning Hearing Board for a Special Exception.
3. Design Requirements:
 - a. WCF installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than six (6) feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.
 - b. Antennae and all support equipment shall be treated to match the supporting structure. WCFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.
4. Time, Place and Manner. The Borough shall determine the time, place and manner of construction, maintenance, repair and/or removal of all Non-Tower WCFs in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Borough and the requirements of the Public Utility Code.
5. Equipment Location. Non-Tower WCFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Borough. In addition:
 - a. In no case shall ground-mounted equipment, walls, or landscaping be located within eighteen (18) inches of the face of the curb or within an easement extending onto a privately-owned lot;
 - b. Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Borough.
 - c. Any graffiti on the WCF or accessory equipment shall be removed at the sole expense of the owner within ten (10) business days of notice of the existence of the graffiti.

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- d. Any proposed underground vault related to Non-Tower WCFs shall be reviewed and approved by the Borough.
 6. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the Borough, or such longer period as the Borough determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of a WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the Borough, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:
 - a. The construction, repair, maintenance or installation of any Borough or other public improvement in the Right-of-Way;
 - b. The operations of the Borough or other governmental entity in the Right-of-Way;
 - c. Vacation of a street or road or the release of a utility easement; or
 - d. An Emergency as determined by the Borough.
 6. Reservation of Rights. In accordance with applicable law, the Borough reserves the right to deny an application for the construction or placement of any Non-Tower WCF for numerous factors, which include but are not limited to, visual impact, design, and safety standards.

SECTION VIII.

General Requirements for All Tower-Based Wireless Communications Facilities.

The following regulations shall apply to all Tower-Based Wireless Communications Facilities in the Borough:

1. Standard of Care. Any Tower-Based WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, as well as the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors. Any Tower-Based WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Borough.
2. Notice. Upon submission of an application for a Tower-Based WCF, the applicant shall mail the applicant shall mail notice to all owners of every property within two hundred fifty (250) feet of the proposed facility. The applicant shall provide proof of the notification to the Borough.

3. Permitted by Special Exception. Any applicant proposing the construction of a new Tower-Based Wireless Communications Facility shall present testimony and evidence to the Zoning Hearing Board that the proposed facility meets the criteria set forth in this Ordinance. Tower-Based WCFs shall only be permitted by special exception.
4. Co-Location and Siting. An application for a new Tower-Based WCF shall not be approved unless the Borough finds that the wireless communications equipment planned for the proposed Tower-Based WCF cannot be accommodated on an existing or approved structure or building, or on Borough property. The applicant shall demonstrate that it contacted the owners of tall structures, buildings, and towers within a one quarter (1/4) of a mile radius of the site proposed, sought permission to install an Antenna on those structures, buildings, and towers and was denied for one of the following reasons:
 - a. The proposed Antenna and Related Equipment would exceed the structural capacity of the existing building, structure or tower, and its reinforcement cannot be accomplished at a reasonable cost.
 - b. The proposed Antenna and Related Equipment would cause radio frequency interference with other existing equipment for that existing building, structure, or tower and the interference cannot be prevented at a reasonable cost.
 - c. Such existing buildings, structures, or towers do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - d. A commercially reasonable agreement could not be reached with the owner of such building, structure, or tower.
5. Permit Required for Modifications. Any applicant proposing the modification of an existing Tower-Based WCF, which increases the overall height of such WCF, shall first obtain a Zoning Permit from the Borough zoning office. Non-routine modifications shall be prohibited without a Zoning Permit.
6. Gap in Coverage. An applicant for a Tower-Based WCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or non-existence of a gap in wireless coverage shall be a factor in the Borough's decision on an application for approval of Tower-Based WCFs.
7. Additional Antennae. As a condition of approval for all Tower-Based WCFs, the WCF applicant shall provide the Borough with a written commitment that it will allow other service providers to co-locate Antennae on Tower-Based WCFs where technically and economically feasible. The owner of a Tower-Based WCF shall not install any additional Antennae without obtaining the prior written approval of the Borough.

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8. Wind. Any Tower-Based WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA-222-E, as amended).
 9. Siting. No Tower-Based WCF shall be sited or constructed within 1,500 feet of any other Tower-Based WCF in the Borough.
 10. Height. Any Tower-Based WCF shall be designed at the minimum functional height. All Tower-Based WCF applicants must submit documentation to the Borough justifying the total height of the structure. The maximum total height of any Tower-Based WCF, which is not located in the public ROW, shall not exceed one hundred (100) feet, as measured vertically from the ground level to the highest point on the structure, including Antennae and subsequent alterations. Equipment buildings, cabinets, and accessory structures shall not exceed fifteen (15) feet in height.
 11. Related Equipment. A telecommunication equipment building, or any other structure associated with a Tower-Based WCF, shall meet the height and setback requirements for principal buildings in the zoning district in which the building is located. When a zoning district contains more than one set of setback requirements, the largest setback shall apply.
 12. Public Safety Communications. No Tower-Based WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
 13. Maintenancce. The following maintenance requirements shall apply:
 - a. Any Tower-Based WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
 - b. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Borough's residents.
 - c. All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.
 14. Radio Frequency Emissions. No Tower-Based WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.
 15. Historic Buildings or Districts. No Tower-Based WCF may be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places, or eligible to be so listed, or is included in the official historic structures and/or historic districts list maintained by the Borough.

16. Signs. All Tower-Based WCFs shall post a sign in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency. Absent controlling FAA or FCC regulations, no additional signage shall be permitted on the Tower-Based WCF.
17. Lighting. No Tower-Based WCF shall be artificially lighted, except as required by law. Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.
18. Noise. Tower-Based WCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards under state law and the Borough Code, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.
19. Aviation Safety. Tower-Based WCFs shall comply with all federal and state laws and regulations concerning aviation safety.
20. Retention of Experts. The Borough may hire any consultant(s) and/or expert(s) necessary to assist the Borough in reviewing and evaluating the application for approval of the Tower-Based WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Ordinance. The applicant and/or owner of the WCF shall reimburse the Borough for all costs of the Borough's consultant(s) in providing expert evaluation and consultation in connection with these activities.
21. Timing of Approval. Within thirty (30) calendar days of the date that an application for a Tower-Based WCF is filed with the Borough, the Borough shall notify the applicant in writing of any information that may be required to complete such application. All applications for Tower-Based WCFs shall be acted upon within one hundred fifty (150) days of the receipt of a fully completed application for the approval of such Tower-Based WCF and the Borough shall advise the applicant in writing of its decision. If additional information was requested by the Borough to complete an application, the time required by the applicant to provide the information shall not be counted toward the one hundred fifty (150) day review period.
22. Non-Conforming Uses. Non-conforming Tower-Based WCFs which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location, but must otherwise comply with the terms and conditions of this Ordinance.
23. Removal. In the event that use of a Tower-Based WCF is planned to be discontinued, the owner shall provide written notice to the Borough of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:

- a. All unused or abandoned Tower-Based WCFs and accessory facilities shall be removed within six (6) months of the cessation of operations at the site unless a time extension is approved by the Borough.
 - b. If the WCF and/or accessory facility is not removed within six (6) months of the cessation of operations at a site, or within any longer period approved by the Borough, the WCF and accessory facilities and equipment may be removed by the Borough and the cost of removal assessed against the owner of the WCF.
 - c. Any unused portions of Tower-Based WCFs, including Antennae, shall be removed within six (6) months of the time of cessation of operations. The Borough must approve all replacements of portions of a Tower-Based WCF previously removed.
24. Permit Fees. The Borough may assess appropriate and reasonable permit fees directly related to the Borough's actual costs in reviewing and processing the application for approval of a Tower-Based WCF, as well as related inspection, monitoring and related costs.
25. FCC License. Each Person that owns or operates a Tower-Based WCF shall submit a copy of its current FCC license, including the name, address, and emergency telephone number for the operator of the facility.
26. Reservation of Rights. In accordance with applicable law, the Borough reserves the right to deny an application for the construction or placement of any Non-Tower WCF for numerous factors, which include but are not limited to, visual impact, design, and safety standards.
27. Insurance. Each Person that owns or operates a Tower-Based WCF greater than forty (40) feet in height shall provide the Borough with a certificate of insurance evidencing general liability coverage in the minimum amount of \$5,000,000 per occurrence and property damage coverage in the minimum amount of \$5,000,000 per occurrence covering the Tower-Based WCF. Each Person that owns or operates a Tower-Based WCF forty (40) feet or less in height shall provide the Borough with a certificate of insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering each Tower-Based WCF.
28. Indemnification. Each Person that owns or operates a Tower-Based WCF shall, at its sole cost and expense, indemnify, defend and hold harmless the Borough, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the Person, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of the Tower-Based WCF. Each Person that owns or

operates a Tower-Based WCF shall defend any actions or proceedings against the Borough in which it is claimed that personal injury, including death, or property damage was caused by the construction, installation, operation, maintenance or removal of Tower-Based WCF. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs and all other costs of indemnification.

29. Engineer Signature. All plans and drawings for a tower and Antenna shall contain a seal and signature of a professional structural engineer, licensed in the Commonwealth of Pennsylvania.
30. Financial Security. Prior to receipt of a zoning permit for the construction or placement of a Tower-Based WCF, the applicant shall provide to the Borough financial security sufficient to guarantee the removal of the Tower-Based WCF. Said financial security shall remain in place until the Tower-Based WCF is removed.

SECTION IX. Tower-Based Facilities Outside the Rights-of-Way

- A. The following additional regulations shall apply to Tower-Based Wireless Communications Facilities located outside the Rights-of-Way:

1. Development Regulations:

- a. Location. No Tower-Based WCF shall be located in an area in which utilities are underground.

- i. The following regulations shall apply to Tower-Based WCFs greater than forty (40) feet in height:

1. Such Tower-Based WCFs may be located in the following zoning districts, subject to Section IX(A)(1)(b)(2) of this Ordinance:

- a. R-1 Residential District.

- b. R-3 Residential District.

- c. C-1 Commercial District.

2. Such Tower-Based WCFs shall not be located in, or within one hundred fifty (150) feet of, any area in which utilities are underground.

- ii. In accordance with the provisions listed in Section X of this Ordinance, the following regulations shall apply to Tower-Based WCFs forty (40) feet or shorter in height:

1. Such Tower-Based WCFs shall be permitted along Rochester Road.
 2. Such Tower-Based WCFs shall not be located in the front façade zone of any structure.
- b. Site Requirements. A Tower-Based WCF may be located as permitted in the district regulations, subject to all of the conditions listed in this Ordinance.
 - c. Sole Use on a Lot. A Tower-Based WCF shall be not permitted as a sole use on a lot.
 - d. Combined with Another Use. A Tower-Based WCF may be permitted on a property with an existing use, or on a vacant parcel in combination with another use, except residential, subject to the following conditions:
 - i. The existing use on the property may be any permitted use in the applicable district, and need not be affiliated with the communications facility.
 - ii. Minimum Lot Area. The minimum lot shall comply with the requirements for the applicable district and shall be the area needed to accommodate the Tower-Based WCF and guy wires, the equipment building, security fence, and buffer planting if the proposed WCF is greater than forty (40) feet in height.
 - iii. Minimum Setbacks. The foundation and base of any Tower-Based WCF over forty (40) feet in height shall be set back from property lines by the largest of the following:
 1. The minimum set back in the underlying zoning district.
 2. Fifty (50) feet from other property lines.
2. Design Regulations:
- a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the Borough.
 - b. To the extent any height extensions to an existing Tower-Based WCF shall require prior approval of the Borough.
 - c. Any proposed Tower-Based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's Antennae and comparable Antennae for future users.

- d. Any Tower-Based WCF over forty (40) feet in height shall be equipped with an anti-climbing device, as approved by the manufacturer.

3. Surrounding Environs:

- a. The WCF applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the WCF structure shall be preserved to the maximum extent possible.
- b. The WCF applicant shall submit a soil report to the Borough complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA-222-E, as amended, to document and verify the design specifications of the foundation of the Tower-Based WCF, and anchors for guy wires, if used.

4. Fence/Screen:

- a. A security fence having a minimum height of six (6) feet shall completely surround any Tower-Based WCF greater than forty (40) feet in height, as well as guy wires, or any building housing WCF equipment.
- b. Landscaping shall be installed to screen and buffer the tower and any ground level features, such as an equipment building, from adjacent properties, and shall be subject to the approval of the Borough.

5. Accessory Equipment:

- a. Ground-mounted equipment associated to, or connected with, a Tower-Based WCF shall be underground or screened from public view using Stealth Technologies, as described above.
- b. All utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated and shall meet the minimum setback requirements of the underlying zoning district.

6. Access Road. An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to Tower-Based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion. Where applicable, the WCF owner shall present documentation to the Borough that the property owner has granted an easement for the proposed facility.

7. Parking. For each Tower-Based WCF greater than forty (40) feet in height, there shall be two off-street parking spaces, or one space per employee, whichever is greater.

8. Inspection. The Borough reserves the right to inspect any Tower-Based WCF to ensure compliance with the provisions of this Ordinance and any other provisions found within the Borough Code or state or federal law. The Borough and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

SECTION X. Tower-Based Facilities in the Rights-of-Way

The following regulations shall apply to Tower-Based Wireless Communications Facilities located in the Rights-of-Way:

1. Prohibited in Underground Utility Areas.
 - a. Tower-Based WCFs forty (40) feet or shorter in height shall only be permitted along Rochester Road.
 - b. Such Tower-Based WCFs shall not be located in the front façade zone of any structure.
2. Time, Place and Manner. The Borough shall determine the time, place and manner of construction, maintenance, repair and/or removal of all Tower-Based WCFs in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Borough and the requirements of the Public Utility Code.
3. Equipment Location. Tower-Based WCFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Borough. In addition:
 - a. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb.
 - b. Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Borough.
 - c. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Borough.
 - d. Any graffiti on the tower or on any accessory equipment shall be removed at the sole expense of the owner within ten (10) business days of notice of the existence of the graffiti.

- e. Any underground vaults related to Tower-Based WCFs shall be reviewed and approved by the Borough.

4. Design Regulations.

- a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the Borough.
- b. Tower-Based WCFs in the public ROW shall not exceed forty (40) feet in height.
- c. Any height extensions to an existing Tower-Based WCF shall require prior approval of the Borough, and shall not increase the overall height of the Tower-Based WCF to more than forty (40) feet.
- d. Any proposed Tower-Based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's Antennae and comparable Antennae for future users.

5. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the Borough, or such longer period as the Borough determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of Tower-Based WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the Borough, consistent with its police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

- a. The construction, repair, maintenance or installation of any Borough or other public improvement in the Right-of-Way;
- b. The operations of the Borough or other governmental entity in the Right-of-Way;
- c. Vacation of a street or road or the release of a utility easement; or
- d. An Emergency as determined by the Borough.

SECTION XI.

Miscellaneous

- a. Police Powers. The Borough, by granting any permit or taking any other action pursuant to this Chapter, does not waive, reduce, lessen or impair the lawful police powers vested in the Borough under applicable federal, state and local laws and regulations.
- b. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held illegal or invalid by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not render the remainder of this Chapter invalid.

- 000024
- c. Effective Date. This Ordinance shall become effective thirty (30) days after enactment by the West View Borough Council.

ORDAINED and ENACTED this 11th day of December, 2014

BOROUGH OF WEST VIEW

ATTEST:

BY: Bruce A. Fromlak
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: Barry G. Schell
Barry G. Schell
President of Town Council

EXAMINED and APPROVED this 11th day of December 2014

BY: J. R. Henry
J. R. Henry, Mayor

OFFICIAL BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1485

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR AN AMNESTY PROGRAM FOR THE PAYMENT OF DELINQUENT BUSINESS PRIVILEGE TAX AND DELINQUENT MERCANTILE TAX, PURSUANT TO ACT 511, AS SET FORTH HEREIN.

WHEREAS, the Borough of West View, Township of Ross, and North Hills School District desire to provide an amnesty program for delinquent Business Privilege and Mercantile Taxes, within their respective jurisdictions; and

WHEREAS, that said entities have agreed to a joint amnesty program pursuant to the within criteria.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View as follows:

1. That an amnesty program shall apply, as set forth herein, to all delinquent Business Privilege Tax and/or Mercantile Taxes imposed within the Borough of West View, as to all such taxes being delinquent as of the date that this Ordinance becomes effective;
2. That the terms and conditions of this Ordinance shall be in effect for the period of June 1, 2015, through December 31, 2015;
3. That this program applies only to taxpayers, whether individuals or entities, who voluntarily identify themselves, and make arrangements to pay all delinquent taxes, as well as any and all interest due, for all tax years ending after January 1, 2008. This program does not include taxpayers who have been identified previous to the date of this Ordinance by the tax collector for West View Borough, for whom any tax collection effort has commenced as of the date of this Ordinance;
4. That any taxpayer who participates in said amnesty program, and complies with all aspects of the program, shall have any penalties associated with their delinquent taxes waived, as well as any taxes, penalty or interest that may be due and owing prior to January 1, 2008;
5. That in order to participate in this program, the taxpayer must file and pay all taxes, as well as any interest that is due and owing, during the amnesty period, that is

000826


between June 1, 2015, and December 31, 2015. Payment is due at the time of filing, and payment plans will not be provided for amounts due and owing under said amnesty program;


6. That any taxpayer participating in the amnesty program will be required to remain current in their Business Privilege and Mercantile Taxes for a minimum of five (5) calendar years for their participation in this program. If they do not remain current on all filings and taxes due and owing, any waived penalties, as well as any waived taxes, penalties and interest for tax years prior to 2008, will be reinstated and become immediately due and owing;
7. That any taxpayer participating in this amnesty program will be ineligible for any future amnesty program for the taxes that are included in this amnesty program;
8. That said taxpayers are also subject to audit, and if the audit reveals an under-reporting of gross receipts of more than ten (10) percent, all waived penalties and other amounts will be reinstated; and
9. That the implementation of this amnesty program is subject to approval by all three legislative bodies, that being the Borough of West View, the Township of Ross, and the North Hills School District. The failure of any three of the legislative bodies to approve said program will render the same null and void.

ORDAINED and ENACTED this 2nd day of April, 2015.

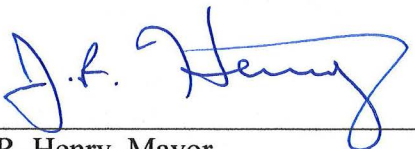
ATTEST:

BOROUGH OF WEST VIEW

BY: 
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: 
Barry G. Schell
President of Town Council

EXAMINED and APPROVED this 2nd day of April, 2015

BY: 
J. R. Henry, Mayor
Borough of West View

OFFICIAL BOROUGH OF WEST VIEW
ORDINANCE #1486

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR A SEWER TAPPING FEE FOR SERVICES PROVIDED TO NEW CUSTOMERS OF THE HIGHLAND PLANNED RESIDENTIAL DEVELOPMENT, IN ACCORDANCE WITH SECTION 2053 OF THE BOROUGH CODE.

WHEREAS, the Borough of West View, (hereinafter referred to as the "Borough") is a body corporate and politic, organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Pennsylvania Borough Code, 8 Pa. C.S.A. Section 2053, authorizes that "any borough may, by ordinance, provide for charging a tapping fee if the owner of any property connects the property with a sanitary sewer system constructed or acquired by the borough if the tapping fee is calculated in accordance with 53 Pa. C.S.A. Section 5607 (relating to purposes and powers); and

WHEREAS, Pa. C.S.A. Section 5607(d)(24) sets forth the methodology of structuring and calculating tapping fees to connect to a sanitary sewer system; and

WHEREAS, the fees shall be in addition to any charges assessed against the property related to the construction of a public sanitary sewer by the Borough; and

WHEREAS, the Borough, at its regular meeting held on September 10, 2015, discussed appropriate fees as permitted by the Act, based upon recommendation of the Borough's Consulting Engineer.

NOW, THEREFORE, be it resolved by the Council of the Borough of West View,
Allegheny County, Pennsylvania, as follows:

1. That a tapping fee, in the amount of \$2,400.00 per EDU, shall be assessed against all properties within the Highland Planned Residential Development.
2. That the adoption of such a fee is hereby adopted in accordance with the relevant portions of the Borough Code and the Pennsylvania Municipality Authorities Act as to the calculation of said fee.
3. The effective date of this Ordinance is September 10, 2015.

ORDAINED and ENACTED this 10th day of September, 2015

ATTEST:

BOROUGH OF WEST VIEW

BY: Bruce A. Fromlak
Chief of Police Bruce A. Fromlak

BY: Barry G. Schell
Barry G. Schell, President of Town Council
Borough of West View

EXAMINED and APPROVED this 10th day of September, 2015

BY: J.R. Henry
J.R. Henry, Mayor

OFFICIAL

BOROUGH OF WEST VIEW

ORDINANCE NUMBER 1487

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY,
FIXING THE TAX RATE FOR THE YEAR 2016.

Be it ORDAINED and ENACTED by the Town Council of the Borough of West View and it is hereby ORDAINED and ENACTED by and with the Authority of the same:

That a tax be and the same is hereby levied on all real property within the Borough of West View subject to taxation for the Fiscal Year 2016 as follows:

Tax Rate for general purposes,
the sum of 5.40 Mills
on each Dollar of assessed valuation

That any Ordinance, or part of Ordinance, in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ORDAINED and ENACTED this 10th day of December 2015

BOROUGH OF WEST VIEW

BY: 

Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: 

Barry G. Schell
President of Town Council

EXAMINED and APPROVED this 10th day of December 2015

BY: 

J. R. Henry, Mayor

0000030

OFFICIAL
BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1488

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT HEREINAFTER SET FORTH, DURING THE YEAR 2016.

Be it ORDAINED and ENACTED, and it is hereby ORDAINED and ENACTED by the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania:

SECTION 1 - That the revenues and expenditures of Fiscal Year 2016, the following amounts are hereby appropriated from the fund equities, revenues and other financing sources available for the Year 2016 for the specific purposes set forth on the following pages

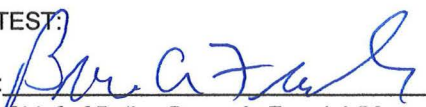
Revenue Source	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
Taxes & Fees	2,732,400.00				2,732,400.00
Licenses/Permits	195,780.00				195,780.00
Fines/Forfeits	59,000.00				59,000.00
Interest/Rents	200.00	115,500.00			115,700.00
Entitlements	339,500.00		171,400.00	934,174.00	1,445,074.00
Dept. Earnings	110,900.00				110,900.00
Mis. Revenue	236,000.00	200,000.00		468,016.00	904,016.00
TOTAL	3,673,780.00	315,500.00	171,400.00	1,402,190.00	5,562,870.00

Expenditure Category	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
General Gov't	336,580.00	95,500.00			432,080.00
Public Safety	1,366,900.00				1,366,900.00
Health & Welfare	24,000.00			934,174.00	958,174.00
Hwy/Roads/Streets	1,201,000.00		171,400.00		1,372,400.00
Rec/Parks/Lib/Civil	33,000.00				33,000.00
Debt Service	42,500.00	215,000.00		468,016.00	725,516.00
Ins. Prem/Ben	669,800.00	5,000.00			674,800.00
TOTAL	3,673,780.00	315,500.00	171,400.00	1,402,190.00	5,562,870.00

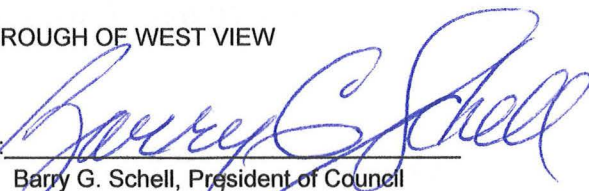
SECTION 2 - That any Ordinance or part of Ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ADOPTED this 10th day of December 2015

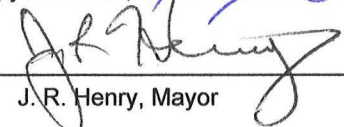
ATTEST:

BY: 
Chief of Police Bruce A. Fromlak/Manager

BOROUGH OF WEST VIEW

BY: 
Barry G. Schell, President of Council

EXAMINED and APPROVED this 10th day of December 2015

BY: 
J. R. Henry, Mayor

OFFICIAL BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1489

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, IN THE COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, REPLACING ORDINANCE NO. 1445, RELATING TO STORM WATER MANAGEMENT.

WHEREAS, the Borough of West View adopted a Storm Water Management Ordinance on September 10, 2008, known as Ordinance No. 1445; and

WHEREAS, it has been determined that certain changes should be made to the Storm Water Management Ordinance, and said Ordinance should be amended in the manner set forth below.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View that the following Storm Water Management Ordinance shall amend and replace the current Storm Water Management Ordinance (Ordinance No. 1445), in its entirety.

TABLE OF CONTENTS

Article I:	General Provisions
Article II:	Definitions
Article III:	Storm water Plan Content
Article IV:	Storm water Management for Water Quality
Article V:	Storm water BMP Operations and Maintenance Requirements
Article VI:	Inspections and Right of Entry
Article VII:	Fees and Expenses
Article VII:	Enforcement and Penalties

APPENDICES

- 1: Low Impact Development Practices
- 2: Operations and Maintenance Agreement
- 3: Storm water Best Management Practices Operations and Maintenance Agreement
- 4: Pollutant Loads from Specific Land Use
- 5: Small Project Storm Water Management Plan Application

ARTICLE I - GENERAL PROVISIONS

Section 101. Short Title.

This Ordinance shall be known and may be cited as the Borough of West View Storm Water Management Ordinance."

Section 102. Statement of Findings.

The governing body of the Municipality finds that:

- A. Storm water runoff from lands modified by human activities threatens public health and safety by causing decreased infiltration of rainwater and increased runoff flows and velocities, which overtax the carrying capacity of existing streams and storm sewers, and greatly increases the cost to the public to manage storm water.
- B. Inadequate planning and management of storm water 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 stream-beds 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.
- C. A program of storm water management, including reasonable regulation of land development and redevelopment causing loss of natural infiltration, is fundamental to the public health, safety, welfare, and the protection of the people of the Municipality and all the people of the Commonwealth, their resources, and the environment.
- D. Storm water can be an important water resource by providing groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.
- E. Public education on the control of pollution from storm water is an essential component in successfully addressing storm water.
- F. Federal and state regulations require certain municipalities to implement a program of storm water controls. These municipalities are required to obtain a permit for storm water discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).
- G. Non-storm water discharges to municipal separate storm sewer systems can contribute to pollution of waters of the Commonwealth by the Municipality.

Section 103. Purpose

The purpose of this Ordinance is to promote health, safety, and welfare within the Municipality and its watershed by minimizing the harms and maximizing the benefits described in Section 102 of this Ordinance, through provisions designed to:

- A. Manage storm water runoff impacts at their source by regulating activities that cause the problems.
- B. Provide review procedures and performance standards for storm water planning and management.

- C. Utilize and preserve the existing natural drainage systems as much as possible.
- D. Manage storm water impacts close to the runoff source, which requires a minimum of structures and relies on natural processes.
- E. Focus on infiltration of storm water, to maintain groundwater recharge, to prevent degradation of surface and groundwater quality and to otherwise protect water resources.
- F. Maintain existing flows and quality of streams and watercourses.
- G. Meet legal water quality requirements under state law, including regulations at 25 Pa. Code Chapter 93.4a to protect and maintain "existing uses" and maintain the level of water quality to support those uses in all streams, and to protect and maintain water quality in "special protection" streams.
- H. Prevent scour and erosion of stream banks and streambeds.
- I. Provide for proper operations and maintenance of all permanent storm water management BMPs that are implemented in the Municipality.
- J. Provide a mechanism to identify controls necessary to meet the NPDES Permit requirements.
- K. Implement an illegal discharge detection and elimination program to address non-storm water discharges into the Municipality's separate storm sewer system.

Section 104. Statutory Authority

The Municipality is empowered to regulate land use activities that affect storm water impacts by the authority of the Pennsylvania Borough Code, 8 Pa. C.S.A. Section 101, et seq.

Section 105. Applicability

- A. This Ordinance applies to any Earth Disturbance activities within the Municipality, and all storm water runoff entering into the Municipality's separate storm sewer system from lands within the boundaries of the Municipality.
- B. Earth disturbance activities and associated storm water management controls are also regulated under existing state law and implementing regulations. This Ordinance shall operate in coordination with those parallel requirements; the requirements of this Ordinance shall be no less restrictive in meeting the purposes of this Ordinance than state law.

Section 106. Repealer

Any other ordinance provision(s) or regulation of the Municipality inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only.

Section 107. Severability

In the event that any section or provision of this Ordinance is declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

Section 108. Compatibility with Other Requirements

- A. Approvals issued and actions taken under this Ordinance do not relieve the Applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation or ordinance. To the extent that this Ordinance imposes more rigorous or stringent requirements for storm water management, the specific requirements contained in this Ordinance shall be followed.
- B. Nothing in this Ordinance shall be construed to affect any of the Municipality 's requirements regarding storm water matters which do not conflict with the provisions of this Ordinance, such as local storm water management design criteria (e.g. inlet spacing, inlet type, collection system design and details, outlet structure design, etc.). Conflicting provisions in other municipal ordinances or regulations shall be construed to retain the requirements of this ordinance addressing State Water Quality Requirements.

ARTICLE II – DEFINITIONS

For the purposes of this Ordinance, certain terms and words used herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.
- B. The word "includes" or "including" shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.
- C. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.

Agricultural Activity - Activities associated with agriculture such as agricultural cultivation, agricultural operation, and animal heavy use areas. This includes the work of producing crops including tillage, land clearing, plowing, disking, harrowing, planting, harvesting crops or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

Accelerated Erosion - The removal of the surface of the land through the combined action of human activities and the natural processes, at a rate greater than would occur because of the natural process alone.

Applicant - A landowner, developer or other person who has filed an application for approval to engage in any Regulated Earth Disturbance activity at a project site in the Municipality.

BMP (Best Management Practice) - Activities, facilities, designs, measures or procedures used to manage storm water impacts from Regulated Earth Disturbance activities, to meet State Water Quality Requirements, to promote groundwater recharge and to otherwise meet the purposes of this Ordinance. BMPs include but are not limited to infiltration, filter strips, low impact design, bio-retention, wet ponds, permeable paving, grassed swales, forested buffers, sand filters and detention basins.

Cash Security – Cash, certified check, or treasurer’s check.

Conservation District – The Allegheny County Conservation District.

DEP – The Pennsylvania Department of Environmental Protection.

Design Storm - The magnitude of precipitation from a storm event, measured in probability of occurrence, such as the 100-year storm and duration, such as 24-hour, and used in designing storm water management control systems.

Developer - A person that seeks to undertake any Regulated Earth Disturbance activities at a project site in the Municipality.

Development - See "Earth Disturbance Activity." The term includes redevelopment.

Development Site - The specific tract of land where any Earth Disturbance activities in the Municipality are planned, conducted or maintained.

Dye Test - Any commonly accepted method of testing whereby dye is introduced into the storm, surface or subsurface water collection system and downspouts of structures or improvements to real property to determine if surface storm water is entering into the sanitary sewer system.

Earth Disturbance Activity - A construction or other human activity which disturbs the surface of the land, including, but not limited to, clearing and grubbing, grading, excavations, embankments, road maintenance, building construction and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

Erosion - The process by which the surface of the land, including channels, is worn away by water, wind, or chemical action.

Erosion and Sediment Control Plan - A plan for a project site which identifies BMPs to minimize accelerated erosion and sedimentation.

Forest Management / Timber Operations - Forest Management / Timber Operations: Planning and activities necessary for the management of forestland. These include conducting a timber inventory, preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation, and reforestation.

Groundwater Recharge - Replenishment of existing natural underground water supplies.

Hydrologic Soil Group - Infiltration rates of soils vary widely and are affected by subsurface permeability as well as surface intake rates. Soils are classified into four HSGs (A, B, C, and D) according to their minimum infiltration rate, which is obtained for bare soil after prolonged wetting. The NRCS defines the four groups and provides a list of most of the soils in the United States and their group classification. The soils in the area of the development site may be identified from a soil survey report that can be obtained from local NRCS offices or conservation district offices. Soils become less pervious as the HSG varies from A to D (NRCS 3,4).

Impervious Surface - A surface that prevents the infiltration of water into the ground. Impervious surface includes, but is not limited to, any roof, parking or driveway areas, and any new streets and sidewalks. Any surface areas designed to initially be gravel or crushed stone shall be assumed to be impervious surfaces.

Land Development - The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively. or a single nonresidential building on a lot, or lots regardless of the number of occupants or tenure, or the division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas,

leaseholds, condominiums, building groups, or other features, or a subdivision of land.

Municipality – Borough of West View, Allegheny County, Pennsylvania.

NPDES – National Pollutant Discharge Elimination System, the federal government's system for issuance of permits under the Clean Water Act, which is delegated to DEP in Pennsylvania.

Outfall - The point or location at which storm water leaves a site, which may include streams, storm sewers, swales or other well defined natural or artificial drainage features, as well as areas of dispersed overland flow.

Person - An individual, partnership, public or private association or corporation, or a governmental unit, public utility or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

Point Source – Any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, or conduit from which storm water is or may be discharged, as defined in State regulations at 25 Pa. Code § 92.1.

Project Site - The specific area of land where any Regulated Earth Disturbance activities in the Municipality are planned, conducted or maintained.

Qualified Person or Qualified Professional - Any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by this Ordinance.

Redevelopment - Earth Disturbance activities on land which has previously been disturbed or developed.

Regulated Activity - Any earth disturbance activities or any activities that involve the alteration or development of land in a manner that may affect storm water runoff.

Regulated Earth Disturbance Activity – Earth disturbance activity one acre or more with a point source discharge to surface waters or the Municipality's storm sewer system, or five acres or more regardless of the planned runoff. This includes earth disturbance on any portion of, part, or during any stage of, a larger common plan of development. This only includes road maintenance activities involving 25 acres or more or earth disturbance.

Road Maintenance - Earth disturbance activities within the existing road cross-section, such as grading and repairing existing unpaved road surfaces, cutting road banks, cleaning or clearing drainage ditches and other similar activities.

Runoff - That part of precipitation that flows over the land.

Separate Storm Sewer System - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) primarily used for collecting and conveying storm water runoff.

State Water Quality Requirements - Qualified Person or Qualified Professional: Any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by this Ordinance.

A. Each stream segment in Pennsylvania has a “designated use”, such as “cold water fishery”

or "potable water supply", which are listed in Chapter 93. These uses must be protected and maintained, under state regulations;

- B. "Existing uses" are those attained as of November 1975, regardless whether they have been designated in Chapter 93. Regulated Earth Disturbance activities must be designed to protect and maintain existing uses and maintain the level of water quality necessary to protect those uses in all streams, and to protect and maintain water quality in special protection streams; and
- C. Water quality involves the chemical, biological and physical characteristics of surface water bodies. After Regulated Earth Disturbance activities are complete, these characteristics can be impacted by addition of pollutants such as sediment, and changes in habitat through increase flow volumes and/or rates as a result of changes in land surface area from those activities. Therefore, permanent discharges to surface waters must be managed to protect the stream bank, streambed and structural integrity of the waterway, to prevent these impacts.

Storm water – The surface runoff generated by precipitation reaching the ground surface.

Storm water Management Plan - The Allegheny County Storm Water Management Plan for managing storm water runoff adopted by the county of Allegheny as required by the Act of October 4, 1978, P.L. 864, (Act 167), as amended, and known as the "Storm Water Management Act."

Storm water Management Site Plan - The plan prepared by the developer or his representative indicating how storm water runoff will be managed at the development site in accordance with this Ordinance. Storm water Management Site Plan will be designated as SWM Site Plan throughout this Ordinance.

Surface Waters of the Commonwealth - Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Watercourse - A channel or conveyance of surface water, such as a stream or creek, having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

Watershed - Region or area drained by a river, watercourse or other body of water, whether natural or artificial.

Waters of this Commonwealth - Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Article III - STORM WATER PLAN CONTENT

Section 301. Storm Water Plan Content

- A. No final subdivision or land development plan shall be approved, no permit authorizing construction issued, or any earthmoving or land disturbance activity initiated until the final storm water management plan for the development site is approved in accordance with the provisions of this Ordinance.

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B. A letter from the Allegheny County Conservation District (ACCD) approving the Erosion and Sedimentation Control Plan must also be received prior to the initiation of any grading. In the event that submission to the ACCD is not required by the Borough, an Erosion and Sedimentation Control Plan prepared in accordance with the most recent version of PADEP Chapter 102, Erosion and Sedimentation Control Program Manual must be approved by the Borough.

C. Exemptions – The following activities are specifically exempt from this Ordinance:

1. Use of land for gardening primarily for home consumption.
2. Use of land for construction of landscaping improvements provided such improvements do not significantly alter the runoff characteristics for the land.
3. Agricultural use of lands when operated in accordance with a farm conservation plan approved by the ACCD, or when it is determined by the ACCD that such use will not cause excessive erosion and sedimentation.

D. The Storm Water Management Plan for all developments except small developments, as defined in 401.N, shall consist of the following four (4) components:

1. Narrative Report: The Narrative Report shall consist of a general statement of the project giving the purpose and engineering assumptions and calculations for control measures and facilities. The following information shall be included.

- (a) General description of the project.
- (b) General description of accelerated runoff control plan.
- (c) General description of erosion and sedimentation control plan.
- (d) Expected project time schedule, including anticipated start and completion dates.
- (e) Location and watershed characteristics.
- (f) Hydraulic and hydrologic calculations, methodology and basis of design.
- (g) Brief soils description.
- (h) The name, address, and phone number of consultant who prepared the storm water management plan.
- (i) Storm water management report date and date of the latest revision to the report.
- (j) Typewritten narrative report that shall include sections describing the following items:
 - [1] Storm water management plan objectives.
 - [2] Hydrologic procedures used to develop plan.
 - [3] Description(s) of pre-development watershed conditions.

- [4] Description(s) of post-development watershed conditions.
 - [5] Description(s) of proposed plan and method(s) to handle post-development runoff.
 - [6] Description(s) of proposed detention facility(s) and proposed outlet control.
 - [7] Summary tables for pre-development and post-development peak flows, detention facility(s) allowable release rates, stage-storage-outflow characteristics and storm-routing results.
- (k) Watershed maps delineating pre-development and post-development watershed boundaries, as well as the flow path and segments used to determine time of concentrations for each watershed.
 - (l) Storm sewer calculations and watershed map delineating all sub-areas used to size and compute flow for storm sewer system.
 - (m) Operation and Maintenance Program: The report shall contain a proposed maintenance plan for all storm water control facilities, in accordance with the following:
 - (n) Identify the proposed ownership entity (e.g. Borough, property owner, homeowner's association, other management entity.)
 - (o) A maintenance program for all facilities, outlining the type of maintenance activities, probable frequencies, personnel and equipment requirements, and estimated annual maintenance costs.

2. Preliminary Plan: The preliminary plan shall provide, and be accompanied by, maps and other descriptive material indicating the feasibility of the plan and showing the following:

- (a) A key map showing the development site's location within the designated watershed and watershed sub-sheds (consult watershed storm water plans for boundaries). On all site drawings, show the boundaries of the watershed(s) and subarea(s) as they are located on the development site and identify the watershed names and/or sub-shed numbers.
- (b) Location of the 100-year floodplain on the development site based on West View Borough's Flood Insurance Study Maps or a determination by the applicant's engineer.
- (c) An overlay showing soil types and boundaries within the development site.
- (d) The streets, storm sewers and other storm drains to be built, the basis of their design, the outfall and outlet locations and elevations, the receiving stream or channel and its high water elevation and the functioning of the drains during high water conditions.
- (e) The parts of the proposed parking area pavements, if any, which are planned to be depressed to provide storm water storage or conveyance. A maximum of six inches (6") depth of water may be ponded in a proposed parking area.

- (f) Existing streams and watercourses to be maintained and new channels to be constructed, their locations, cross-sections and profiles.
- (g) Proposed culverts and bridges to be built, if any, their materials, elevations, waterway openings and basis of design.
- (h) Existing detention ponds and basins to be maintained, enlarged or otherwise altered and new ponds or basins to be built and the basis of their design.
- (i) The approximate location and percentage of the total land area in the development which will be covered by impervious surfaces after construction is completed.
- (j) The slope, type and size of all proposed and existing storm sewers and other waterways.
- (k) Existing contours at intervals of two (2) feet except in areas with slopes greater than fifteen percent (15%), in which case five (5) foot contour intervals may be used.
- (l) All natural features, including bodies of water (natural and artificial), watercourses (permanent and intermittent), swales, wetlands and other natural drainage courses on the development site and those off-site which will be affected by runoff from the development.
- (m) Approximate depth, shape, size and storage of any proposed retention facility.
- (n) Infiltration BMPs shall be spread out and shallow as much as practicable.
- (o) One or more typical cross-sections of all existing and proposed channels or other open drainage facilities, showing the elevation of the existing land and the proposed changes thereto, together with the high water elevations expected from the 100-year storm under the controlled conditions called for by this Ordinance and the relationship of structures, streets and other utilities.
- (p) A site plan showing the property lines, dimensions of the site and location of existing and proposed structures, sewers, waterlines, easements and rights-of-way.
- (q) Certification of the registered PA engineer responsible for preparation of the plan.
- (r) A list of the permits and approvals relative to storm water management that will be required from other governmental agencies and anticipated dates of submission and receipt. Copies of the applications may be requested by the Borough Engineer where they may be helpful for the storm water plan review.

3. Final Plan: Upon approval of the preliminary plan, the final plan shall be submitted to the Borough. The final plan shall provide all descriptive material and maps previously submitted and required prior to the final plan, in addition to the following items:

- (a) All calculations, assumptions and criteria used in the design of the storm sewer system, detention facilities and sediment and erosion control operations. Hydraulic and energy grade lines shall be provided for proposed storm sewers if, in the opinion of the Borough Engineer, they are required to evaluate the storm system.

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Management Plan, the Borough shall have right of access to the onsite detention facility for the right of maintenance in the event the Owner, assigns or heirs do not adequately maintain the facility. The Owner, assigns or heirs shall reimburse the Borough for all costs associated with said maintenance. The aforementioned rights granted the Borough in no way diminish the responsibility of the Owner, assigns or heirs of said maintenance, and no liability will be assumed by the Borough associated with required access for maintenance purposes."

4. Maintenance Plan and Agreement: A maintenance plan establishing ownership and maintenance responsibilities for all storm water control facilities (identifying the specific person or entity responsible) and detailing financial requirements and sources of funding shall be submitted with the Final Plan. Any legal agreements or covenants required to implement the maintenance program shall be submitted (See Appendix 1). A Maintenance schedule shall be submitted in accordance with the Standardized Maintenance Schedule in Appendix 2.

Section 302. General Standards.

A. The following provisions shall be considered the over-riding performance standards against which all proposed storm water control measures shall be evaluated:

1. Any landowner and any person engaged in the alteration or development of land which may affect storm water runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety and other property. Such measures shall include, but not be limited to, such actions as are required to:
 - (a) Assure that the maximum rate of storm water runoff is no greater after development than prior to development activities.
 - (b) Manage the quantity, velocity and direction of resulting storm water runoff in a manner which will not adversely impact the health on, or value of, any affected properties.
 - (c) No discharge of toxic materials into any storm water management system will be permitted.
 - (d) Where applicable storm water management facilities shall comply with the requirements of Chapter 105 (Dam Safety and Waterway Management) of Title 25, Environmental Protection of the Pennsylvania Department of Environmental Protection (PADEP) and Section 404 of the Clean Water Act as authorized by the U. S. Corps of Engineers.
 - (e) Storm water management facilities that involve a state highway shall be subject to the approval of the Pennsylvania Department of Transportation.
 - (f) Storm water runoff from a project site shall flow directly into a natural watercourse or into an existing storm sewer system, or onto adjacent properties in a manner similar to the runoff characteristics of the pre-development flow.
 - (g) Storm water runoff shall not be transferred from one watershed to another unless the watersheds are sub-areas of a larger watershed that are tributary to a common point of interest within or near the perimeter of the property. Transfer of runoff from one

- (b) All plans and profiles of proposed storm sewers and open channels, including horizontal and vertical controls, elevations, sizes, slopes and materials.
- (c) Locations, dimensions and design details required for the construction of all facilities.
- (d) For all detention basins, a plot or tabulation of storage volumes with corresponding water surface elevations and basin outflow rates for those water surface elevations.
- (e) For all detention basins, design hydrographs of inflow and outflow for the peak design flows from the site under natural and developed conditions.
- (f) A description of operation for all detention basins.
- (g) Contours of the finished project site at intervals of two (2) feet, except in areas with slopes greater than fifteen percent (15%), in which case, five (5) foot contour intervals may be used.
- (h) The staging of earthmoving activities and program of operation, including a schedule for the installation of all temporary and permanent storm water control measures and devices.
- (i) All information relative to the design and operation of emergency spillways.
- (j) Emergency routing of outfall for storm water runoff in the event of failure of off-site drainage structures.
- (k) When major control facilities, such as retention basins, requiring a PADEP permit, are planned, soil structures and characteristics shall be investigated. Plans and data prepared by a licensed professional engineer or geologist with experience and education in soil mechanics shall be submitted. These submissions should consider and offer design solutions for frost heave potential, shrink/swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and backfilling procedures and soil treatment techniques as required to protect the improvements or structures.
- (l) All erosion and sedimentation control measures, temporary, as well as permanent, in sufficient detail to clearly indicate the effectiveness of the plan.
- (m) Project specifications relative to storm water control, erosion and sedimentation.
- (n) Evidence that all on-site and off-site easements required to convey runoff flow to an existing public drainage facility or a permanent stream have been granted to the operating entity.
- (o) Provide the information to conform with the requirements noted in Article V and VI.
- (p) Provide a list of adjacent property owners within 200 feet of the subject property and documentation that the adjacent property owners have been notified of the proposed project.
- (q) A note shall be placed on the recorded plan: "As per the approved Storm Water

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watershed to another under any other circumstances shall only be approved at the discretion of the Borough. Documentation shall be provided that peak flow rates are not increased following development and there will be no detrimental impact in downstream areas.

- (h) All storm water runoff flowing over the project site shall be considered in the design of the storm water management facilities.
- (i) For any storm water management facility requiring a permit to be issued by PADEP, said permit along with supporting report and plans used to secure the permit shall also be submitted.

2. Fees and Expenses

- (a) The Borough may charge a reasonable fee for review of BMP Operations and Maintenance Plans to defray review costs incurred by the Borough. The Applicant shall pay all such fees.
- (b) The fees required by this Ordinance may cover:
 - [1] Administrative/Clerical Costs of 5%.
 - [2] The review of the BMP Operations and Maintenance Plan by the Borough Engineer.
 - [3] The site inspections including, but not limited to, pre-construction meetings, inspections during construction of storm water BMPs, and final inspection upon completion of the storm water BMPs.
 - [4] Any additional work required to monitor and enforce any provisions of this Ordinance, correct violations, and assure proper completion of stipulated remedial actions.

ARTICLE IV – STORM WATER MANAGEMENT FOR WATER QUALITY

Section 401. General Requirements for Storm Water Management

All Regulated Earth Disturbance activities within the Municipality shall be designed, implemented, operated and maintained to meet the purposes of this Ordinance, through these two elements:

- 1. Erosion and Sediment control during the disturbance activities (e.g. during construction), and
- 2. Water quality protection measures after completion of earth disturbance activities (e.g., after construction), including operations and maintenance.

A. No Earth Disturbance activities within the Municipality shall commence until the requirements of this Ordinance are met.

B. Impervious areas:

- 1. The measurement of impervious areas shall include all of the impervious areas in the total proposed

development even if development is to take place in stages.

2. For development taking place in stages, the entire development plan must be used in determining conformance with this Ordinance.

3. For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Ordinance.

- C. Storm water flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner(s). Such storm water flows shall be subject to the requirements of this Ordinance.
- D. SWM Site Plans approved by the municipality, in accordance with Section 301, shall be on site throughout the duration of the regulated activity.
- E. Erosion and sediment control during Regulated Earth Disturbance activities shall be addressed as required by Section 405.
- F. Post-construction water quality protection shall be addressed as required by Section 406. Operations and maintenance of permanent storm water BMP's shall be addressed as required by Article IV.
- G. All Best Management Practices (BMPs) used to meet the requirements of this Ordinance shall conform to the State Water Quality Requirements and more stringent requirements as determined by the Municipality.
- H. Infiltration BMPs should be spread out, made as shallow as practicable and located to maximize use of natural on-site infiltration features while still meeting the other requirements of this Ordinance.
- I. Storage facilities should completely drain both the volume control and rate control capacities over a period of time not less than 24 hours nor more than 72 hours from the end of the design storm.
- J. The design storm volumes to be used in the analysis of peak rates of discharge should be obtained from the Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, Version 3.0, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies, Silver Spring, Maryland. NOAA's Atlas 145 can be accessed at: <http://hdsc.nws.noaa.gov/hdsc/pfds/>.
- K. Techniques described in Appendix A (Low Impact Development) of this Ordinance are encouraged, because they reduce the costs of complying with the requirements of this Ordinance and the State Water Quality Requirements.
- L. Additional Requirements.
 - 1. In conjunction with meeting the requirements of this Ordinance, the Applicant shall refer to and meet all conditions and requirements set forth in the Borough of West View's Municipal Separate Storm Sewer System (MS4) Prohibited Discharge Ordinance.
 - 2. In conjunction with meeting the requirements of the ordinance, the Applicant shall refer to and meet all conditions and requirements set forth in the Borough of West View's Total Maximum Daily Load (TMDL) Plan as adopted and revised.

M. Exemptions.

1. Regulated activities that disturb areas less than 2,500 sq. ft. are exempt from the peak rate control and the SWM Site Plan preparation requirement of this Ordinance.
2. Agricultural activity is exempt from the rate control and SWM Site Plan preparation requirements of this Ordinance provided the activities are performed according to the requirements of 25 Pa. Code 102.
3. Forest management and timber operations are exempt from the rate control and SWM Site Plan preparation requirements of this Ordinance provided the activities are performed according to the requirements of 25 Pa. Code 102.
4. All Borough development activities, Borough road work, Borough utility activities, and Public Works activities are exempt from this Ordinance in its entirety.
5. For a parcel or tract of land held under single ownership, only one (1) application for a small development, as defined above, shall be permitted before requiring a storm water management plan for the entire parcel. A project cannot be phased to circumvent the storm water requirements by using the exemption for small developments.

N. Small Developments

1. At the time of application, the Borough Zoning Officer shall determine if the development qualifies as a "small development" and, therefore, is eligible for a simplified storm water plan submission. For the purposes of this Chapter, a small development is:
 - A. Any development which results (or will result when fully constructed) in the creation of 5,000 or less square feet of impervious surface area, including roofs, patios, driveways, and sidewalks.
 - B. The Borough Engineer shall review the proposed provisions for storm water management for small developments. The Borough shall determine if the proposed development site is part of a larger parcel or tract for which a storm water management plan was approved previously and, therefore, subject to any specific storm water management controls contained in the prior plan.
 - C. For a parcel or tract of land held under single ownership, only one application for a small development, as defined above, shall be permitted before requiring a storm water management plan for the entire parcel. A project cannot be phased to circumvent the storm water requirements by using the exemption for small developments. When calculating new impervious area for determining whether a development qualifies as a "small development," the cumulative total of all impervious areas constructed within five years of the application date shall be considered.
2. The Small Project Storm Water Management Plan Application included in Appendix 5 may be used for projects under 5,000 square feet of proposed impervious surface. The Small Project Storm Water Management Plan Application allows documentation of new impervious surface, credits through disconnection of impervious surfaces and tree planting, and sizing of Volume Control BMPs and Rate Control facilities that may be required.

3. Should the applicant choose not to use the Small Project Storm Water Management Plan Application (Appendix 5), a plan addressing peak rate and volume controls must be submitted and shall include a plan which describes narratively and graphically, the type and location of proposed on-site storm water management techniques or the proposed connection to an existing storm sewer system. The plan should show accurately site boundaries, 5-foot interval contours, location of watershed and/or subarea boundaries on the site (if applicable), and any watercourses, floodplains or existing drainage facilities or structures located on the site. Where the applicant is proposing to connect to an existing storm sewer, the applicant shall submit documentation showing that sufficient capacity exists in the storm sewer from the point of connection to the point of outlet in the natural drainage system. The plan and supporting documentation must be prepared by a registered professional engineer.

O. Volume Controls

1. The low impact development practices provided in the BMP Manual shall be utilized for all earth disturbance activities to the maximum extent practicable. Water volume controls shall be implemented using the *Design Storm Method* in Subsection A or the *Simplified Method* in Subsection B below. For regulated activity areas equal or less than 1 acre that do not require hydrologic routing to design the storm water facilities, this Ordinance establishes no preference for either methodology; the Applicant may select either methodology on the basis of economic considerations, the intrinsic limitations on applicability of the analytical procedures associated with each methodology, and other factors.
 - a. The *Design Storm Method* (CG-1 in the BMP Manual¹) is applicable to any size of regulated activity. This method requires detailed modeling based on site conditions.
 - i. Do not increase the post development total runoff volume for all storms equal to or less than the 2-year 24-hour duration precipitation.
 - ii. For modeling purposes:
 1. Existing (predevelopment) non-forested pervious areas must be considered meadow or its equivalent.
 2. 20% of existing impervious area, when present, shall be considered meadow in the model for existing conditions.
 - b. The *Simplified Method* (CG-2 in the BMP Manual¹) provided below is independent of site conditions and should be used if the *Design Storm Method* is not followed. This method is not applicable to regulated activities greater than 1 acre or for projects that require design of storm water storage facilities. For new impervious surfaces:
 - i. Storm water facilities shall capture at least the first 2 inches of runoff from all new impervious surfaces.
 - ii. At least the first 1 inch of runoff from new impervious surfaces shall be permanently removed from the runoff flow--i.e., it shall not be released into the surface waters of this Commonwealth. Removal options include reuse, evaporation, transpiration, and infiltration.

- iii. Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first 0.5 inch of the permanently removed runoff should be infiltrated

P. Rate Controls

1. Post-development discharge rates shall not exceed the predevelopment discharge rates for the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year storms. If it is shown that the peak rates of discharge indicated by the post-development analysis are less than or equal to the peak rates of discharge indicated by the predevelopment analysis for 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storms, then the requirements of this section have been met. Otherwise, the Applicant shall provide additional controls as necessary to satisfy the peak rate of discharge requirement.

Q. Design Storms

1. The SCS, Type II Rainfall Distribution shall be used for all analyses. The rainfall depth to be utilized for design storm frequencies shall be as follows:

Design Storm		Rainfall Depth 24 Hours
1 year		1.97 inches
2 year		2.35 inches
5 year		2.88 inches
10 year		3.30 inches
25 year		3.90 inches
50 year		4.40 inches
100 year		4.92 inches

2. Individual site standalone detention facilities shall be constructed for all single family lot developments or single family lots located in land developments which for terrain reasons cannot utilize the development's detention systems. Individual site standalone detention facilities shall consist of gravel filled sumps, ponds, tanks or other approved facilities, sized in accordance with standard details in the Borough Construction Standards.
3. Storage volumes for total impervious areas greater than 5,000 square feet shall be calculated using the methods outlined this section.
4. All storm water detention facilities shall be located at least ten (10) feet from foundation walls in a location approved by the Borough. All pipe from roof drains to a point ten (10) feet from the structure shall be a minimum Schedule 40 PVC pipe or approved equal.
5. Pre-development Conditions: The cover type for all sites will be considered to be the hydrologic conditions at the time of the development application. 20% of all existing impervious surface shall be considered meadow in good condition. All hydrologic parameters used to calculate peak flow rates shall use the appropriate specifications pertaining to these conditions.

R. Method of Computation

1. All computations used in conjunction with the analysis and design of storm water management facilities shall be based on one (1) or more of the following methods:
 - a) TR-55-Soil Conservation Service Technical Release No. 55
 - b) TR-20-Soil Conservation Service Technical Release No. 20
 - c) Modified Rational Method
 - d) Penn State Runoff Model
 - e) Virginia Tech/Penn State Runoff Mode
 - f) These methods for determining peak discharge shall be used to:

Determine pre-development runoff conditions;

Analyze the impact of development; and

Perform calculations in the design of any detention/retention facilities used in controlling runoff.

2. These methods of runoff computation developed and used by the Soil Conservation Service and other authorities are hereby adopted by the Borough.
3. The use of the Basic Rational Method in estimating runoff may be employed in the design of the storm sewer system within the development. The storm sewer system shall be interpreted as the conduits, culverts, inlets and appurtenant features for the conveying of storm water to, through or from a development site to the point of final discharge or control facility. The Rational Method shall not be used in the analysis of storm water runoff from the development in its entirety or in conjunction with the design of any retention/detention facilities or other runoff control measures.

S. Storm water Detention Facilities

1. All detention facilities shall be equipped with multistage outlet structures to provide discharge control for the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year storm frequencies. Provisions shall also be made for safely passing the post development one hundred-year storm runoff flows without damaging (i.e.: impairing the continued function of) the facilities.
2. Shared-storage facilities, which provide detention of runoff for more than one (1) development site, may be considered within a single subarea. Such facilities shall meet the design criteria contained in this section. In addition, runoff from the development sites involved shall be conveyed to the facility in a manner so as to avoid adverse impacts, such as flooding or erosion, to channels and properties located between the development site and the shared-storage facility.
3. Other considerations which should be incorporated into the design of the detention facilities include:

- a) Inflow and outflow structures shall be designed and constructed to prevent erosion. Bottoms of impoundment-type structures shall be protected from soil erosion.
- b) Control and removal of debris, both in the storage structure and in all inlet or outlet devices, shall be a design consideration.
- c) Inflow and outflow structures, pumping stations and other structures shall be protected and designed to minimize safety hazards.
- d) Provide fencing at least six (6) feet in height in around the entire perimeter of all ponds/basins.
- e) Side slopes of storage ponds shall not exceed a ratio of three to one (3:1) horizontal to vertical dimension.
- f) Landscaping shall be provided for the facility which harmonizes with the surrounding area.
- g) All storm water detention facilities shall be screened from view of existing roads or streets located within the Borough, which is a minimum of 6-feet in height with sufficient access for maintenance vehicles. The screening material must be approved by the Borough. Landscaping of the pond embankment shall not be permitted at any time.
- h) The facility shall be located to facilitate maintenance, considering the frequency and type of equipment that will be required. The facility shall be equipped with an access road at least ten (10) feet wide and with a maximum of grade of 15 percent.
- i) All pond outlet structures shall have suitable anti-seep collars, gaskets, barriers and/or seals to prevent leakage and piping of water through the pond embankment. All storm pipe installed through a pond embankment shall be constructed of reinforced concrete pipe.
- j) Provide a minimum of 1-foot of freeboard above the 100-year design storm event as it passes through the emergency spillway.
- k) A geotechnical investigation report for the construction of the storm water detention/retention and infiltration facilities must be provided including design recommendations for embankment construction, interior and exterior slopes, drainage swales and infiltration areas.

T. Single Family Lots:

- a) Retention/detention facilities shall be constructed for all existing single family lot developments or single family lots located in land developments which for terrain reasons cannot utilize the development's retention/detention systems. Retention facilities shall consist of gravel filled sumps, ponds, tanks or other approved facilities, sized in accordance with standards of this Ordinance.
- b) Storage volumes for roof areas greater than 5,000 square feet shall be calculated using the methods outlined in.

U. Easements:

- a) Easements for storm water management facilities shall be required to have a minimum width of twenty (20) feet. Where a subdivision or land development is, or will be, traversed by a watercourse, there shall be provided a storm water or drainage easement of a width sufficient for the purpose, but not less than twenty (20) feet. The storm water detention facilities must be provided within a drainage easement. An access easement must be provided from the public right-of-way to the storm water detention facility with a minimum width of twenty (20) feet.
 - [1] Storm water management easements are required for all areas used for off-site storm water control, unless a waiver is granted by the Borough.
 - [2] Storm water management easements shall be provided by the property owner if necessary for (1) access for inspections and maintenance, or (2) preservation of storm water runoff conveyance, infiltration, and detention areas and other BMPs, by persons other than the property owner. The purpose of the easement shall be specified in any agreement under Section 505.
 - [3] Facilities, areas, or structures used as Storm Water Management BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions or conservation easements that run with the land.
 - [4] Operation and Management Plans for storm water management approved pursuant to 25 Pa. Code § 102 after the date of this Ordinance shall be recorded as a restrictive deed covenant that runs with the land.
 - [5] If a conservation easement is provided the long term ownership, access, maintenance, and use restrictions must be identified on the recording plan.

V. Flood Prone Areas:

- a) Land identified as flood-prone on maps issued by the Federal Insurance Administration shall be subject to the regulations of the National Flood Insurance Program and shall comply with the provisions of the Borough Flood Plain Ordinance.
- b) The 100-year floodplain shall be delineated by one of the following methods:
 - [1] The Flood Insurance Study (FIS) by the Federal Emergency Management Agency (FEMA).
 - [2] A hydrologic report prepared by an individual registered in the Commonwealth of Pennsylvania to perform such duties. Calculations and channel hydraulic characteristics used to determine floodplain limits shall be provided.
- c) Municipal Liability Disclaimer: Approval of a storm water management plan by the Borough shall not be construed as an indication that said plan complies with the requirements, laws, or standards of any agency of the Commonwealth, which may or may not govern said activity.

Section 402. Permit Requirements by Other Government Entities

The following permit requirements may apply to certain Regulated Earth Disturbance activities, and must be met prior to commencement of Regulated Earth Disturbance activities, as applicable:

- A. All regulated Earth Disturbance activities DEP subject to permit requirements by regulations under at 25 Pa. Code Chapter 102;
- B. Work within natural drainage ways subject to permit by DEP under 25 Pa. Code Chapter 105;
- C. Any storm water management facility that would be located in or adjacent to surface waters of the Commonwealth, including wetlands, subject to permit by DEP under 25 Pa. Code Chapter 105.
- D. Any storm water management facility that would be located on a State Highway right-of-way, or require access from a state highway, shall be subject to approval by the Pennsylvania Department of Transportation (PennDOT); and
- E. Culverts, bridges, storm sewers or any other facilities which must pass or convey flows from the tributary area and any facility which may constitute a dam subject to permit by DEP under 25 Pa. Code Chapter 105.

Section 403 Construction Criteria for Storm Water Control Facilities.

Storm water management facilities shall be constructed in accordance with the following minimum specifications:

- A. All workmanship and materials shall conform to the Borough Construction Standards as provided in the Borough of West View Code, Chapter 240. In addition, all workmanship and materials shall conform to the latest edition of PennDOT Form 408.
- B. All connections to existing storm sewer pipes shall be made by construction of a suitable junction box (inlet or manhole) to provide access for clean-out. No blind connections shall be permitted.
- C. All pond outlet structure pipes shall have suitable gaskets to prevent leakage and piping of water through the pond embankment.
- D. All pipe outlets shall discharge onto a stone rip-rap blanket to prevent erosion of soil. Rip-rap will be sized considering pipe exit velocities.
- E. Controls shall be installed at initial stages of earthmoving and otherwise as outlined in the staging of earthmoving activities section of the erosion and sedimentation control plan.
- F. The discharge of storm water runoff shall be to a well-defined drainage course which has a defined bed and bank. If storm water runoff cannot be discharged to a defined drainage course, documentation of written permission from each downstream property owner shall be provided for all properties between the source of discharge and the defined drainage course.

Section 404 Maintenance Criteria for Storm Water Control Facilities.

Maintenance is an essential part of the successful functioning of a storm water management system and the following shall be required:

- A. Maintenance During Development: Maintenance during development of a project shall be the responsibility of the developer and/or landowner and shall usually include, but shall not be limited to:
- (1) Removal of silt from all debris basins, traps or other structures or measures when forty percent (40%) of capacity is filled with silt.
 - (2) Disposal of collected silt in a manner which will not adversely affect the environment.
 - (3) Periodic maintenance of temporary control facilities such as replacement of straw bale dikes, straw filters or similar measures.
 - (4) Establishment or re-establishment of vegetation by seeding and mulching or sodding of scoured areas where vegetation has not been successfully established. A developer or landowner retains this obligation as to property he or she has developed or improved even if the proper season for "seeding" occurs initially sometime after the project is otherwise completed in whole or as to a particular phase.
 - (5) Installation of necessary controls sufficient to protect against problems caused by storm events within design frequencies.
 - (6) Removal of all temporary measures upon completion of the project.
- B. After Acceptance of the Plan by the Borough: In the event that the Borough accepts public improvements in the plan, except in cases where an agreement between the developer and the Borough have been executed to the contrary, the maintenance shall be the responsibility of the Borough and shall include, where necessary:
- (1) Mowing to maintain adequate stands of grass and to control weeds. Chemical weed control may be used if State and Borough regulations are met. Selection of seed mixtures shall reflect the type of maintenance desired by the Borough.
 - (2) Removal of silt from all permanent structures which trap silt or sediment to keep this material from building up in grassed waterways and other permanent structures, thereby reducing their capacity.
 - (3) Removal of trees and shrubs from pond embankments.
 - (4) Repair of animal burrows and removal of animals causing same.
- C. If the Borough does not accept the facilities, it shall be the responsibility of the Developer to inspect all permanent facilities to see that corrective action is taken where necessary.
- (1) Storm water facilities located on private property shall be maintained by the owner or his agent; however, this does not relieve the owner or his agent of the obligation to inspect their own facilities. The Borough reserves the right to enter upon private property to make periodic reasonable inspections and to require the owner to take necessary corrective actions. An easement shall be recorded granting access over private property to the storm water facilities.
 - (2) The Owner shall convey to the Borough easements and/or rights-of-way to assure access for periodic inspections by the Borough and maintenance if required.

- (3) The Owner shall keep on file with the Borough the name, address and telephone number of the person or company responsible for maintenance activities; in the event of a change, new information will be submitted to the Borough within ten (10) days of the change.
- (4) The Owner shall establish any special maintenance funds or other financing sources, in accordance with the approved maintenance plan.

D. The Owner shall pay the amount due to the Special Storm Water Facility Maintenance Fund.

- (1) Persons installing storm water storage facilities will be required to pay a specified amount to the West View Borough Storm Water Facility Maintenance Fund to help defray the costs of periodic inspections and annual maintenance expenses. The amount of the deposit shall be determined as follows:
 - (a) If the storage facility is to be privately owned and maintained, the deposit shall cover the cost of periodic inspections performed by the Borough for a period of ten (10) years, as estimated by the Borough. After that period of time, inspections will be performed by the Borough and billed directly to the Owner.
 - (b) If the storage facility is to be Owned and maintained by the Borough, the deposit shall cover the estimated annual costs for maintenance and inspections for ten (10) years, as estimated by the Borough.
 - (c) The amount of the deposit to the maintenance fund covering annual inspection and maintenance costs shall be converted to present worth of the annual series values. The Borough Manager shall determine the present-worth equivalents, which shall be subject to the final approval of the Borough Supervisors.
- (2) If the storage facility is proposed, which also serves as a recreation facility, such as a lake or ballfield, the Borough may reduce or waive the amount of the maintenance fund based on the value of the land for public recreation purposes.
- (3) If at some future time any storage facility (whether publicly or privately owned) is eliminated due to the installation of storm sewers or another storage facility (i.e. a distributed storage facility), the unused portion of the maintenance fund will be applied to the cost of abandoning the facility and connecting to the storm sewer system or other facility. Any amount of the deposit remaining after the costs of abandonment are paid will be returned to the Owner.

E. If the Owner fails to maintain the storm water control facilities, following due notice by the Borough to correct the problems, the Borough shall perform the necessary maintenance or corrective work. The owner shall reimburse the Borough for all costs.

F. Additional items may be included in the maintenance agreement where determined necessary to guarantee the satisfactory maintenance of all facilities. The maintenance agreement shall be subject to the review and approval of the Borough's Solicitor.

Section 405. Erosion and Sediment Control During Regulated Earth Disturbance Activities

A. No Regulated Earth Disturbance activities within the Municipality shall commence until approval

by the Municipality of an Erosion and Sediment Control Plan for construction activities.

- B. DEP has regulations that require an Erosion and Sediment Control Plan for any earth disturbance activity of 5,000 square feet or more, under 25 Pa. Code Section 102.4(b).
- C. In addition, under 25 Pa. Code Chapter 92, a DEP "NPDES Construction Activities" permit is required for any earth disturbance one acre or more. This included earth disturbance on any portion of, part of or during any stage of a larger common plan of development.
- D. Evidence of any necessary permit (s) for Regulated Earth Disturbance activities from the appropriate DEP regional office or County Conservation District must be provided to the Municipality. The issuance of an NPDES Construction Permit (or permit coverage under the statewide General Permit (PAG-2) satisfies the requirements subsection 405.A.
- E. A copy of the Erosion and Sediment Control plan and any required permit, as required by DEP regulations, shall be available at the project site at all times.
- F. A copy of the Erosion and Sediment Control Plan and any required permit, as required by PaDEP regulations, shall be available at the project site at all times.
- G. Measures shall be designed and used during construction as per approved plans from the ACCD and in accordance with the details presented in the PADEP Chapter 102 Revised Erosion and Sedimentation Control Program Manual. The following DEP Construction Details shall be included and made a part of the Construction Plans.
 - 1. Silt Barrier Fence
 - 2. Rock Construction Entrance
 - 3. Diversion Swale
 - 4. Sediment Trap Outlet
 - 5. Rock Filter
 - 6. Sediment Basin
 - 7. Soil Erosion Matting
- H. Evidence of any necessary permit(s) for Regulated Earth Disturbance activities from the appropriate DEP regional office of Allegheny County Conservation District must be provided to the Borough. The issuance of an NPDES Construction Permit (or permit coverage under the statewide General Permit (PAG-2)) satisfies the requirements Subsection A.
- I. A copy of the Erosion and Sediment Control Plan and any required permit, as required by DEP regulations, shall be available at the project site at all times.

Section 406. Water Quality Requirements After Regulated Earth Disturbance Activities Are Complete

- A. No Regulated Earth Disturbance activities within the Municipality shall commence until approval by the Municipality of a plan which demonstrates compliance with State Water Quality Requirements after construction is complete.
- B. The BMPs must be designed, implemented and maintained to meet State Water Quality Requirements, and any other more stringent requirements as determined by the Municipality.
- C. To control post-construction storm water impacts from Regulated Earth Disturbance activities,

State Water Quality Requirements can be met by BMPs, including site design, which provide for replication of pre-construction storm water infiltration and runoff conditions, so that post-construction storm water discharges do not degrade the physical, chemical or biological characteristics of the receiving waters. As described in the DEP Comprehensive Storm Water Management Policy (#392-0300-002, September 28, 2002), this may be achieved by the following:

1. Infiltration: replication of pre-construction storm water infiltration conditions;
 2. Treatment: use of water quality treatment BMPs to ensure filtering out of the chemical and physical pollutants from the storm water runoff; and
 3. Streambank and Streambed Protection: management of volume and rate of post-construction storm water discharges to prevent physical degradation of receiving waters (e.g., from scouring)
- D. DEP has regulations that require municipalities to ensure design, implementation and maintenance of Best Management Practices ("BMPs") that control runoff from new development and redevelopment after Regulated Earth Disturbance activities are complete. These requirements include the need to implement post-construction storm water BMPs with assurance of long-term operations and maintenance of those BMPs.

Section 407. Storm water Performance Standards

- A. Applicants are encouraged to design conveyance systems that encourage infiltration and improve water quality wherever practicable.
- B. Wherever conveyance channels are necessary, drainage shall be maintained by an open channel with landscape banks designed to carry the 100-year, 24-hour storm water runoff from upstream contributory areas. If the runoff from storm water collection and conveyance facilities would drain over land to a storm water detention facility, the 25-year frequency storm event may be used. All open channels shall be designed with one (1) foot of freeboard above the design energy gradeline of the design runoff condition.
- C. Flood relief channels shall be provided and designed to convey the runoff from the 100-year, 24-hour storm, such that this flow is conveyed to a natural drainage course with a defined bed and bank.
- D. The distance between manholes shall not exceed three hundred (300) feet apart for pipe sizes up to twenty-four (24) inches in diameter and not more than four hundred fifty (450) feet apart for larger pipe sizes. Inlet spacing shall not exceed 300 feet.
- E. Where drainage swales are used in lieu of or, in addition to, storm sewers, they shall be designed to carry the required runoff without erosion and in a manner not detrimental to the properties they cross. Drainage swales shall provide a minimum grade of one percent (1%) but shall not exceed a grade of nine percent (9%). Drainage swales used strictly for conveyance are not the same as Open Vegetated Channels.
- F. Use of grassed swales or open vegetated swales in lieu of curbing to convey, infiltrate and/or treat storm water runoff from roadways is encouraged. Inlets shall be placed at the shoulder swale draining the street and shall be located no closer than four (4) feet from the edge of the cartway.

- G. Water Quality Inlets. Storm drainage systems that collect runoff from parking areas and/or loading areas exceeding 5,000 square feet of impervious coverage and discharge to storm water management systems, including surface or subsurface infiltration systems, shall have a minimum of one (1) water quality inlet per each acre of drainage area. The purpose of water quality inlets is to remove oil, grease, and heavy particulates or total suspended solids, hydrocarbons and other floating substances from storm water runoff. Methods other than water quality inlets may be permitted if the Applicant demonstrates to the Borough's satisfaction that any such alternative will be as effective and as easily maintained. Periodic cleaning of these systems shall be addressed in the Operation and Maintenance Plan submitted to the Borough.
- H. Suitable drainage structures, culverts, storm sewers, swales and related installations shall be provided along roads to insure removal of storm water from all gutters, at all low points and at intervals elsewhere not exceeding 600-feet, such that the width of storm water flow in any gutter does not exceed $\frac{1}{4}$ of the total cartway width.
- I. No storm water pipe (public or private) shall be less than 15-inches in diameter. All storm water pipes shall be concrete unless otherwise approved by the Borough. The minimum pipe slope shall be such that a minimum of 2 ft/sec velocities is maintained. Where a culvert or pipe is used to replace a stream, the cross-sectional area shall be at least as large as the original stream channel. All storm water BMPs shall be constructed in accordance with the Borough's "Standard Details". Minimum pipe cover shall conform to the Manufacturer's recommendations. Storm water conveyance pipes utilized in BMPs shall have a pipe size of 4-inch diameter or larger.
- J. When requested by the Borough the developers shall obtain or grant a minimum twenty (20) foot wide drainage easement over all storm sewers, drainage swales, channels, etc., that are a component of the storm water management system when located within undedicated land. All permanent detention basins and/or other storm water management facilities providing storm water control for other than a single residential lot shall be located within a defined drainage easement that allows proper legal access and maintenance vehicle access.
- K. All storm water collection and conveyance facilities (pipes, swales, and structures) shall be designed for a 100-year design storm event, unless the runoff would naturally drain overland to a storm water detention facility, in which case a 25-year design storm event may be used. All drainage facilities shall be designed to contain the energy gradeline for the peak flow rate for the design storm within the structures a minimum of two (2) foot below surface elevation. The hydraulic grade line must be within the pipe. Swales and channels shall provide at least one foot of freeboard above the energy gradeline. Backwater effects of pipes discharging under surcharge conditions shall be included in the calculations.
- L. Where open watercourses for storm water drainage are used the following standards shall apply:
- M. Artificial channels shall be of trapezoidal cross section, with the channel width at the bottom at least 10 times the maximum water depth which would be produced by the 100-year design storm and with rough, permeable and flexible sides and bottom. No artificial channel shall be used to replace a natural stream.
- N. At all points in the drainage system the velocity shall be less than the erosion threshold of the conveyance material, including at the outlet from the construction area or subdivision site.
- O. Provide a minimum of 1-foot of freeboard above the 25-year design storm event for drainage swales.

- P. All workmanship and materials shall conform to the latest edition of PennDOT Form 408 and be supplied by manufacturers of suppliers listed in PennDOT's Bulletin 15.
- Q. All connections to existing storm sewer pipes shall be made by construction of a suitable junction box (inlet or manhole) to provide access for cleanout. No blind connections shall be permitted.
- R. Manhole and inlet castings shall conform to the Pennsylvania Department of Transportation Form 408 and PennDOT Standards for Roadway Construction. Inlet grates shall be bicycle safe. Frames and grates shall be cast iron. Concrete frames shall not be permitted.
- S. All roof drains shall discharge to an on-lot sump, or to a storm sewer system which is controlled by a detention pond. Outlets from roof drain sumps shall not discharge directly to fill slopes. Outlets shall not discharge directly to the gutter line of any street. All pipes from roof drains shall be a minimum four-inch PVC or SDR 26 pipe. Four-inch Schedule 40 PVC is required for a distance of 10-feet from the foundation of the dwelling. No storm water drainage system shall be permitted to be constructed through any curbing on any public street. Minimum pipe size for sump storm water piping is four (4) inches.
- T. All bridges and culverts shall be designed to support expected loads and to carry expected flows and shall be designed to meet current standards of the Pennsylvania Department of Transportation. All bridges and culverts shall be subject to all permits required by the Pennsylvania Department of Environmental Protection, Bureau of Dams and Waterways.
- U. Evidence of any necessary permit (s) for Regulated Earth Disturbance activities from the appropriate DEP.
- V. Disposal of Storm water from Roof and Driveway Drains:
- W. Unless otherwise approved by the Borough, no storm water from roofs or driveway drains shall be discharged to the street surface or curb underdrain.
- X. Acceptable methods of disposal include properly designed dry sumps, grassed or other round surfaces with adequate consideration being given to erosion protection, storm sewers, or any other method approved by the Borough
- Y. BMP operations and maintenance requirements are described in Article V of this Ordinance.

ARTICLE V - STORM WATER BMP OPERATIONS AND MAINTENANCE PLAN REQUIREMENTS

Section 501. General Requirements

- A. No Regulated Earth Disturbance activities within the Municipality shall commence until approval by the Municipality of BMP Operations and Maintenance plan which describes how the permanent (e.g., post-construction) storm water BMPs will be properly operated and maintained.
- B. The following items shall be included in the BMP Operations and Maintenance Plan:
 - 1. Map(s) of the project area, in a form that meets the requirements for recording at the offices of the Recorder of Deeds of Allegheny County, and shall be submitted on 24-inch x 36-inch or 30-inch x 42-inch sheets. The contents of the maps(s) shall include, but not be limited to:

- a. Clear identification of the location and nature of permanent storm water BMPs;
- b. The location of the project site relative to highways, municipal boundaries or other identifiable landmarks;
- c. Existing and final contours at intervals of two feet, or others as appropriate;
- d. Existing streams, lakes, ponds or other bodies of water area; within the project site;
- e. Other physical features including flood hazard boundaries, sinkholes, streams, existing drainage courses, and areas of natural vegetation to be preserved;
- f. The locations of all existing and proposed utilities, sanitary sewers, and water lines within 50 feet of property lines of the project site;
- g. Proposed final changes to the land surface and vegetative cover, including the type and amount of impervious area that would be added;
- h. Proposed final structures, roads, paved areas, and buildings;
- i. A twenty-foot wide access easement around all storm water BMPs that would provide ingress to and egress from a public right-of-way;
- j. A description of how each permanent storm water BMP will be operated and maintained, and identity of operations for the person(s) responsible for maintenance;
- k. The name of the project site, the name and address of the owner of the property, and the name of the individual or firm preparing the Plan; and
- l. A statement, signed by the landowner, that the acknowledging fixtures storm water BMPs are can be altered that after or removed only by the Municipality approval.

Section 502. Responsibilities for Operations and Maintenance of BMPs

- A. The BMP Operations and Maintenance Plan for the project site shall establish responsibilities the permanent continuing operation and maintenance of all storm water BMPs, as follows:
 1. If a Plan includes structures or lots which are to be separately owned and in which streets, sewers and other public improvements are to be dedicated to the Municipality Storm water BMPs may also be dedicated to and maintained by the Municipality
 2. If a Plan includes operations and maintenance by a single ownership, or if sewers and other public improvements are to be privately owned and maintained, then the operation and maintenance of storm water BMPs shall be the responsibility of the owner or private management entity, with all such maintenance to be carried out on such schedule and in such manner as the Borough may direct by way of agreement or resolution.
- B. The Municipality shall make the final determination on the continuing operations and maintenance responsibilities. The Municipality reserves the right to accept or reject the operations and maintenance responsibility for any or all of the storm water BMPs.

Section 503. Municipality Review of BMP Operations and Maintenance Plan

- A. The Municipality shall review the BMP Operations and Maintenance Plan for consistency with the purposes and requirements of this ordinance, and any permits issued by DEP.
- B. The Municipality shall notify the Applicant in writing whether the BMP Operations and Maintenance Plan is approved.
- C. The Municipality may require an "As-Built Survey" of all storm water BMPs, and an explanation of any discrepancies with the Operations and Maintenance Plan.

Section 504. Adherence to Approved BMP Operations and Maintenance Plan

- A. It shall be unlawful to alter or remove any permanent storm water BMP required by an approved BMP Operations and Maintenance Plan, or to allow the property to remain in a condition which does not conform to an approved BMP Operations and Maintenance Plan, unless an exception is granted in writing by the Municipality.

Section 505. Operations and Maintenance Agreement for Privately Owned Storm water BMPs

- A. The property owner shall sign an operations and the maintenance agreement with Municipality covering all to be storm water BMPs that are privately owned. The agreement shall be substantially the same as the agreement in Appendix 3 of this Ordinance.
- B. Other items may be included in the agreement where determined necessary to guarantee the satisfactory operation and maintenance of all permanent storm water BMPs. The agreement shall be subject to the review and approval of the Municipality.

Section 506. Storm water Management Easements

- A. Storm water management easements are required for all areas used for off-site storm water control, unless a waiver is granted by the Municipal Engineer.
- B. Storm water management easements shall be provided by the property owner if necessary for (1) access for inspections and maintenance, or (2) preservation of storm water runoff conveyance, infiltration, and detention areas and other BMPs, by persons other than the property owner. The purpose of the easement shall be specified in any agreement under Section 405.

Section 507. Recording of Approved BMP Operations and Maintenance Plan and Related Agreements

- A. The owner of any land upon which permanent BMPs will be placed, constructed or implemented, as described in the BMP Operations and Maintenance Plan, shall record the following documents in the Office of the Recorder of Deeds for Allegheny County, within 15 days of approval of the BMP Operations Plan by the Municipality:
 - 1. The Operations and Maintenance Plan, or a summary thereof;
 - 2. Operations and Maintenance Agreements under Section 505; and

3. Easements under Section 506.
- B. The Municipality may suspend or revoke any approvals granted for the project site upon discovery of the failure of the owner to comply with this Section.
- C. The owner shall provide a digital file, on state plain coordinate system, of the location of all BMP's constructed on the property.
- D. Prior to issuance of an Occupancy Permit or utilization of the proposed improvements the Applicant must provide the Borough a copy of a recorded post-constructed storm water management plan and the proof of recording for any project containing storm water management facilities including storm sewers and BMP's.

Section 508. Municipal Storm water BMP Operation and Maintenance Fund

- A. If storm water BMPs are accepted by the municipality for dedication, the Municipality may require persons installing storm water BMPs to pay a specified amount to the Municipal Storm water BMP Operation and Maintenance Fund, to help defray costs of operations and maintenance activities. The amount may be determined as follows:
 1. If the BMP is to be owned and maintained by the Municipality, the amount shall cover the estimated costs for operations and maintenance for ten (10) years, as determined by the Municipality; and
 2. The amount shall then be converted to present worth of the annual series values.
- B. If a BMP is proposed that also serves as a recreation facility (e.g. ball field, lake), the Municipality may adjust the amount due accordingly.
- C. All storm water BMP's are to be inspected annually and during or immediately after the cessation of a 10-year or greater storm.

ARTICLE VI-INSPECTIONS AND RIGHT OF ENTRY

Section 601. Inspections

- A. DEP or its designees (e.g., County Conservation Districts) normally ensure compliance with any permits issued, including those for storm water management. In addition to DEP compliance programs, the Municipality or its designee may inspect all phases of the construction, operations, maintenance and any other implementation of storm water BMPs.
- B. During any stage of the Regulated Earth Disturbance activities, if the Municipality or its designee determines that any BMPs are not being implemented in accordance with this Ordinance, the Municipality may suspend or revoke any existing permits or other approvals until the deficiencies are corrected.

Section 602. Right of Entry

- A. Upon presentation of proper credentials, duly authorized representatives of the Municipality may enter at reasonable times upon any property within the Municipality to inspect the implementation, condition, or operation and maintenance of the storm water BMPs in regard to any aspect governed by this Ordinance.

- B. BMP owners and operators shall allow persons working on behalf of the Municipality ready access to all parts of the premises for the purposes of determining compliance with this Ordinance.
- C. Persons working on behalf of the Municipality shall have the right to temporarily locate on any BMP in the Municipality such devices as are necessary to conduct monitoring and/or sampling of the discharges from such BMP.
- D. Unreasonable delays in allowing the Municipality access to a BMP is a violation of this Article.

ARTICLE VII - FEES AND EXPENSES

Section 701. General

The Municipality may charge a reasonable fee for review of BMP Operations and Maintenance Plans to defray review costs incurred by the Municipality. The Applicant shall pay all such fees.

Section 702. Expenses Covered by Fees

The fees required by this Ordinance may cover:

- A. Administrative/clerical Costs;
- B. The review of the BMP Operations and Maintenance Plan by the Municipal Engineer;
- C. The site inspections including, but not limited to, pre-construction meetings, inspections during construction of storm water BMPs, and final inspection upon completion of the storm water BMPs; and
- D. Any additional work required to monitor and enforce any provisions of this Ordinance, correct violations, and assure proper completion of stipulated remedial actions.

ARTICLE VII - ENFORCEMENT AND PENALTIES

Section 801. Public Nuisance

- A. The violation of any provision of this ordinance is hereby deemed a Public Nuisance.
- B. Each day that a violation continues shall constitute a separate violation.

Section 802. Enforcement Generally

- A. Whenever the Municipality finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the Municipality may order compliance by written notice to the responsible person. Such notice may require without limitation:
 - 1. The performance of monitoring, analyses, and reporting;
 - 2. The elimination of prohibited connections or discharges;
 - 3. Cessation of any violating discharges, practices, or operations;

4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
 5. Payment of a fine to cover administrative and remediation costs;
 6. The implementation of storm water BMPs; and
 7. Operation and maintenance of storm water BMPs.
- B. Such notification shall set forth the nature of the violation (s) and establish a time limit for correction of these violations (s). Said notice may further advise that, if applicable, should the violator fail to take the required action within the established deadline, the work will be done by the Municipality or designee and the expense thereof shall be charged to the violator.
- C. Failure to comply within the time specified shall also subject such person to the penalty provisions of this Ordinance. All such penalties shall be deemed cumulative

And shall not prevent the Municipality from pursuing any and all other remedies available in law or equity.

Section 803. Suspension and Revocation of Permits and Approvals

- A. Any building, land development or other permit or approval issued by the Municipality may be suspended or revoked by the Municipality for:
1. Non-compliance with or failure to implement any provision of this permit;
 2. A violation of any provision of this Ordinance; or
 3. The creation of any condition or the commission of any act during construction or development which constitutes or creates a hazard or nuisance, pollution or which endangers the life or property of others.
- B. A suspended permit or approval shall be reinstated by the Municipality when:
1. The Municipal Engineer or designee has inspected and approved the corrections to the storm water BMPs, or the elimination of the hazard or nuisance, and/or;
 2. The Municipality is satisfied that the violation of the Ordinance, law, or rule and regulation has been corrected.
- C. A permit or approval which has been revoked by the Municipality cannot be reinstated. The applicant may apply for a new permit under the procedures out lined in this Ordinance.

Section 804. Penalties

- A. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not more than \$1,000.00 for each violation, recoverable with costs, or imprisonment of not more than 90 days, or both. Each day that the violation continues shall be a separate offense.

- B. In addition, the Municipality, through its solicitor, may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus or other appropriate forms of remedy or relief.

Section 805. Appeals

Any person aggrieved by any action of the Municipality or its designee, relevant the provisions of this ordinance, may appeal to the relevant judicial or administrative body according to law, within the time period allowed.

Section 806. References

- A. Pennsylvania Department of Environmental Protection. No. 363-0300-002 (December 2006), as amended and updated. *Pennsylvania Storm Water Best Management Practices Manual*. Harrisburg, PA.
- B. Pennsylvania Department of Environmental Protection. No. 363-2134-008 (April 15, 2000), as amended and updated. *Erosion and Sediment Pollution Control Program Manual*. Harrisburg, PA.

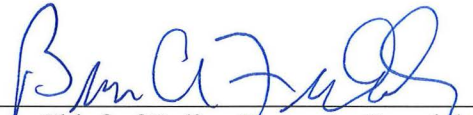
The provisions of this Ordinance shall become effective immediately.

ORDAINED and ENACTED this 11th day of February, 2016

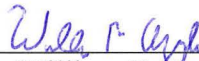
ATTEST:

BOROUGH OF WEST VIEW

BY:

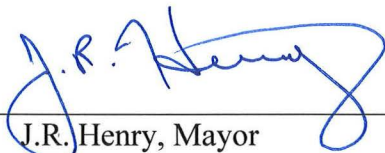

Chief of Police Bruce A. Fromlak
Secretary/Manager

BY:


William F. Aguglia
President of Town Council

EXAMINED and APPROVED this 11th day of February, 2016

BY:


J.R. Henry, Mayor

APPENDIX 1

STANDARD SCHEDULE FOR MAINTENANCE OF STORM WATER MANAGEMENT FACILITIES

The Storm Water Management Plan developed for the Project is supplemented by this Maintenance Plan to help ensure continuing operations of all storm water facilities.

The following is a list of items that shall be inspected and corrective action taken by the Owner:

Note: Owner refers to individual ultimately responsible for storm facility condition and function.

1. Outlet conditions in Detention Facility.
2. Storm sewer, swales, concrete gutters and other conveyance devices.
3. Catch basins, manholes and other storm water catchment/transition structures.
4. Access for maintenance.

The following actions will be taken by the Owner to help ensure the facilities shown on the plan and identified above are in working order:

1. Replace or repair facilities so as to function as intended.
2. Remove silt debris and trash in catch basin/storm sewers.
3. Repair outlet structures.
4. Remove any silt, debris and trash in Detention Facility.
5. Disposal of collected silt, debris and trash in a manner which will not adversely affect the environment.
6. Replace eroded material and re-vegetate eroded areas. Seed and mulch disturbed areas.

The corrective actions to be taken are not limited to those listed above.

STORM WATER FACILITIES MAINTENANCE PLAN

The inspection shall be undertaken by a minimum of two (2) persons at least two (2) times per year on or before March 1st and October 1st. Additional inspections will be required if it becomes apparent facilities are not functioning properly. Corrective actions will then be taken within thirty (30) days of the discovery of the deficiencies as required to help ensure continuing operation of storm water facilities. Any deficiencies noted in items inspected by the Owner shall be documented and corrective actions taken by the Owner. This recommended Maintenance Plan shall not be considered a guarantee as to the adequacy of the storm water management facilities in the future.

West View Borough may require other items to be included in the agreement where determined necessary to guarantee the satisfactory maintenance of all facilities. If storm water facilities are not maintained by West View Borough, the Owner shall maintain all facilities in accordance with the approved maintenance schedule and shall keep all facilities maintained in a safe and attractive manner. The Owner shall convey to West View Borough easements and/or rights-of-way to assure access for periodic inspections by West View Borough and maintenance if required. The Owner shall keep on file with West View Borough, the name, address and telephone number of the person or company responsible for maintenance activities and an as-built drawing of all storm water facilities. In the event of a change, new information will be submitted to the Borough within ten (10) days of the change. The Owner shall establish any special maintenance funds or other financing sources, in accordance with the approved maintenance plan. If the Owner fails to maintain the storm water control facilities, following due notice (30 days) by the Borough to correct deficiencies, the Borough shall perform the necessary maintenance or corrective work. The Owner shall reimburse the Borough for all costs associated with the required maintenance of the storm water control facilities.

APPENDIX 2

LOW IMPACT DEVELOPMENT PRACTICES ALTERNATIVE APPROACH FOR MANAGING STORM WATER RUNOFF

Natural hydrologic conditions may be altered radically by poorly planned development practices, such as introducing unneeded impervious surfaces, destroying existing drainage swales, constructing unnecessary storm sewers, and changing local topography. A traditional drainage approach of development has been to remove runoff from a site as quickly as possible and capture it in a detention basin. This approach leads ultimately to the degradation of water quality as well as expenditure of additional resources for detaining and managing concentrated runoff at some downstream location.

The recommended alternative approach is to promote practices that will minimize post-development runoff rates and volumes, which will minimize needs for artificial conveyance and storage facilities. To simulate pre-development hydrologic conditions, forced infiltration is often necessary to offset the loss of infiltration by creation of impervious surfaces. The ability of the ground to infiltrate depends upon the soil types and its conditions.

Preserving natural hydrologic conditions requires careful alternative site design considerations. Site design practices include preserving natural drainage features, minimizing impervious surface area, reducing the hydraulic connectivity of impervious surfaces, and protecting natural depression storage, a well-designed site will contain a mix of all those features. The following describes various techniques to achieve the alternative approach:

Preserving Natural Drainage Features. Protecting natural drainage features, particularly vegetated drainage swales and channels, is desirable because of their ability to infiltrate and attenuate flows and to filter pollutants. However, this objective is often not accomplished in land development. In fact, commonly held drainage philosophy encourages just the opposite pattern streets and adjacent storm sewers typically are located in the natural headwater valleys and swales, thereby replacing natural drainage functions with a completely impervious system. As a result, runoff and pollutants generated from impervious surfaces flow directly into storm sewers with no opportunity for attenuation, infiltration, or filtration. Developments designed to fit site topography also minimizes the amount of grading on site.

- **Protecting Natural Depression Storage Areas.** Depressional storage areas have no surface outlet, or drain very slowly following a storm event. They can be commonly seen as ponded areas in farm fields during the wet season or after large runoff events. Traditional development practices eliminate these depressions by filling or draining, thereby obliterating their ability to reduce surface runoff volumes and trap pollutants. The volume and release-rate characteristics of depressions should be protected in the design of the development site. The depressions can be protected by simply avoiding the depression or by incorporating its storage as additional capacity in required detention facilities.
- **Avoiding introduction of impervious areas.** Careful site planning should consider reducing impervious coverage to the maximum extent possible. Building footprints, sidewalks,

driveways and other features producing impervious surfaces should be evaluated to minimize impacts on runoff.

- **Reducing the Hydraulic Connectivity of Impervious Surfaces.** Impervious surfaces are significantly less of a problem if they are not directly connected to an impervious conveyance system (such as storm sewer). Two basic ways to reduce hydraulic connectivity are routing of roof runoff over lawns and reducing the use of storm sewers. Site grading should promote increasing travel time of storm water runoff, and should help reduce concentration of runoff to a single point in the development.
- **Routing Roof Runoff Over Lawns.** Roof runoff can be easily routed over lawns in most site designs. The practice discourages direct connections of downspouts to storm sewers or parking lots. The practice also discourages sloping driveways and parking lots to the street, by routing roof drains and crowning the driveway to run off to the lawn, the lawn is essentially used as a filter strip.
- **Reducing the Use of Storm Sewers.** By reducing use of storm sewers for draining streets, parking lots, and back yards, the potential for accelerating runoff from the development can be greatly reduced. The practice requires greater use of swales and may not be practical for some development sites, especially if there are concerns for areas that do not drain in a "reasonable" time. The practice requires educating local citizens and public works officials, who expect runoff to disappear shortly after a rainfall event.
- **Reducing Street Widths.** Street widths can be reduced by either eliminating on-street parking or by reducing roadway widths. Municipal planners and traffic designers should encourage narrower neighborhood streets which ultimately could lower maintenance.
- **Limiting Sidewalks to One Side of the Street.** A sidewalk on one side of the street may suffice in low-traffic neighborhoods. The lost sidewalk could be replaced with bicycle/recreational trails that follow back-of-lot lines. Where appropriate, backyard trails should be constructed using pervious materials.
- **Using Permeable Paving Materials.** This material s includes permeable interlocking concrete paving blocks or porous bituminous concrete. Such materials should be considered as alternatives to conventional pavement surfaces, especially for low use surfaces such as driveways, overflow parking lots, and emergency access roads.
- **Reducing Building Setbacks.** Reducing setbacks reduces driveway and most entry walks and is along readily accomplished streets where traffic noise is low-traffic not a problem.
- **Construction Cluster Developments.** Cluster developments can also reduce the amount of impervious area for a given number of lots. The biggest savings is in street length, which also will reduce costs of the development. Cluster development clusters the construction activity onto less-sensitive areas without substantially affecting the gross density of development.

In summary, a careful consideration of the existing topography and implementation of a combination of the above mentioned techniques may avoid construction of costly storm water control measures. Other benefits include reduced potential of downstream flooding, water quality degradation of receiving streams/water bodies and enhancement of aesthetics and reduction of development costs. Beneficial results include more stable base flows in receiving streams, improved groundwater recharge, reduced flood flows, reduced pollutant loads, and reduced costs for conveyance and storage

APPENDIX 3

STORM WATER BEST MANAGEMENT PRACTICES OPERATIONS AND MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of ____, 20____, by and between ____, (hereinafter the "Landowner"), and ____ County, Pennsylvania, (hereinafter "Municipality");

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property as recorded by deed in the land records of ____ County, Pennsylvania, Deed Book ____ at page ____
____, (hereinafter "Property").

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the SWM BMP Operation and Maintenance (O&M) Plan approved by the Municipality (hereinafter referred to as the "O&M Plan") for the property identified herein, which is attached hereto as Appendix A and made part hereof, as approved by the Municipality, provides for management of storm water within the confines of the Property through the use of BMPs; and

WHEREAS, the Municipality, and the Landowner, his successors and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that on-site SWM BMPs be constructed and maintained on the Property; and

WHEREAS, the Municipality requires, through the implementation of the SWM Site Plan, that SWM BMPs as required by said SWM Site Plan and the Municipal Storm Water Management Ordinance be constructed and adequately operated and maintained by the Landowner, successors, and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Landowner shall construct the BMPs in accordance with the plans and specifications identified in the SWM Site Plan.
2. The Landowner shall operate and maintain the BMPs as shown on the SWM Plan in good working order in accordance with the specific operation and maintenance requirements noted on the approved O&M Plan.
3. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the Municipality shall notify the Landowner prior to entering the property.

4. In the event the Landowner fails to operate and maintain the BMPs per paragraph 2, the Municipality or its representatives may enter upon the Property and take whatever action is deemed necessary to maintain said BMP(s). It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.
5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the Municipality.
6. The intent and purpose of this Agreement is to ensure the proper maintenance of the onsite BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by storm water runoff.
7. The Landowner, its executors, administrators, assigns, and other successors in interests, shall release the Municipality from all damages, accidents, casualties, occurrences, or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMP(s) by the Landowner or Municipality.
8. The Municipality intends to inspect the BMPs at a minimum of once every three years to ensure their continued functioning.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs, and any other successors in interests, in perpetuity.

ATTEST:

For the Municipality:

(SEAL)

WITNESS:

Landowner

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF _____)

I, _____, a Notary Public in and for the county and state aforesaid, whose commission expires on the _____ day of _____, 20____, do hereby certify that _____ whose name(s) is/are signed to the foregoing Agreement bearing date of the _____ day _____, 20____, has acknowledged the same before me in my said county and state.

GIVEN UNDER MY HAND THIS _____ **day of** _____, 20____.

NOTARY PUBLIC (SEAL)

APPENDIX 4

POLLUTANT LOADS FROM SPECIFIC LAND USE

Worksheet 11 – BMPs for Pollution Prevention		
<p>Does the site design incorporate the following BMPs to address nitrate pollution? A summary “yes” rating is achieved if at least 2 Primary BMPs are provided across the site. “Provided across the site” is taken to mean that the specifications for that BMP set forward in Chapters 5 and 6 are satisfied.</p>		
	Yes	No
BMPs for Pollution Prevention:	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.4.1 – Protect Sensitive/Special Value Features	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.4.2 – Protect/Conserve/Enhance Riparian Buffers	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.4.3 – Protect/Utilize Natural Flow Pathways in Overall Storm Water Planning and Design	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.5.1 – Cluster Uses at Each Site; Build on the Smallest Area Possible	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.6.1 – Minimize Total Disturbed Area - Grading	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.6.2 – Minimize Soil Compaction in Disturbed Areas	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.6.3 – Re-Vegetate/Re-Forest Disturbed Areas (Native Species)	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.7.1 – Reduce Street Imperviousness	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.7.2 – Reduce Parking Imperviousness	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.8.1 – Rooftop Disconnection	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.8.2 – Disconnection from Storm Sewers	<input type="checkbox"/>	<input type="checkbox"/>
NS BMP 5.9.15 – Street Sweeping	<input type="checkbox"/>	<input type="checkbox"/>
Structural BMP 6.7.1 – Riparian Buffer Restoration	<input type="checkbox"/>	<input type="checkbox"/>
Structural BMP 6.7.2 – Landscape Restoration	<input type="checkbox"/>	<input type="checkbox"/>
Structural BMP 6.7.3 – Soils Amendment and Restoration	<input type="checkbox"/>	<input type="checkbox"/>

Worksheet 12 – Water Quality Analysis of Pollutant Loading from All Disturbed Areas

Total Site Area (AC)	
Total Disturbed Area (AC)	
Disturbed Area Controlled by BMPs (AC)	

Total Disturbed Areas:

	Land Cover Classification	Pollutant			Cover (Acre s)	Runoff Volume (AF)	Pollutant Load		
		TSS EMC (mg/l)	TP EMC (mg/l)	Nitrate-Nitrite EMC (mg/l as N)			TSS ** (LB S)	TP* (LB S)	NO ₃ (LB S)
Pervious Surfaces	Forest	39	0.15	0.17					
	Meadow	47	0.19	0.3					
	Fertilized Planting Area	55	1.34	0.73					
	Native Planting Area	55	0.40	0.33					
	Lawn, Low-Input	180	0.40	0.44					
	Lawn, High-Input	180	2.22	1.46					
	Golf Course Fairway/Green	305	1.07	1.84					
	Grassed Athletic Field	200	1.07	1.01					
Impervious Surfaces	Rooftop	21	0.13	0.32					
	High Traffic Street/Highway	261	0.40	0.83					
	Medium Traffic Street	113	0.33	0.58					
	Low Traffic/Residential Street	86	0.36	0.47					

	Res. Driveway, Play Courts, etc.	60	0.46	0.47					
	High Traffic Parking Lot	120	0.39	0.60					
	Low Traffic Parking Lot	58	0.15	0.39					
TOTAL LOAD									
REQUIRED REDUCTION (%)							85%	85%	50%
REQUIRED REDUCTION (LBS)									

*Pollutant Load = [EMC, mg/l] X [Volume, AF] X [2.7, Unit Conversion]

**TSS and TP calculations only required for projects not meeting CG1/CG2 or not
controlling less than 90% of the disturbed area

Worksheet 13 – Pollutant Reduction Through BMP Applications*

*Fill this worksheet out for each BMP type with different pollutant removal efficiencies. Sum pollutant reduction achieved for all BMP types on final sheet.

BMP Type: _____

Disturbed Area Controlled by this BMPs
(AC)

Disturbed Area Controlled by this BMPs:

		Pollutant			Cover (Acre s)	Runoff Volume (AF)	Pollutant Load**		
Land Cover Classification		TSS EM C (mg/ l)	TP EM C (mg/ l)	Nitrate- Nitrite EMC (mg/l as N)			TSS ** (LB S)	TP* (LB S)	NO ₃ (LB S)
Pervious Surfaces	Forest	39	0.15	0.17					
	Meadow	47	0.19	0.3					
	Fertilized Planting Area	55	1.34	0.73					
	Native Planting Area	55	0.40	0.33					
	Lawn, Low-Input	180	0.40	0.44					
	Lawn, High-Input	180	2.22	1.46					
	Golf Course Fairway/Green	305	1.07	1.84					
	Grassed Athletic Field	200	1.07	1.01					
Impervious Surfaces	Rooftop	21	0.13	0.32					
	High Traffic Street/Highway	261	0.40	0.83					
	Medium Traffic Street	113	0.33	0.58					
	Low Traffic/Residential Street	86	0.36	0.47					

	Res. Driveway, Play Courts, etc.	60	0.46	0.47					
	High Traffic Parking Lot	120	0.39	0.60					
	Low Traffic Parking Lot	58	0.15	0.39					
TOTAL LOAD TO THIS BMP TYPE									
POLLUTANT REMOVAL EFFICIENCIES FROM APPENDIX A. STORM WATER MANUAL (%)									
POLLUTANT REDUCTION ACHIEVED BY THIS BMP TYPE (LBS)									
POLLUTANT REDUCTION ACHIEVED BY ALL BMP TYPES (LBS)									
REQUIRED REDUCTION from WS12 (LBS)									

*Pollutant Load = [EMC, mg/l] X [Volume, AF] X [2.7, Unit Conversion]

**TSS and TP calculations only required for projects not meeting CG1/CG2 or not
controlling less than 90% of the disturbed area

APPENDIX 5

SMALL PROJECT STORM WATER MANAGEMENT PLAN APPLICATION
Small Project Storm Water Management Submission

Calculation of Impervious Area

Per the Borough's Storm Water Management Ordinance, a storm water management plan is required whenever more than 2,500 square feet of impervious surface is proposed. The calculations of proposed impervious area shall cumulatively include all new impervious area constructed within the last five years. The storm water management plan must provide both volume controls and rate controls. An impervious surface is a surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include, but not be limited to: roofs; additional indoor living spaces, patios, garages, storage sheds, driveways, porches, decks and similar structures; and any new streets or sidewalks.

Table 1: Calculation of Impervious Surfaces

Surface Type	Length	X	Width	=	Proposed Impervious Area
Building		x		=	
		x		=	
		x		=	
		x		=	
		x		=	
Driveway		x		=	
		x		=	
		x		=	
Parking Areas		x		=	
		x		=	
		x		=	
Patios and Sidewalks		x		=	
		x		=	
		x		=	
		x		=	
		x		=	
Other		x		=	
		x		=	
		x		=	
		x		=	
		x		=	
Total Impervious Surface Area to Manage					

If the Total Impervious Surface Area is LESS THAN 2,500 Square Feet, please read, acknowledge and sign below.

If the Total Impervious Surface Area EXCEEDS 2,500 Square Feet, complete the remainder of the Application.

If the Total Impervious Surface Area EXCEEDS 5,000 Square Feet, a complete storm water management plan, prepared by a registered professional engineer must be submitted.

Based Upon the information you have provided a ***Storm Water Management Plan IS NOT required*** for this regulated activity. West View Borough request additional information and/or SWM for any reason.

Property Owner Acknowledges that submission of inaccurate information may result in a stop work order or permit revocation. Acknowledgement of such is by signature below. I declare that I am the owner or owner's legal representative. I further acknowledge that the information provided is accurate and employees of West View Borough are granted access to the above described property for review and inspection as may be required.

Property Owner

Date _____

Volume Controls

Calculation of Required Capture Volume and Credit 1: Disconnection of Impervious Area

When runoff from impervious areas is directed to a pervious area that allows for infiltration, filtration, and increased time of concentration (i.e. a vegetated filter strip), all or parts of the impervious areas may qualify as Disconnected Impervious Area (DIA). Using the criteria below, determine the portion of the impervious area that can be excluded from the calculation of total impervious area.

Criteria: An impervious area is considered to be completely or partially disconnected if it meets the requirements listed below:

1. Rooftop area draining to a downspout is less than 500 square feet.
2. Paved area draining to a discharge is less than 1000 square feet.
3. The flow path of the impervious area is not more than 75 feet.
4. The soil at the discharge area is not designated as hydrologic soil group "D".
5. The flow path at the discharge area has a positive slope of less than 5%.
6. A gravel strip or other spreading device is required at paved discharges.

Credit for disconnection of impervious areas shall be applied in accordance with the following table:

Table 2: DIA Credit Factors

Length of Pervious Flow Path from Discharge Point	DIA Credit Factor
0-14	1
15-29	0.8
30-44	0.6
45-59	0.4
60-74	0.2
75 or more	0

Note: The flow plan cannot include impervious surfaces and must be at least 15 feet from any impervious surface.

Table 3: Calculation of Required Capture Volume

Surface Type	Impervious Area (from Table 1)	X	DIA Credit Factor	=	Impervious Area to be Managed	÷	6	=	Required Capture Volume
Building		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
Driveway		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
Parking Areas		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
Patios and Sidewalks		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
Other		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	
		x		=		÷	6	=	

Required Capture Volume

Credit 2: Tree Planting

Perhaps the best BMP is a tree as they intercept rainfall, increase evapotranspiration and increase time of concentration. A portion of the required capture volume can be reduced provided the criteria are met.

Criteria

To receive credit for planting trees, the following must be met:

1. Trees must be native species, minimum 2" caliper and 6 feet tall (min).
2. Trees shall be adequately protected during construction.
3. Trees shall be maintained until redevelopment occurs.
4. No more than 25% of the runoff volume can be mitigated through the use of trees.
5. Dead trees shall be replaced within 6 months.
6. Non-native species are not applicable.

Credits

Volume reduction credits may be applied as follows:

1. Deciduous Trees – 6 ft³ per tree planted.
2. Evergreen Trees – 10 ft³ per tree planted.

Table 4: Calculation of Tree Planting Credit

Type of Tree	Number of Trees	X	Reduction Factor	=	Tree Planting Credit
Deciduous Tree		x	6 ft ³	=	
Evergreen Tree		x	10 ft ³	=	
Tree Planting Credit (ft ³)					

Table 5: Calculation of Total Capture Volume to be Managed

Total Required Capture Volume (Table 3)	-	Tree Planting Credit (Table 4)	=	Total Capture Volume to be Managed*
	-		=	

*The Total Capture Volume to be Managed should be inserted on the Small Project SWM Plan Worksheet.

Small Project SWM Plan Worksheet

Based upon the information you have provided a ***Storm Water Plan IS Required*** for this development activity. The Borough Storm Water Management Ordinance requires rate and volume controls be provided for developments resulting in the creation of greater than 2,500 square feet of impervious area.

Regulated activities shall be conducted only after the Borough approves a storm water management plan. The Borough Storm Water Management Ordinance will assist you in preparing the necessary information and plans for the Borough to review and approve. **This document will constitute an approved plan if all of the relevant details are to be installed in their entirety AND no part of the storm water system adversely affects any other property, nor adversely affect any septic systems or drinking water wells on this, or any other, parcel.** If an alternative system is to be used a plan will need to be submitted to West View Borough for approval. A design by a qualified professional may be required for more complex sites.

PLEASE INITIAL BELOW TO INDICATE THE STORM WATER MANAGEMENT PLAN FOR THIS SITE

☐

Minimum Control #1: Erosion & Sediment Pollution Control
Minimum Control #2: Source Control of Pollution
Minimum Control #3: Preservation of Natural Drainage Systems and Outfalls

☐

The relevant details from Borough Storm Water Management Ordinance will be installed in their entirety AND the system will be located as not to adversely affect other property, nor any septic systems or drinking water wells on this, or any other, parcel.

To meet volume control requirements, the following will be installed and maintained:

Capture Volume to be Managed (ft ³) (From Table 5)		X	Conversion	=	Surface Area of BMP (ft ²)
	Rain Garden 6" Ponding, 2' Soil Depth	x	1.20	=	
	Dry Well or Infiltration Trench 2 1/2' Aggregate Depth	x	1.50	=	
	Total				

To meet rate control requirements, a gravel sump will be installed and maintained. The sump shall be sized per the following figure:

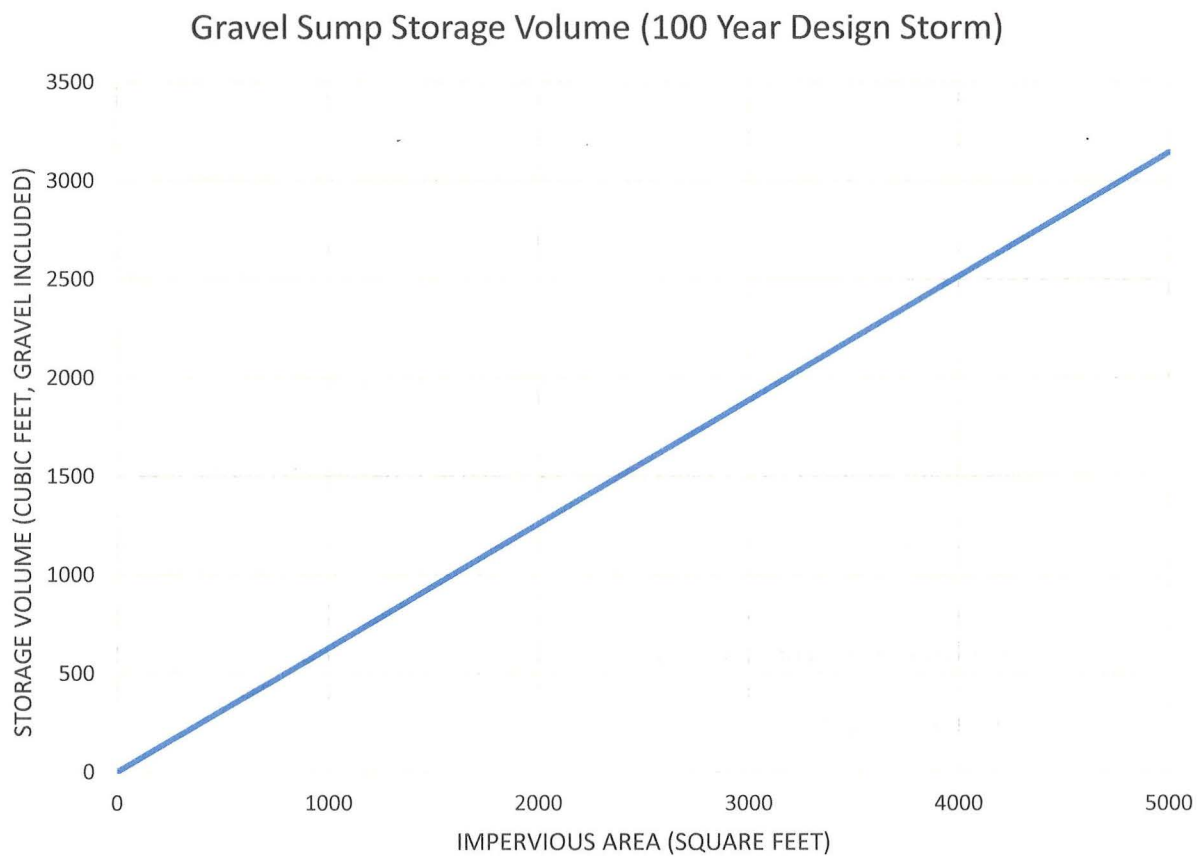


Figure 1: Gravel Sump Sizing Chart

Total Proposed Impervious Area: _____ square feet

Gravel Sump Storage Volume: _____ cubic feet



In lieu of meeting the above, an alternative and/or professional design is attached for approval AND the system will be located as not to adversely affect other property, any septic systems or drinking water wells on this, or any other, parcel.

000088

Site Sketch Plan showing:

- Property Lines with dimensions
 - Proposed buildings with dimensions
 - Proposed impervious surfaces with dimensions
 - Proposed sanitary sewer lateral or septic system, as applicable
 - Proposed water service or well site, as applicable
 - Proposed storm water management system(s)
-

Operations and Maintenance Agreement

- Execute and record a Storm Water Maintenance and Agreement (Refer to 19-D of the Borough Storm Water Management Ordinance)
 - Payment has been made to the Borough's Storm Water Facility Maintenance Fund. The initial deposit shall be in the amount of \$500 for developments proposing greater than 2,500 square feet. The minimum initial deposit when greater than 5,000 square feet is proposed is \$1,000.
-

Condition of approval - The storm water management plan must be fully implemented prior to a request for final inspection of the building or zoning permit.

Acknowledgement – By executing below, the Owner acknowledges the following:

- I declare I am the owner of the property.
- The information provided is accurate.
- I further acknowledge that municipal representatives are granted access to the above described property for review and inspection as may be required.

Owner _____

Date _____

OFFICIAL BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1490

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 290, ZONING, OF THE BOROUGH OF WEST VIEW CODE.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View that

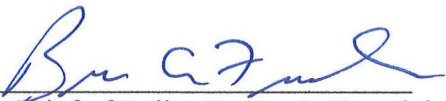
Section 290 of the Borough of West View Code, Zoning, is hereby amended as follows:

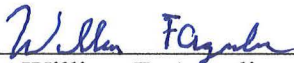
1. That Section 290-11, is hereby amended to include subparagraph (D), to read as follows: "(D). Any occupancy of a residential dwelling, dwelling unit, room or group of rooms within an R-1 Zone by a non-owner of the property must be for a minimum of 90 consecutive days. Any occupancy for compensation that is expected to be less than 90 consecutive days is specifically prohibited in R-1."
2. That Section 290-44 is amended to provide for a civil fine of not more than \$500.00, plus filing costs and reasonable attorney's fees for each offense, and each day of any violation that is permitted to exist after written notification shall constitute a separate offense.
3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
4. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
5. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED and ENACTED THIS 11th day of August, 2016.

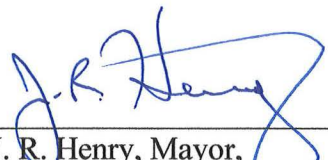
ATTEST:

BOROUGH OF WEST VIEW

BY: 
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: 
William F. Aguglia
President of Town Council

EXAMINED and APPROVED this 11th day of August, 2016

BY: 
J. R. Henry, Mayor,
Borough of West View

OFFICIAL

BOROUGH OF WEST VIEW

ORDINANCE NUMBER 1491

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY,
FIXING THE TAX RATE FOR THE YEAR 2017.

Be it ORDAINED and ENACTED by the Town Council of the Borough of West View and it is hereby ORDAINED and ENACTED by and with the Authority of the same:

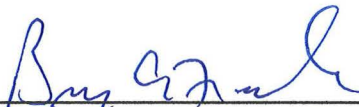
That a tax be and the same is hereby levied on all real property within the Borough of West View subject to taxation for the Fiscal Year 2017 as follows:


Tax Rate for general purposes,
the sum of 5.40 Mills
on each Dollar of assessed valuation

That any Ordinance, or part of Ordinance, in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

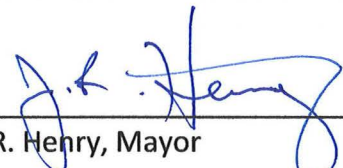
ORDAINED and ENACTED this 8th day of December 2016

BOROUGH OF WEST VIEW

BY: 
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: 
William F. Aguglia
President of Town Council

EXAMINED and APPROVED this 8th day of December 2016

BY: 
J. R. Henry, Mayor

OFFICIAL
BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1492

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT HEREINAFTER SET FORTH, DURING THE YEAR 2017.

Be it ORDAINED and ENACTED, and it is hereby ORDAINED and ENACTED by the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania:

SECTION 1 - That the revenues and expenditures of Fiscal Year 2017, the following amounts are hereby appropriated from the fund equities, revenues and other financing sources available for the Year 2017 for the specific purposes set forth on the following pages

Revenue Source	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
Taxes & Fees	2,809,000.00				2,809,000.00
Licenses/Permits	189,780.00				189,780.00
Fines/Forfeits	53,900.00				53,900.00
Interest/Rents	200.00	134,300.00			134,500.00
Entitlements	347,300.00		180,304.00	1,036,933.00	1,564,537.00
Dept. Earnings	142,200.00				142,200.00
Mis. Revenue	90,000.00	200,110.00		514,578.00	804,688.00

TOTAL	3,632,380.00	334,410.00	180,304.00	1,551,511.00	5,698,605.00
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Expenditure Category	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
General Gov't	355,656.00	128,910.00			484,566.00
Public Safety	1,449,840.00				1,449,840.00
Health & Welfare	12,000.00			1,036,933.00	1,048,933.00
Hwy/Roads/Streets	1,224,600.00		180,304.00		1,404,904.00
Rec/Parks/Lib/Civil	33,000.00				33,000.00
Debt Service	70,284.00	200,500.00		514,578.00	785,362.00
Ins. Prem/Ben	687,000.00	5,000.00			692,000.00


TOTAL	3,832,380.00	334,410.00	180,304.00	1,551,511.00	5,898,605.00
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SECTION 2 - That any Ordinance or part of Ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ADOPTED this 8th day of December 2016

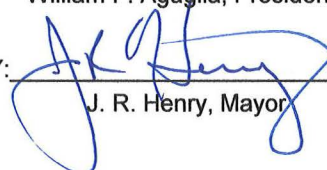
BOROUGH OF WEST VIEW

ATTEST:

BY: 
Chief of Police Bruce A. Fromlak/Manager

BY: 
William F. Aguglia, President of Council

EXAMINED and APPROVED this 8th day of December 2016

BY: 
J. R. Henry, Mayor

BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1493

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 275 OF THE BOROUGH OF WEST VIEW CODE (VEHICLES AND TRAFFIC), SPECIFICALLY SECTION 275-14 TO ESTABLISH A FOUR-WAY STOP AT THE INTERSECTION OF STATE ALLEY AND RIDGEWOOD AVENUE AND THE INTERSECTION OF AMHERST AVENUE AND LEHIGH AVENUE; AND FURTHER AMENDING SECTION 275-25 TO ESTABLISH NO PARKING AT ANY TIME ALONG THE EAST SIDE OF CARLISLE AVENUE BETWEEN ADRIAN AVENUE AND OBERLIN AVENUE.

NOW, THEREFORE, be it ORDAINED and ENACTED by the Town Council of the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania, that Chapter 275 of the Borough of West View Code, Vehicles and Traffic, is hereby amended as follows:

1. That Section 275-14, Stop Intersections, is hereby amended to add the following:

Stop Sign On	Direction of Travel	At Intersection Of
State Alley	Both	Ridgewood Avenue
Amherst Avenue	Both	Lehigh Avenue

2. That Section 275-25, Parking Prohibited At All Times, is hereby amended to add the following:

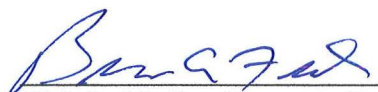
Name of Highway	Side	Location
Carlisle Avenue	East	From Adrian Avenue to Oberlin Avenue

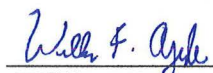
3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
4. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
5. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED and ENACTED into law this 13th day of April 2017.

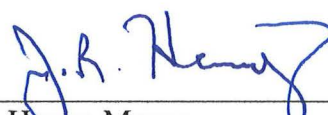
ATTEST:

BOROUGH OF WEST VIEW


Chief of Police Bruce A. Fromlak
Secretary/Manager


William F. Aguglia, President
Town Council

EXAMINED and APPROVED this 13th day of April 2017.


J. R. Henry, Mayor

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BOROUGH OF WEST VIEW

ORDINANCE NUMBER 1494

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 275 OF THE BOROUGH OF WEST VIEW CODE (VEHICLES AND TRAFFIC), SPECIFICALLY SECTION 275-14 TO ESTABLISH A STOP SIGN FACING TRAFFIC NORTHBOUND ON BELLEVUE AVENUE AT SCHWITTER AVENUE.

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Town Council of the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania, that Chapter 275 of the Borough of West View Code, Vehicles and Traffic, is hereby amended as follows:

1. That Section 275-14, Stop Intersections, is hereby amended to add the following:

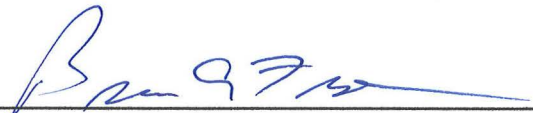
Stop Sign on	Direction of Travel	At Intersection of
Bellevue Avenue	Northbound	Schwitter Avenue

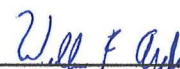
2. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or application, and to this end, the provisions of this Ordinance are declared severable.
3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
4. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED and **ENACTED** into law this 14th day of September 2017.

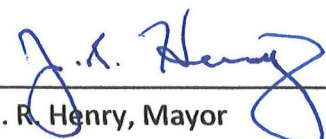
ATTEST:

BOROUGH OF WEST VIEW

BY: 
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: 
William F. Aguglia, President
Town Council

EXAMINED and **APPROVED** this 14th day of September 2017.

BY: 
J. R. Henry, Mayor

OFFICIAL

BOROUGH OF WEST VIEW

ORDINANCE NUMBER 1495

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY,
FIXING THE TAX RATE FOR THE YEAR 2018.

Be it ORDAINED and ENACTED by the Town Council of the Borough of West View and it is hereby ORDAINED and ENACTED by and with the Authority of the same:

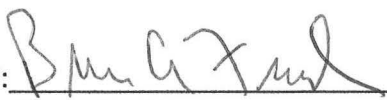
That a tax be and the same is hereby levied on all real property within the Borough of West View subject to taxation for the Fiscal Year 2018 as follows:

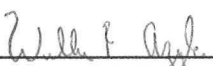
Tax Rate for general purposes,
the sum of 5.40 Mills
on each Dollar of assessed valuation

That any Ordinance, or part of Ordinance, in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

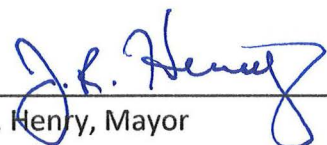
ORDAINED and ENACTED this 14th day of December 2017

BOROUGH OF WEST VIEW

BY: 
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: 
William F. Aguglia
President of Town Council

EXAMINED and APPROVED this 14th day of December 2017

BY: 
J. R. Henry, Mayor

OFFICIAL
BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1496

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT HEREINAFTER SET FORTH, DURING THE YEAR 2018.

Be it ORDAINED and ENACTED, and it is hereby ORDAINED and ENACTED by the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania:

SECTION 1 - That the revenues and expenditures of Fiscal Year 2018, the following amounts are hereby appropriated from the fund equities, revenues and other financing sources available for the Year 2018 for the specific purposes set forth on the following pages

Revenue Source	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
Taxes & Fees	2,936,871.00				2,936,871.00
Licenses/Permits	212,300.00				212,300.00
Fines/Forfeits	71,103.00				71,103.00
Interest/Rents	1,400.00	120,500.00			121,900.00
Entitlements	373,500.00		190,517.00	1,247,403.00	1,811,420.00
Dept. Earnings	152,360.00				152,360.00
Mis. Revenue	30,600.00	200,000.00		531,699.00	762,299.00
TOTAL	3,778,134.00	320,500.00	190,517.00	1,779,102.00	6,068,253.00

Expenditure Category	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
General Gov't	352,300.00	115,000.00			467,300.00
Public Safety	1,499,886.00				1,499,886.00
Health & Welfare	16,000.00			1,247,403.00	1,263,403.00
Hwy/Roads/Streets	1,005,775.00		190,517.00		1,196,292.00
Rec/Parks/Lib/Civil	41,000.00				41,000.00
Debt Service	126,185.00	200,500.00		531,699.00	858,384.00
Ins. Prem/Ben	736,988.00	5,000.00			741,988.00
TOTAL	3,778,134.00	320,500.00	190,517.00	1,779,102.00	6,068,253.00

SECTION 2 - That any Ordinance or part of Ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ADOPTED this 14th day of December 2017

BOROUGH OF WEST VIEW

ATTEST:

BY:

Chief of Police Bruce A. Fromlak/Manager

BY:

William F. Aguglia, President of Council

EXAMINED and APPROVED this 14th day of December 2017

BY:

J. R. Henry, Mayor

0000096

BOROUGH OF WEST VIEW
ORDINANCE NO. 1497

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 1480 TO INCLUDE THE PROPERTIES LOCATED WITHIN ANY ZONING DISTRICT TO THOSE REQUIRING A PERMIT FOR CURB CUTS OR OTHER MEANS OF ACCESS TO BOROUGH STREETS, AND PROHIBITING PARKING OF VEHICLES IN FRONT YARD AREAS.

WHEREAS, in order to maintain the health, safety and welfare of the residents of the Borough of West, Council deems it in the Borough's best interests to control curb cuts and other forms of access onto public streets of the Borough in all Zoning Districts (R-1, R-3, R-P and C-1); and

WHEREAS, said unregulated curb cuts or other access allow not only uncontrolled access to public streets, but also aid and assist in front yard parking, creating an unsightly appearance to property in the Borough; and

WHEREAS, front yard parking and unregulated access to public streets in all Zoning Districts of the Borough, including R-1, R-3, R-P, and C-1, constitutes a danger to the public welfare.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View, Allegheny County, Commonwealth of Pennsylvania, that Ordinance No. 1480 is hereby amended as follows:

1. That Section 1 of Ordinance No. 1480 is hereby amended to include all Zoning Districts of the Borough, being R-1, R-3, R-P, and C-1, and said Ordinance No. 1480 shall therefore be applicable to all Zoning Districts within the Borough.
2. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without

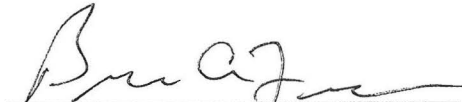
the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.


3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
4. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED AND ENACTED THIS 9th day of August, 2018.

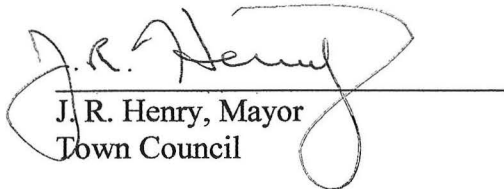
ATTEST:

BOROUGH OF WEST VIEW


 Chief of Police Bruce A. Fromlak
 Secretary/Manager


 William F. Aguglia, President
 Town Council

Approved as to form:


 J. R. Henry, Mayor
 Town Council

BOROUGH OF WEST VIEW
ORDINANCE NO. 1498

AN ORDINANCE OF BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, PENNSYLVANIA, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE BOROUGH OF WEST VIEW; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, be it Ordained and Enacted by the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Borough Manager/Secretary of the Borough of West View, being marked and designated as the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, and as may be amended and revised hereafter, be and is hereby adopted as the Property Maintenance Code of the Borough of West View, in the Commonwealth of Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of West View are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Borough of West View.

Section 103.5. Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as established by Borough Council by resolution.

Section 112.4. The fines as adopted by the Borough of West View are as set forth as a not less than \$5.00 and not more than \$300.00 plus costs of prosecution, for each offense, and in default of payment thereof, shall be committed to the Allegheny County Jail for a period of not more than 30 days. Fines may be amended from time to time by Borough Resolution.

Section 302.4. Grass: Premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, that this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, in case any owner or occupant shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Borough authorities may remove, trim or cut such grass, weeds or other vegetation, and the cost thereof, with an additional amount of 10%, may be collected by the Borough from such owner or occupant in the manner provided by law.

Section 304.14. Insect screens: During the period from May 15 to September 30, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food or human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch, and every swinging door shall have a self-closing device in good working condition.

Section 602.3. Heat Supply: Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to May 15 to maintain the room temperatures specified in Section 602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 65° F. at any other time.[1]

Section 602.4. Insert: Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to May 15 to maintain the room temperatures specified in Section 602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 65° F. at any other time.[1]

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. Borough Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective

0000100

of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. That nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

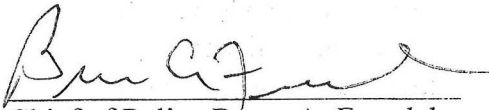
Section 5. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

The effective date of this Ordinance shall be August 9th, 2018.

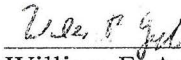
ORDAINED AND ENACTED THIS 9th day of August 2018.

ATTEST:

BOROUGH OF WEST VIEW

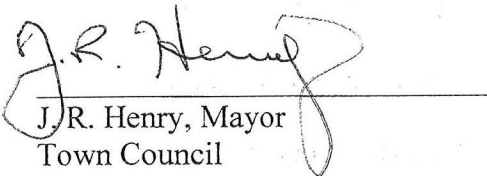


Chief of Police Bruce A. Fromlak
Secretary/Manager



William F. Aguglia, President
Town Council

Approved as to form:



J.R. Henry, Mayor
Town Council

BOROUGH OF WEST VIEW
ORDINANCE NO. 1499

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, RE-ESTABLISHING A GENERAL SCHEDULE OF FEES, COSTS, CHARGES, AND EXPENSES PURSUANT TO BOROUGH ORDINANCES AND REPEALING ANY AND ALL RESOLUTIONS INCONSISTENT THEREWITH; AND FURTHER ALLOWING FOR ANY FUTURE AMENDMENTS TO SAID FEE SCHEDULE TO BE BY RESOLUTION OF BOROUGH COUNCIL.

WHEREAS, the Council of the Borough of West View desires to establish a general fee schedule setting the necessary fees for all Borough services and collection of Borough accounts and expenditures, including but not limited to application, filing, license and permit fees, and to repeal any and all resolutions inconsistent herewith.

NOW, THEREFORE, be it resolved by the Council of the Borough of West View as follows:

1. That the following General Fee Schedule is hereby established and adopted as the official fee schedule for the Borough of West View, Allegheny County, Pennsylvania. All fees referenced in said General Fee Schedule are non-refundable, unless otherwise stated.

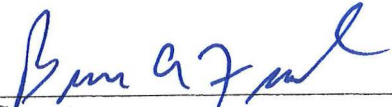
ITEM	FEE	ESCROW	TOTAL
ADVISORY	\$150.00	-----	\$150.00
GRADING	\$125.00	\$325.00	\$450.00
TIMBERING	\$125.00	\$325.00	\$450.00
SIMPLE SUBDIVISION	\$125.00	\$325.00	\$450.00
MULTI-SUBDIVISIONS, PRD'S AND SITE PLANS	\$250.00	\$1,000.00	\$1,250.00
SIMPLE, MULTI-SUBDIVISIONS AND PRD'S ARE SUBJECT TO AN ADDITIONAL FEE CHARGE FOR PLANS THAT ARE NOT RECORDED WITHIN THE 90 PERIOD	\$75 for simple sub \$150.00 for multi-sub and PRD's		
CONDITIONAL USE	\$300.00	\$300.00	\$600.00
LANDOWNER CURATIVE AMENDMENT	\$200.00	\$800.00	\$1,000.00
ZONING ORDINANCE AMENDMENT / HEARING REQUEST	\$200.00	\$800.00	\$1,000.00
SPECIAL PUBLIC HEARINGS	\$300.00	\$300.00	\$600.00

2. All prior fee schedules and ordinances or resolutions as to the same, are hereby repealed in whole or in part to the extent inconsistent herewith, and all fees, newly established or amended, are effective on December 1st, 2018, and supersede all fees enacted prior to this date.
3. Any future amendments to said General Fee Schedule may be made from time to time by Resolution of Borough Council.

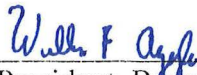
ORDAINED AND ENACTED THIS 8th day of November, 2018.

ATTEST:

BOROUGH OF WEST VIEW

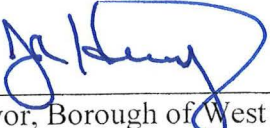


Secretary
Bruce A Fromlak



President, Borough Council
William F. Aguglia

Approved as to form:



Mayor, Borough of West View
J.R. Henry

STORM WATER MANAGEMENT ORDINANCE

**OFFICIAL BOROUGH OF WEST VIEW
ORDINANCE NO. 1500**

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, IN THE COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, REPLACING ORDINANCE NO. 1489, RELATING TO STORM WATER MANAGEMENT.

WHEREAS, the Borough of West View adopted a Storm Water Management Ordinance on February 11, 2016, known as Ordinance no. 1489; and

WHEREAS, it has been determined that certain changes should be made to the Storm Water Management Ordinance, and said Ordinance should be amended in the manner set forth below.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View that the following Storm Water Management Ordinance shall amend and replace the current Storm Water Management Ordinance (Ordinance No. 1489), in its entirety.

TABLE OF CONTENTS

Article I – General Provisions

Section 101.	Short Title
Section 102.	Statement of Findings
Section 103.	Purpose
Section 104.	Statutory Authority
Section 105.	Applicability
Section 106.	Repealer
Section 107.	Severability
Section 108.	Compatibility with Other Requirements
Section 109.	Erroneous Permit
Section 110	Waivers
Section 111	Version of Regulations and Standards

Article II – Definitions

Article III – Storm water Management Standards

Section 301.	General Requirements
Section 302.	Exemptions
Section 303.	Volume Controls
Section 304.	Rate Controls
Section 305	Riparian Buffers

Article IV – Storm water Management Site Plan Requirements

Section 401.	Plan Requirements
Section 402.	Plan Submission
Section 403.	Plan Review
Section 404.	Modification of Plans
Section 405.	Resubmission of Disapproved SWM Site Plans
Section 406.	Authorization to Construct and Term of Validity
Section 407.	Record Drawings, Completion Certificate and Final Inspection

Article V – Operation and Maintenance

Section 501.	Responsibilities of Developers and Landowners
Section 502.	Operation and Maintenance Agreements
Section 503	Performance Guarantee

Article VI – Fees and Expenses

Section 601.	General
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Article VII – Prohibitions

- | | |
|--------------|---------------------------------------|
| Section 701. | Prohibited Discharges and Connections |
| Section 702. | Roof Drains and Sump Pumps |
| Section 703. | Alteration of SWM BMPs |

Article VIII – Enforcement and Penalties

- | | |
|--------------|---------------------------|
| Section 801. | Right of Entry |
| Section 802. | Inspection |
| Section 803. | Enforcement |
| Section 804. | Suspension and Revocation |
| Section 805. | Penalties |
| Section 806. | Appeals |

Article IX – References

- Appendix A – New and Existing Release Rate Management Districts (Maps)
- Appendix B – Operation and Maintenance Agreement
- Appendix C – Small Project Storm water Management Site Plan

ARTICLE I - GENERAL PROVISIONS

Section 101. Short Title

This Ordinance shall be known and may be cited as the "Borough of West View Storm water Management Ordinance."

Section 102. Statement of Findings

The governing body of the Municipality finds that:

- A. Inadequate management of accelerated runoff of storm water resulting from development throughout a watershed increases runoff volumes, flows and velocities, contributes to erosion and sedimentation, overtakes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to carry and control storm water, undermines flood plain management and flood control efforts in downstream communities, reduces groundwater recharge, threatens public health and safety, and increases nonpoint source pollution of water resources.
- B. A comprehensive program of storm water management (SWM), including regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety, and welfare and the protection of people of the Commonwealth, their resources, and the environment.
- C. Storm water is an important water resource that provides groundwater recharge for water supplies and supports the base flow of streams.
- D. The use of green infrastructure (GI) and low impact development (LID) are intended to address the root cause of water quality impairment by using systems and practices which use or mimic natural processes to: 1) infiltrate and recharge, 2) evaporation, and/or 3) harvest and use precipitation near where it falls to earth. Green infrastructure practices and LID contribute to the restoration or maintenance of pre-development hydrology.
- E. Federal and state regulations require certain municipalities to implement a program of storm water controls. These municipalities are required to obtain a permit for storm water discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES) program.

Section 103. Purpose

The purpose of this Ordinance is to promote health, safety, and welfare within the Municipality and its watershed by minimizing the harms and maximizing the benefits described in Section 102 of this Ordinance, through provisions designed to:

- A. Meet legal water quality requirements under state law, including regulations at 25 Pa. Code 93 to protect, maintain, reclaim, and restore the existing and designated uses of the waters of this Commonwealth.
- B. Preserve natural drainage systems.
- C. Manage storm water runoff close to the source, reduce runoff volumes and mimic predevelopment hydrology.
- D. Provide procedures and performance standards for storm water planning and management.

- E. Maintain groundwater recharge to prevent degradation of surface and groundwater quality and to otherwise protect water resources.
- F. Prevent scour and erosion of stream banks and streambeds.
- G. Provide proper operation and maintenance of all storm water best management practices (BMPs) that are implemented within the Municipality.
- H. Provide standards to meet NPDES permit requirements.

Section 104. Statutory Authority

The Municipality is empowered to regulate land use activities that affect runoff by the authority of the Act of July 31, 1968, P.L. 805, No. 247, The Pennsylvania Municipalities Planning Code, as amended, and/or the Act of October 4, 1978, P.L. 864 (Act 167), 32 P.S. Section 680.1, et seq., as amended, The Storm water Management Act.

Section 105. Applicability

All regulated activities and all activities that may affect storm water runoff, including land development and earth disturbance activity, are subject to regulation by this Ordinance.

Section 106. Repealer

Any other ordinance provision(s) or regulation of the Municipality inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only.

Section 107. Severability

In the event that a court of competent jurisdiction declares any section or provision of this Ordinance invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

Section 108. Compatibility with Other Requirements

Approvals issued and actions taken under this Ordinance do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation or ordinance.

Section 109. Erroneous Permit

Any permit or authorization issued or approved based on false, misleading or erroneous information provided by an applicant is void without the necessity of any proceedings for revocation. Any work undertaken or use established pursuant to such permit or other authorization is unlawful. No action may be taken by a board, agency or employee of the Municipality purporting to validate such a violation.

Section 110. Waivers

- A. If the Municipality determines that any requirement under this Ordinance cannot be achieved for a particular regulated activity the Municipality may, after an evaluation of alternatives, approve measures other than those in this Ordinance, subject to Section 110, paragraph B. **The proposed area of disturbance shall be less than one (1) acre.** The request for a modification or waiver shall originate

with the Landowner, shall be in writing, and shall accompany the Storm water Management Site Plan submitted to the Municipality. The request shall provide the facts on which the request is based, the provisions of the Ordinance involved, and the proposed modification. The Designated Plan Reviewer shall review the request to determine if it meets the requirements of the Ordinance, including paragraph B below. If acceptable to the Municipality, the Municipality may grant the waiver or modification.

- B. Waivers or modifications of the requirements of this Ordinance may be approved by the Municipality if enforcement will exact undue hardship because of unique physical circumstances or conditions peculiar to the land in question, provided that the modifications will not be contrary or detrimental to the public interest and will achieve the intended outcome, and that the purpose of the Ordinance is preserved. Hardship must be due to such unique physical circumstances or conditions and not to circumstances or conditions generally created by the provisions of the Storm water Management Ordinance. Cost or financial burden shall not be considered a hardship. Modifications shall not substantially or permanently impair the appropriate use or development of adjacent property. A request for modifications shall be in writing and accompany the Storm water Management Site Plan submission, as directed in Section 110, paragraph A above.
- C. No waiver or modification of any regulated storm water activity involving earth disturbance greater than or equal to one (1) acre may be granted by the Municipality.

Section 111. Version of Regulations and Standards

Any reference to a statute, regulation or standard, shall be interpreted to refer to the latest or most current version of that document.

ARTICLE II – DEFINITIONS

For the purposes of this Ordinance, certain terms and words used herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.
- B. The word “includes” or “including” shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.
- C. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.

These definitions do not necessarily reflect the definitions contained in pertinent regulations or statutes, and are intended for this Ordinance only.

Act 167 - The Municipality is empowered to regulate land use activities that affect runoff and surface and groundwater quality and quantity by the authority of the Act of October 4, 1978, P.L. 864 (Act 167), 32 P.S. Section 680.1, et seq., as amended, the “Storm Water Management Act.”

Agricultural Activity – Activities associated with agriculture such as agricultural cultivation, agricultural operation, and animal heavy use areas. This includes the work of producing crops including tillage, land clearing, plowing, disking, harrowing, planting, harvesting crops or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

Applicant – A landowner, developer, or other person who has filed an application to the Municipality for approval to engage in any regulated activity at a project site in the Municipality.

Best Management Practice (BMP) – Activities, facilities, designs, measures, or procedures used to manage storm water impacts from regulated activities, to meet state water quality requirements, to promote groundwater recharge, and to otherwise meet the purposes of this Ordinance. Storm water BMPs are commonly grouped into one of two broad categories or measures: “structural” or “non-structural.” In this Ordinance, non-structural BMPs or measures refer to operational and/or behavior-related practices that attempt to minimize the contact of pollutants with storm water runoff, whereas structural BMPs or measures are those that consist of a physical device or practice that is installed to capture and treat storm water runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bio retention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural storm water BMPs are permanent appurtenances to the project site.

Conservation District – A conservation district, as defined in Section 3(c) of the Conservation District Law (3 P. S. § 851(c)) that has the authority under a delegation agreement executed with DEP to administer and enforce all or a portion of the regulations promulgated under 25 Pa. Code 102.

Design Storm – The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a 5-year storm) and duration (e.g., 24 hours) used in the design and evaluation of storm water management systems. Also see Return Period.

Designated Plan Reviewer – A Qualified Professional as defined herein, or organization such as the Allegheny County Conservation District, that has been designated by the Municipality to be the reviewer of SWM Site Plans for the Municipality, and shall be understood to be the reviewer where indicated as the Municipality within this ordinance.

Detention Basin – An impoundment designed to collect and retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. Detention basins are designed to drain completely in a designed period after a rainfall event, and to become dry until the next rainfall event.

Detention Volume – The volume of runoff that is captured and released into the waters of the Commonwealth at a controlled rate.

DEP – The Pennsylvania Department of Environmental Protection.

Development Site (Site) – See Project Site.

Disturbed Area – An unstabilized land area where an earth disturbance activity is occurring or has occurred.

Earth Disturbance Activity – A construction or other human activity which disturbs the surface of the land, including, but not limited to: clearing and grubbing; grading; excavations; embankments; road maintenance; building construction; and the moving, depositing, stockpiling, or storing of soil, rock, or earth materials.

Erosion – The natural process by which the surface of the land is worn away by water, wind, or chemical action.

Existing Condition – The dominant land cover during the 5-year period immediately preceding a proposed regulated activity.

FEMA – Federal Emergency Management Agency.

Floodplain – Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area. Also includes areas that comprise Group 13 Soils, as listed in Appendix A of the Pennsylvania DEP Technical Manual for Sewage Enforcement Officers (as amended or replaced from time to time by DEP).

Floodway – The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year floodway, it is assumed--absent evidence to the contrary--that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

Forest Management/Timber Operations – Planning and activities necessary for the management of forestland. These include conducting a timber inventory, preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation, and reforestation.

Green Infrastructure – Systems and practices that use or mimic natural processes to infiltrate, evapotranspire, or reuse storm water on the site where it is generated.

Groundwater – Water beneath the earth's surface that supplies wells and springs and is within the saturated zone of soil and rock.

Groundwater Recharge – The replenishment of existing natural underground water supplies from precipitation or overland flow.

Hydrologic Soil Group (HSG) – Infiltration rates of soils vary widely and are affected by subsurface permeability as well as surface intake rates. Soils are classified into four HSGs (A, B, C, and D) according to their minimum infiltration rate, which is obtained for bare soil after prolonged wetting. The NRCS defines the four groups and provides a list of most of the soils in the United States and their group classification. The soils in the area of the development site may be identified from a soil survey report that can be obtained from local NRCS offices or conservation district offices. Soils become less pervious as the HSG varies from A to D (NRCS^{1,2}).

Impervious Surface (Impervious Area) – A surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include, but not be limited to: roofs; additional indoor living spaces, patios, garages, storage sheds and similar structures; and any new streets or sidewalks. Decks, parking areas, and driveway areas are counted as impervious areas if they directly prevent infiltration.

Invasive Species – DCNR defines invasive plants as those species that are not native to the state, grow aggressively, and spread and displace native vegetation. (see http://www.dcnr.state.pa.us/cs/groups/public/documents/document/dcnr_010314.pdf for a list of invasive species).

Infiltration – Movement of surface water into the soil, where it is absorbed by plant roots, evaporated into the atmosphere, or percolated downward to recharge groundwater.

Land Development (Development) – Inclusive of any or all of the following meanings: (i) the improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving (a) a group of two or more buildings or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features; (ii) any subdivision of land; (iii) development in accordance with Section 503(1.1) of the PA Municipalities Planning Code.

Low Impact Development (LID) – Site design approaches and small-scale storm water management practices that promote the use of natural systems for infiltration, evapotranspiration, and reuse of rainwater. LID can be applied to new development, urban retrofits, and revitalization projects. LID utilizes design techniques that infiltrate, filter, evaporate, and store runoff close to its source. Rather than rely on costly large-scale conveyance and treatment systems, LID addresses storm water through a variety of small, cost-effective landscape features located on-site.

Municipality – Borough of West View, Allegheny County, Pennsylvania.

Native Vegetation – Plant species that have historically grown in Pennsylvania and are not invasive species as defined herein.

NRCS – USDA Natural Resources Conservation Service (previously SCS).

Peak Discharge – The maximum rate of storm water runoff from a specific storm event.

Pervious Area – Any area not defined as impervious.

Project Site – The specific area of land where any regulated activities in the Municipality are planned, conducted, or maintained.

Qualified Professional – Any person licensed by the Pennsylvania Department of State or otherwise qualified under Pennsylvania law to perform the work required by this Ordinance.

Regulated Activities – Any earth disturbance activities or any activities that involve the alteration or development of land in a manner that may affect storm water runoff.

Regulated Earth Disturbance Activity – Activity involving earth disturbance subject to regulation under 25 Pa. Code 92, 25 Pa. Code 102, or the Clean Streams Law.

Release Rate – The percentage of existing conditions peak rate of runoff from a site or subarea to which the proposed conditions peak rate of runoff must be reduced to protect downstream areas.

Release Rate District – A watershed or portion of a watershed for which a release rate has been established by an adopted Act 167 Storm water Management Plan.

Retention Volume/Removed Runoff – The volume of runoff that is captured and not released directly into the surface waters of this Commonwealth during or after a storm event.

Return Period – The average interval, in years, within which a storm event of a given magnitude can be expected to occur one time. For example, the 25-year return period rainfall would be expected to occur on average once every 25 years; or stated in another way, the probability of a 25-year storm occurring in any one year is 0.04 (i.e., a 4% chance).

Riparian Buffer – A permanent vegetated area of trees and shrubs located adjacent to streams, lakes, ponds and wetlands.

Runoff – Any part of precipitation that flows over the land.

Sediment – Soils or other materials transported by surface water as a product of erosion.

State Water Quality Requirements – The regulatory requirements to protect, maintain, reclaim, and restore water quality under Title 25 of the Pennsylvania Code and the Clean Streams Law.

Storm water – Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

Storm water Management Facility – Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects storm water runoff. Typical storm water management facilities include, but are not limited to: detention and retention basins; open channels; storm sewers; pipes; and infiltration facilities.

Storm water Management Site Plan – The plan prepared by the developer or the developer's representative indicating how storm water runoff will be managed at the development site in accordance with this Ordinance. **Storm water Management Site Plan** will be designated as **SWM Site Plan** throughout this Ordinance.

Stream – A channel or conveyance of surface water having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

Subdivision – As defined in The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247.

USDA – United States Department of Agriculture.

Waters of this Commonwealth – Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Watercourse – See Stream.

Watershed – Region or land area drained by a river, watercourse, or other surface water of this Commonwealth to a downstream point.

Wetland – Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

000114

ARTICLE III – STORM WATER MANAGEMENT STANDARDS

Section 301. General Requirements

- A. For all regulated activities, unless preparation of an SWM Site Plan is specifically exempted in Section 302:
1. Preparation and implementation of an approved SWM Site Plan is required.
 2. No regulated activities shall commence until the Municipality issues written approval of an SWM Site Plan, which demonstrates compliance with the requirements of this Ordinance.
- B. SWM Site Plans approved by the Municipality, in accordance with Section 406, shall be on site throughout the duration of the regulated activity.
- C. These standards apply to the landowner and any person engaged in regulated activities.
- D. For all regulated earth disturbance activities, erosion and sediment control BMPs shall be designed, implemented, operated, and maintained during the regulated earth disturbance activities (e.g., during construction) to meet the purposes and requirements of this Ordinance and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams Law. Various BMPs and their design standards are listed in the *Erosion and Sediment Pollution Control Program Manual* (E&S Manual⁴), No. 363-2134-008, as amended and updated.
- E. Impervious areas:
1. The measurement of impervious areas shall include all of the impervious areas in the total proposed development even if development is to take place in stages.
 2. For development taking place in stages, the entire development plan must be used in determining conformance with this Ordinance.
 3. For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this Ordinance; except that the volume controls in Section 303 and the peak rate controls of Section 304 do not need to be retrofitted to existing impervious areas that are not being altered by the proposed regulated activity.
- F. Storm water flows onto adjacent or downstream property shall not be created, increased, decreased, relocated, impeded, or otherwise altered without written notification of the affected property owner(s). Notification shall include a description of the proposed development and the storm water flows that are being created, increased, decreased, relocated, impeded, or otherwise altered. Adjacent property shall at a minimum include any property having a shared boundary with the subject property of the SWM Site Plan, however, if in the judgement of the Designated Plan Reviewer additional properties are being affected, additional notifications may be required. Proof of notification (signed postal receipt for example) shall be included as part of the SWM Plan submission to the Municipality. Such storm water flows shall be subject to the requirements of this Ordinance.
- G. All regulated activities shall include such measures as necessary to:
1. Protect health, safety, and property.

2. Meet the water quality goals of this Ordinance by implementing measures to:
 - a. Minimize disturbance to floodplains, wetlands, and wooded areas.
 - b. Maintain or extend riparian buffers.
 - c. Avoid erosive flow conditions in natural flow pathways.
 - d. Minimize thermal impacts to waters of this Commonwealth.
 - e. Disconnect impervious surfaces by directing runoff to pervious areas, wherever possible.
 3. Incorporate methods described in the *Pennsylvania Storm water Best Management Practices Manual* (BMP Manual³). If methods other than green infrastructure and LID methods are proposed to achieve the volume and rate controls required under this Ordinance, the SWM Site Plan must include a detailed justification, acceptable to the Designated Plan Reviewer, demonstrating that the use of LID and green infrastructure is not practicable.
- H. Infiltration BMPs should be dispersed throughout the project site at strategic locations, made as shallow as practicable, and located to maximize use of natural on-site infiltration features while still meeting the other requirements of this Ordinance.
- I. Normally dry, open top, storage facilities should completely drain both the volume control and rate control capacities over a period of time not less than 24 and not more than 72 hours from the end of the design storm.
- J. The design storm precipitation depths to be used in the analysis of peak rates of discharge shall be as obtained in PennDOT's Drainage Manual, Publication 584, Appendix 7A; or obtained from the latest version of the Precipitation-Frequency Atlas of the United States, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydro meteorological Design Studies Center, Silver Spring, Maryland. NOAA's Atlas 14⁵ can be accessed at: <http://hdsc.nws.noaa.gov/hdsc/pfds/>.
- K. For all regulated activities, SWM BMPs shall be designed, implemented, operated, and maintained to meet the purposes and requirements of this Ordinance and to meet all requirements under Title 25 of the Pennsylvania Code, the Clean Streams Law, and the Storm Water Management Act.
- L. Various BMPs and their design standards are listed in the BMP Manual³.
- M. The municipality may, after consultation with DEP, approve measures for meeting the state water quality requirements other than those in this Ordinance, provided that they meet the minimum requirements of, and do not conflict with, state law including, but not limited to, the Clean Streams Law.

Section 302. Exemptions

- A. Regulated activities that result in cumulative earth disturbances less than one (1) acre are exempt from the requirements in Section 401 of this ordinance except as provided in paragraph B below.
- B. Earth disturbances between one-quarter (0.25) acre (10,890 square feet) and one (1) acre of earth disturbance must submit a SWM Site Plan to the Municipality which shall consist of the following items and related supportive material needed to determine compliance with Sections 303 through 305. The

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applicant can use the protocols in the Small Project Storm water Management Site Plan if Municipality has adopted Appendix C.

- a. General description of proposed storm water management techniques, including construction specifications of the materials to be used for storm water management facilities.
 - b. An erosion and sediment control plan, including all reviews and letters of adequacy from the Conservation District where appropriate.
 - c. Limits of earth disturbance, including the type and amount of impervious area that is proposed; proposed structures, roads, paved areas, and buildings; and a statement, signed by the Applicant, acknowledging that any revision to the approved drainage plan must be approved by the Municipality, and that a revised erosion and sediment control plan must be submitted to the Municipality or Conservation District for approval.
 - d. All storm water management facilities must be located on a plan and described in detail; and all calculations, assumptions, and criteria used in the design of the storm water management facilities must be shown.
- C. Agricultural activity is exempt from the SWM Site Plan preparation requirements of this Ordinance provided the activities are performed according to the requirements of 25 Pa. Code Chapter 102.
- D. Forest management and timber operations are exempt from the SWM Site Plan preparation requirements of this Ordinance provided the activities are performed according to the requirements of 25 Pa. Code Chapter 102.
- E. Roadway resurfacing and maintenance projects, which do not increase impervious area, and underground infrastructure projects are exempt from the provisions of this Ordinance, provided the activities meet the requirements of all other Municipal, State and Federal requirements.
- F. Exemptions from any provisions of this Ordinance shall not relieve the applicant from the requirements in Sections 301.D. through J.
- G. The Municipality may deny or revoke any exemption pursuant to this Section at any time for any project that the Municipality believes may pose a threat to public health and safety or the environment.
- H. Voluntary Green Storm water Infrastructure (GSI) retrofit projects that are solely intended to better manage runoff from existing development and are not part of new development or redevelopment, are exempt from the storm water management provisions of this Ordinance. This does not exempt such projects from any other municipal, state, or federal regulation.

Section 303. Volume Controls

The green infrastructure and low impact development practices provided in the BMP Manual³ shall be utilized for all regulated activities wherever possible. Water volume controls shall be implemented using the *Design Storm Method* in Subsection A or the *Simplified Method* in Subsection B below. Water volume controls shall be implemented using the Design Storm Method in Subsection A or the Simplified Method in Subsection B below, or alternative design criteria as allowed by PA Code Title 25, Chapter 102.

- A. The *Design Storm Method* (CG-1 in the BMP Manual³) is applicable as a method to any size of regulated activity. This method requires detailed modeling based on site conditions. The following shall be incorporated into the CG-1 method:
1. Do not increase the post-development total runoff volume for all storms equal to or less than the 2-year 24-hour duration precipitation.

2. At least the first one inch of runoff from the net increase in impervious surfaces shall be permanently removed from the runoff flow, i.e., it shall not be released into the surface waters of this Commonwealth. Removal options include reuse, evaporation, transpiration, and infiltration. If the developer provides justification that the listed removal options are not feasible, and the Designated Plan Reviewer agrees, runoff shall be detained in a facility designed for a 24 to 72 hour dewatering time in an area with a dedicated storm water system (not contributory to a combined sewer system) and shall be detained in a facility designed for a 72 hour dewatering time in an area contributory to a combined sewer system before discharge to local storm water systems or the environment.
3. For modeling purposes:
 - a. Existing (predevelopment) non-forested pervious areas must be considered meadow in good condition.
 - b. 20% of existing impervious area, when present, shall be considered meadow in good condition in the model for existing conditions.
- B. The *Simplified Method* (CG-2 in the BMP Manual³) provided below is independent of site conditions and should be used if the *Design Storm Method* is not followed. This method is not applicable to regulated activities greater than one acre or for projects that require design of storm water storage facilities. For new impervious surfaces:
 1. Storm water facilities shall capture at least the first two (2) inches of runoff from the net increase in impervious surfaces.
 2. At least the first one inch of runoff from the net increase in impervious surfaces shall be permanently removed from the runoff flow, i.e., it shall not be released into the surface waters of this Commonwealth. Removal options include reuse, evaporation, transpiration, and infiltration. If the developer provides justification that the listed removal options are not feasible, and the Designated Plan Reviewer agrees, runoff shall be detained in a facility designed for a 24 hour dewatering time in an area with a dedicated storm water system (not contributory to a combined sewer system) and shall be detained in a facility designed for a 72 hour dewatering time in an area contributory to a combined sewer system before discharge to local storm water systems or the environment.
 3. Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first 0.5 inch of the permanently removed runoff should be infiltrated.
 4. This method is exempt from the requirements of Section 304, Rate Controls.

Section 304. Rate Controls

- A. For areas not covered by a release rate map from an approved Act 167 Storm water Management Plan:

Post-development discharge rates shall not exceed the pre-development discharge rates for the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storm events. This is the equivalent to a 100% release rate area when compared to those rates shown in the maps contained in Appendix A (New and Existing Release Rate Management Districts). This Pre-development to Post-development control is not to be misconstrued as the same as the "Conditional Direct Discharge" areas on the Release Rate maps. If it is shown that the peak rates of discharge indicated by the post-development analysis are less than or equal

to the peak rates of discharge indicated by the pre-development analysis for 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storms, then the requirements of this section have been met. Otherwise, the applicant shall provide additional controls as necessary to satisfy the peak rate of discharge requirement. Peak flows should be computed using the methods included in the Chapter titled "Storm water Calculations and Methodology" of the PADEP Storm water Management BMP Manual.

B. For areas covered by a release rate map from an approved Act 167 Storm water Management Plan:

For the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour storm events, the post-development peak discharge rates will follow the applicable approved release rate maps. These maps are contained in Appendix A (New and Existing Release Rate Management Districts) of this Model Ordinance. For any areas not shown on the release rate maps, the post-development discharge rates shall not exceed the pre-development discharge rates for the specified design events. Peak flows should be computed using the methods included in Chapter 8 of the PADEP Storm water Management BMP Manual.

Section 305. Riparian Buffers

- A. In order to protect and improve water quality, a Riparian Buffer Easement shall be created and recorded as part of any subdivision or land development that encompasses a Riparian Buffer. The intent of this ordinance in establishing a Riparian Buffer is to protect and improve stream water quality. The Riparian Buffer is intended to slow overland flow to the stream through the presence of native grasses, trees and shrubs, allowing infiltration/groundwater recharge; causing deposition of sediment, nutrients, pesticides, and other pollutants in the buffer rather than in the stream; and reducing erosion by providing stream bank stabilization. The trees provide shade for streams; keeping waters cooler and reducing evaporation.
- B. Except as required by PA Code Title 25 Chapter 102, the Riparian Buffer Easement shall be required for all streams (as defined in Article II) with a contributing watershed area of greater than 10 acres. The Riparian Buffer Easement shall be measured to be a minimum of 35 feet from the top of the streambank (on each side).
- C. Minimum Management Requirements for Riparian Buffers.
 - 1. No use or construction within the Riparian Buffer shall be permitted that is inconsistent with the intent of the Riparian Buffer as described in Section 305.A.
 - 2. Existing native vegetation shall be protected and maintained within the Riparian Buffer Easement.
 - 3. Whenever practicable, invasive vegetation shall be actively removed and the Riparian Buffer Easement shall be planted with native trees, shrubs and other vegetation to create a diverse native plant community appropriate to the intended ecological context of the site.
- D. The Riparian Buffer Easement shall be enforceable by the Municipality and shall be recorded in the appropriate County Recorder of Deeds Office, so that it shall run with the land and shall limit the use of the property located therein. The easement shall allow for the continued private ownership and shall count toward the minimum lot area required by Zoning, unless otherwise specified in the municipal Zoning Ordinance.
- E. Any permitted use within the Riparian Buffer Easement shall be conducted in a manner that will maintain the extent of the existing 100-year floodplain, improve or maintain the stream stability, and preserve and protect the ecological function of the floodplain.

- F. Storm water drainage pipes shall be permitted within the Riparian Buffer Easement, but they shall cross the Easement in the shortest practical distance. Other structural storm water management facilities are not permitted within the Riparian Buffer Easement.
- G. The following conditions shall apply when public and/or private recreation trails are permitted by the Municipality within Riparian Buffers:
 - 1. It is preferred that trails be designed to be permeable and for non-motorized use only; however, impermeable trails are permitted provided they have adequate drainage
 - 2. Trails shall be designed to have the least impact on native plant species and other sensitive environmental features.
- H. Septic drain fields and sewage disposal systems shall not be permitted within the Riparian Buffer Easement and shall comply with setback requirements established under 25 Pa. Code Chapter 73.
- I. Underground utilities shall be permitted within the Riparian Buffer Easement; however, work shall be performed to minimize disturbance area and removal of trees. Restoration within the Riparian Buffer Easement shall be with native species of trees, grasses, and other plantings. One tree shall be planted for each tree removed and the restoration shall be designed by a Registered Professional with the requisite experience. Aboveground utilities shall only be permitted to cross the Easement perpendicular to the Easement or in the shortest practical distance. Existing utilities may remain and be maintained as required.

ARTICLE IV – STORM WATER MANAGEMENT (SWM) SITE PLAN REQUIREMENTS

Section 401. Plan Requirements

Appropriate sections from the Municipality's Subdivision and Land Development Ordinance, and other applicable local ordinances, shall be followed in preparing the SWM Site Plans. In instances where the Municipality lacks Subdivision and Land Development regulations, the content of SWM Site Plans shall follow the Allegheny County Subdivision and Land Development Ordinance.

The Municipality shall not approve any SWM Site Plan that is deficient in meeting the requirements of this Ordinance. At its sole discretion and in accordance with this Article, when a SWM Site Plan is found to be deficient, the Municipality may either disapprove the submission and require a resubmission, or in the case of minor deficiencies, the Municipality may accept submission of modifications.

The following items shall be included in the SWM Site Plan:

- A. Provisions for permanent access or maintenance easements for all physical SWM BMPs, such as ponds and infiltration structures, as necessary to implement the Operation and Maintenance (O&M) Plan discussed in paragraph C.9 below.
- B. The following signature block for the Municipality:

“ _____, on this date has reviewed and hereby certifies that the SWM Site Plan meets all design standards and criteria of the Municipal Ordinance No. _____, except where waivers have been granted as noted on the Plan. The review is based on a survey and plan prepared by others and assumes that all information is correct and valid as submitted.”
- C. The SWM Site Plan shall provide the following information:
 - 1. The overall storm water management concept for the project.
 - 2. A determination of site conditions in accordance with the BMP Manual³. A detailed site evaluation shall be completed for projects proposed in environmentally sensitive areas, such as brownfields.
 - 3. Storm water runoff design computations and documentation as specified in this Ordinance, or as otherwise necessary to demonstrate that the maximum practicable measures have been taken to meet the requirements of this Ordinance, including the recommendations and general requirements in Section 301.
 - 4. Expected project time schedule.
 - 5. A soil erosion and sediment control plan, where applicable, as prepared for and submitted to the approval authority.
 - 6. The effect of the project (in terms of runoff volumes, water quality, and peak flows) on surrounding properties and aquatic features and on any existing storm water conveyance system that may be affected by the project.

7. Plan and profile drawings of all SWM BMPs, including drainage structures, pipes, open channels, and swales.
8. SWM Site Plan shall show the locations of existing and proposed on-lot wastewater facilities and water supply wells, property boundaries, existing and proposed topography, point(s) of interest, utilities, and potential utility conflicts.
9. The SWM Site Plan shall include an O&M Plan for all existing and proposed physical storm water management facilities. This plan shall address long-term ownership and responsibilities for O&M including type and schedule/frequency of maintenance activities, personnel and equipment requirements, estimated annual maintenance costs, and method of financing continuing O&M.
10. A justification, acceptable to the Designated Plan Reviewer, must be included in the SWM Site Plan if BMPs other than green infrastructure methods and LID practices are proposed to achieve the volume, rate and water quality controls under this Ordinance.

Section 402. Plan Submission

Up to five copies of the SWM Site Plan shall be submitted as follows:

1. Two copies to the Municipality.
2. One copy to the municipal engineer (when applicable).
3. One copy to the Allegheny County Conservation District (when requested by the District).
4. One copy to the Allegheny County Sanitary Authority (in areas with combined sewer systems).

Section 403. Plan Review

- A. The Municipality has designated Glenn Engineering as the Designated Plan Reviewer of SWM Site Plans for the Municipality, and shall be understood to be the reviewer where indicated as the Municipality within this ordinance.
- B. SWM Site Plans shall be reviewed by the Municipality for consistency with the provisions of this Ordinance.
- C. The Municipality shall notify the applicant in writing within 45 days whether the SWM Site Plan is approved or disapproved or requires additional documentation. If the SWM Site Plan involves a Subdivision and Land Development Plan, the notification shall occur within the time period allowed by the Municipalities Planning Code (90 days). If a longer notification period is provided by other statute, regulation, or ordinance, the applicant will be so notified by the Municipality.
- D. For any SWM Site Plan that proposes to use any BMPs other than green infrastructure and LID practices to achieve the volume and rate controls required under this Ordinance, the Municipality will not approve the SWM Site Plan unless it determines that green infrastructure and LID practices are not practicable.
- E. If the Municipality disapproves the SWM Site Plan, the Municipality will state the reasons for the disapproval in writing. The Municipality also may approve the SWM Site Plan with conditions and, if so, shall provide the acceptable conditions for approval in writing.

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- F. The applicable review fee, in accord with Article VI, must accompany a resubmission of a disapproved SWM site plan.

Section 404. Modification of Plans

A modification to a submitted SWM Site Plan that involves a change in SWM BMPs or techniques, or that involves the relocation or redesign of SWM BMPs, or that is necessary because soil or other conditions are not as stated on the SWM Site Plan, as determined by the Designated Plan Reviewer, shall require a resubmission of the modified SWM Site Plan in accordance with this Article.

Section 405. Resubmission of Disapproved SWM Site Plans

A disapproved SWM Site Plan may be resubmitted, with the revisions addressing the Municipality's concerns, to the Municipality in accordance with this Article. The applicable review fee, in accord with Article VI, must accompany a resubmission of a disapproved SWM Site Plan.

Section 406. Authorization to Construct and Term of Validity

The Municipality's approval of an SWM Site Plan authorizes the regulated activities contained in the SWM Site Plan for a maximum term of validity of 5 years following the date of approval. The Municipality may specify a term of validity shorter than 5 years in the approval for any specific SWM Site Plan. Terms of validity shall commence on the date the Municipality signs the approval for an SWM Site Plan. If an approved SWM Site Plan is not completed according to Section 407 within the term of validity, then the Municipality may consider the SWM Site Plan disapproved and may revoke any and all permits. SWM Site Plans that are considered disapproved by the Municipality shall be resubmitted in accordance with Section 405 of this Ordinance.

Section 407. Record Drawings, Completion Certificate, and Final Inspection

- A. The developer shall be responsible for providing record drawings of all SWM BMPs included in the approved SWM Site Plan. The record drawings and an explanation of any discrepancies with the construction plans shall be submitted to the Municipality.
- B. The record drawing submission shall include a certification of completion signed by a qualified professional verifying that all permanent SWM BMPs have been constructed according to the approved plans and specifications. The latitude and longitude coordinates for all permanent SWM BMPs must also be submitted, at the central location of the BMPs. If any licensed qualified professionals contributed to the construction plans, then a licensed qualified professional must sign the completion certificate.
- C. The Municipality may conduct inspections during construction as it deems appropriate. If inspections performed by the Municipality reveal deficiencies from the submitted and approved SWM Site Plan, the Municipality may request corrective actions. Any corrective action shall be at the cost of the storm water facility owner.
- D. After receipt of the completion certification by the Municipality, the Municipality may conduct a final inspection.

ARTICLE V – OPERATION AND MAINTENANCE

Section 501. Responsibilities of Developers and Landowners

- A. The Municipality shall make the final determination on the continuing maintenance responsibilities prior to final approval of the SWM Site Plan. The Municipality may require a dedication of such facilities as part of the requirements for approval of the SWM Site Plan. Such a requirement is not an indication that the Municipality will accept the facilities. The Municipality reserves the right to reject or accept the ownership and operating responsibility for any portion of the storm water management controls.
- B. Facilities, areas, or structures used as SWM BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions or conservation easements that run with the land.
- C. The O&M Plan shall be recorded as a restrictive deed covenant that runs with the land.
- D. The Municipality may take enforcement actions against an owner for any failure to satisfy the provisions of this Article.

Section 502. Operation and Maintenance Agreements

- A. Prior to final approval of the SWM Site Plan, the property owner shall sign and record an Operation and Maintenance (O&M) Agreement (see Appendix B) covering all storm water control facilities which are to be privately owned.
 - 1. The owner, successor and assigns shall maintain all facilities in accordance with the approved maintenance schedule in the O&M Agreement.
 - 2. The owner shall convey to the Municipality conservation easements to assure access for periodic inspections by the Municipality and maintenance, as necessary.
 - 3. The owner shall keep on file with the Municipality the name, address, and telephone number of the person or company responsible for maintenance activities; in the event of a change, new information shall be submitted by the owner to the Municipality within ten (10) working days of the change.
- B. The owner is responsible for operation and maintenance (O&M) of the SWM BMPs. If the owner fails to adhere to the O&M Agreement, the Municipality may perform the services required and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.

Section 503. Performance Guarantee

For SWM Site Plans that involve subdivision and land development, the applicant shall provide a financial guarantee to the Municipality for the timely installation and proper construction of all storm water management controls as required by the approved SWM Site Plan and this Ordinance in accordance with the provisions of Sections 509, 510, and 511 of the Pennsylvania Municipalities Planning Code.

ARTICLE VI – FEES AND EXPENSES**Section 601. General**

The Municipality may include all costs incurred into the review fee charged to an applicant.

The review fee may include, but not be limited to, costs for the following:

- A. Administrative/clerical processing.
- B. Review of the SWM Site Plan.
- C. Review of a SWM Site Plan resubmission.
- D. Attendance at meetings.
- E. Inspections.

ARTICLE VII – PROHIBITIONS

Section 701. Prohibited Discharges and Connections

- A. Any drain or conveyance, whether on the surface or subsurface, that allows any non-storm water discharge including sewage, process wastewater, and wash water to enter a regulated small MS4 or to enter the surface waters of this Commonwealth is prohibited.
- B. No person shall allow, or cause to allow, discharges into a regulated small MS4, or discharges into waters of this Commonwealth, which are not composed entirely of storm water, except (1) as provided in paragraph C below and (2) discharges authorized under a state or federal permit.
- C. The following discharges are authorized unless they are determined to be significant contributors to pollution of a regulated small MS4 or to the waters of this Commonwealth:
1. Discharges or flows from firefighting activities.
 2. Discharges from potable water sources including water line flushing and fire hydrant flushing, if such discharges do not contain detectable concentrations of Total Residual Chlorine (TRC).
 3. Non-contaminated irrigation water, water from lawn maintenance, landscape drainage and flows from riparian habitats and wetlands.
 4. Diverted stream flows and springs.
 5. Non-contaminated pumped ground water and water from foundation and footing drains and crawl space pumps.
 6. Non-contaminated HVAC condensation and water from geothermal systems.
 7. Residential (i.e., not commercial) vehicle wash water where cleaning agents are not utilized.
 8. Non-contaminated hydrostatic test water discharges, if such discharges do not contain detectable concentrations of TRC.
 9. Dechlorinated swimming pool and hot tub discharges, as long as the PADEP guidelines for swimming pool water discharge are followed.
- D. In the event that the Municipality or DEP determines that any of the discharges identified in Subsection C significantly contribute pollutants to a regulated small MS4 or to the waters of this Commonwealth, the Municipality or DEP will notify the responsible person(s) to cease the discharge.

Section 702. Roof Drains and Sump Pumps

Roof drains and sump pumps shall discharge to infiltration or vegetative BMPs wherever feasible.

Section 703. Alteration of SWM BMPs

No person shall modify, remove, fill, landscape, or alter any SWM BMPs, facilities, areas, drainage easements, or structures that were installed as a requirement of this Ordinance without the written approval of the Municipality.

ARTICLE VIII – ENFORCEMENT AND PENALTIES

Section 801. Right of Entry

Upon presentation of proper credentials, the Municipality or its designated agent may enter at reasonable times upon any property within the Municipality to inspect the condition of the storm water structures and facilities in regard to any aspect regulated by this Ordinance.

Section 802. Inspection

The landowner or the owner's designee (including the Municipality for dedicated and owned facilities) shall inspect SWM BMPs, facilities and/or structures installed under this Ordinance according to the following frequencies, at a minimum, to ensure the BMPs, facilities and/or structures continue to function as intended:

1. Annually for the first 5 years.
2. Once every 3 years thereafter.
3. During or immediately after the cessation of a 10-year or greater storm.

Inspections should be conducted during or immediately following precipitation events. A written inspection report shall be created to document each inspection. The inspection report shall contain the date and time of the inspection, the individual(s) who completed the inspection, the location of the BMP, facility or structure inspected, observations on performance, and recommendations for improving performance, if applicable. Inspection reports shall be submitted to the Municipality within 30 days following completion of the inspection.

Section 803. Enforcement

- A. It shall be unlawful for a person to undertake any regulated activity except as provided in an approved SWM Site Plan, unless specifically exempted in Section 302.
- B. It shall be unlawful to violate Section 703 of this Ordinance.
- C. Inspections regarding compliance with the SWM Site Plan are a responsibility of the Municipality.

Section 804. Suspension and Revocation

- A. Any approval or permit issued by the Municipality pursuant to this Ordinance may be suspended or revoked for:
 1. Non-compliance with or failure to implement any provision of the approved SWM Site Plan or O&M Agreement.
 2. A violation of any provision 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 the Regulated Activity which constitutes or creates a hazard, nuisance, pollution, or endangers the life or property of others.

B. A suspended approval may be reinstated by the Municipality when:

1. The Municipality has inspected and approved the corrections to the violations that caused the suspension.
 2. The Municipality is satisfied that the violation has been corrected.
- C. An approval that has been revoked by the Municipality cannot be reinstated. The applicant may apply for a new approval under the provisions of this Ordinance.
- D. If a violation causes no immediate danger to life, public health, or property, at its sole discretion, the Municipality may provide a limited time period for the owner to correct the violation. In these cases, the Municipality will provide the owner, or the owner's designee, with a written notice of the violation and the time period allowed for the owner to correct the violation. If the owner does not correct the violation within the allowed time period, the Municipality may revoke or suspend any, or all, applicable approvals and permits pertaining to any provision of this Ordinance.

Section 805. Penalties

- A. Anyone violating the provisions of this Ordinance shall be guilty of a summary offense, and upon conviction, shall be subject to a fine of not more than \$300.00 for each violation, recoverable with costs. Each day that the violation continues shall be a separate offense and penalties shall be cumulative.
- B. In addition, the Municipality may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

Section 806. Appeals

- A. Any person aggrieved by any action of the Municipality or its designee, relevant to the provisions of this Ordinance, may appeal to the Municipality within 30 days of that action.
- B. Any person aggrieved by any decision of the Municipality, relevant to the provisions of this Ordinance, may appeal to the County Court of Common Pleas in the county where the activity has taken place within 30 days of the Municipality's decision.

ARTICLE IX – REFERENCES

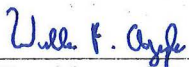
1. U.S. Department of Agriculture, National Resources Conservation Service (NRCS). *National Engineering Handbook*. Part 630: Hydrology, 1969-2001. Originally published as the *National Engineering Handbook*. Section 4: Hydrology. Available from the NRCS online at: <http://www.nrcs.usda.gov/>.
2. U.S. Department of Agriculture, Natural Resources Conservation Service. 1986. *Technical Release 55: Urban Hydrology for Small Watersheds*, 2nd Edition. Washington, D.C.
3. Pennsylvania Department of Environmental Protection. No. 363-0300-002 (December 2006), as amended and updated. *Pennsylvania Storm water Best Management Practices Manual*. Harrisburg, PA.
4. Pennsylvania Department of Environmental Protection. No. 363-2134-008 (March 31, 2012), as amended and updated. *Erosion and Sediment Pollution Control Program Manual*. Harrisburg, PA.
5. U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service, Hydro meteorological Design Studies Center. 2004-2006. *Precipitation-Frequency Atlas of the United States, Atlas 14*, Volume 2, Version 3.0, Silver Spring, Maryland. Internet address: <http://hdsc.nws.noaa.gov/hdsc/pfds/>.

ORDAINED AND ENACTED into law this 8th day of November, 2018.

ATTEST:

BOROUGH OF WEST VIEW


Borough Secretary
Bruce A. Fromlak


President of Town Council
William F. Aguglia

EXAMINED AND APPROVED this 8th day of November, 2018.


Mayor
J. R. Henry

APPENDIX A

NEW AND EXISTING RELEASE RATE MANAGEMENT DISTRICTS (MAPS)

APPENDIX B**OPERATION AND MAINTENANCE (O&M) AGREEMENT
STORM WATER MANAGEMENT BEST MANAGEMENT PRACTICES (SWM BMPs)**

THIS AGREEMENT, made and entered into this day of _____, by and between (hereinafter the "Landowner"), the Borough of West View, Allegheny County, Pennsylvania (hereinafter "Municipality");

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property as recorded by deed in the land records of Allegheny County, Pennsylvania, Deed Book _____ at page _____, (hereinafter "Property").

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the SWM BMP Operation and Maintenance (O&M) Plan approved by the Municipality (hereinafter referred to as the "O&M Plan") for the property identified herein, which is attached hereto as Appendix A and made part hereof, as approved by the Municipality, provides for management of storm water within the confines of the Property through the use of BMPs; and

WHEREAS, the Municipality, and the Landowner, his successors and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that on-site SWM BMPs be constructed and maintained on the Property; and

WHEREAS, the Municipality requires, through the implementation of the SWM Site Plan, that SWM BMPs as required by said SWM Site Plan and the Municipal Storm water Management Ordinance be constructed and adequately operated and maintained by the Landowner, successors, and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Landowner shall construct the BMPs in accordance with the plans and specifications identified in the SWM Site Plan.
2. The Landowner shall operate and maintain the BMPs as shown on the SWM Site Plan in good working order in accordance with the specific operation and maintenance requirements noted on the approved O&M Plan.
3. The Landowner hereby grants permission to the Municipality, its authorized agents and employees, to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the Municipality shall notify the Landowner prior to entering the property.
4. In the event the Landowner fails to operate and maintain the BMPs per paragraph 2, the Municipality or its representatives may enter upon the Property and take whatever action is deemed necessary to maintain

said BMP(s). It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality.

5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within 10 days of receipt of invoice from the Municipality.
6. The intent and purpose of this Agreement is to ensure the proper maintenance of the on-site BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create any additional liability of any party for damage alleged to result from or be caused by storm water runoff.
7. The Landowner, its executors, administrators, assigns, and other successors in interests, shall release the Municipality from all damages, accidents, casualties, occurrences, or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMP(s) by the Landowner or Municipality.
8. The Municipality intends to inspect the BMPs at a minimum of once every three years to ensure their continued functioning.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs, and any other successors in interests, in perpetuity.

ATTEST:

WITNESS the following signatures and seals:

(SEAL)

For the Municipality:

For the Landowner:

ATTEST:

_____ West View Borough of Allegheny County of _____, Pennsylvania
 I, _____, a Notary Public in and for the county and state
 aforesaid, whose commission expires on the _____ day of _____, 20____, do hereby certify that _____
 whose name(s) is/are signed to the foregoing Agreement bearing date of the _____ day _____, 20____,
 has acknowledged the same before me in my said county and state.

GIVEN UNDER MY HAND THIS _____ day of _____, 20____.

 NOTARY PUBLIC

 (SEAL)

APPENDIX C

SMALL PROJECT STORM WATER MANAGEMENT SITE PLAN

This small project storm water site plan has been developed to assist those proposing residential projects to meet the requirements of the *Allegheny County Storm water Management Plan* Model Ordinance without having to hire professional services to draft a formal storm water management plan. This small project site plan is only permitted for projects with earth disturbances between one-quarter (0.25) acre and one (1) acre of earth disturbance (Section 302.B) and using *The Simplified Method* (CG-2 in the BMP Manual³) for Volume Control as described in Section 303.B. Additional information can be found in Chapter 6 of the Pennsylvania Storm water Best Management Practices Manual

A. What is an applicant required to submit?

All requirements of Section 302.B including a brief description of the proposed storm water facilities, including types of materials to be used, total square footage of proposed impervious areas, volume calculations, and a simple sketch plan showing the following information:

- Location of proposed structures, driveways, or other paved areas with approximate surface area in square feet.
- Location of any existing or proposed onsite septic system and/or potable water wells showing proximity to infiltration facilities.
- County Conservation District erosion and sediment control "Adequacy" letter as may be required by Municipal, County or State regulations.

B. Determination of Required Volume Control and Sizing Storm water Facilities

By following the simple steps outlined below in the provided example, an applicant can determine the runoff volume that is required to be controlled and how to choose the appropriate storm water facility to permanently remove the runoff volume from the site. Impervious area calculations must include all areas on the lot proposed to be covered by roof area or pavement which would prevent rain from naturally percolating into the ground, including impervious surfaces such as sidewalks, driveways, parking areas, patios or swimming pools. Sidewalks, driveways or patios that are designed and constructed to allow for infiltration are not included in this calculation.

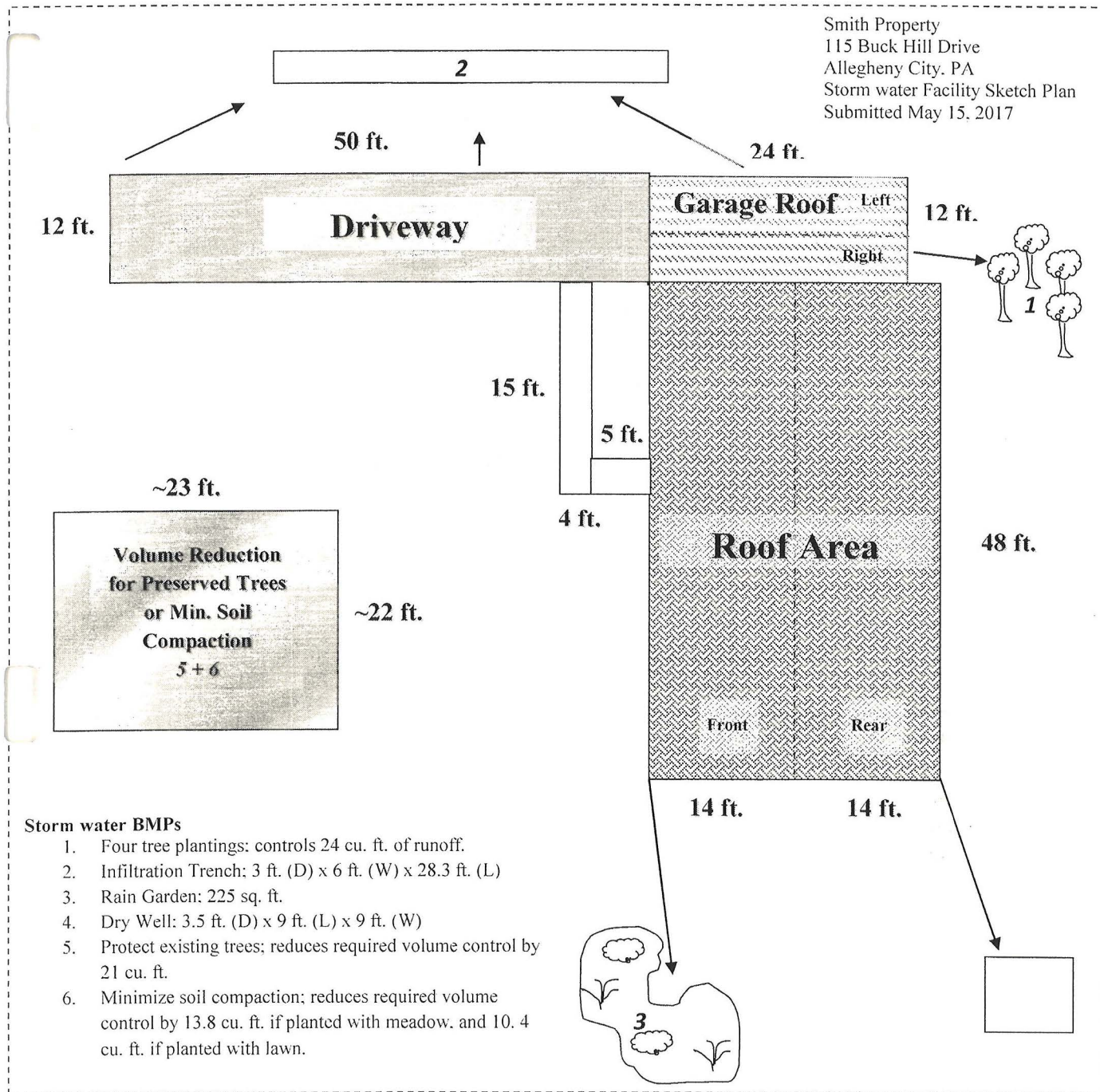
Site Plan Example: Controlling runoff volume from a proposed home site

Step 1: Determine Total Impervious Surfaces

Impervious Surface			Area (sq. ft.)
House Roof (Front)	14 ft. x 48 ft.	=	672 sq. ft.
House Roof (Rear)	14 ft. x 48 ft.	=	672 sq. ft.
Garage Roof (Left)	6ft. x 24 ft.	=	144 sq. ft.
Garage Roof (Right)	6 ft. x 24 ft.	=	144 sq. ft.
Driveway	12 ft. x 50 ft.	=	1000 sq. ft.
Walkway	4 ft. x 20 ft.	=	80 sq. ft.

	Total Impervious		3000 sq. ft.

Figure 1: Sample Site Sketch Plan



Step 2: Determine Required Volume Control (cubic feet) using the following equation:

$$\text{Volume (cu. ft.)} = (\text{Total impervious area in square feet} \times 2 \text{ inches of runoff}) / 12 \text{ inches}$$

$$(3,000 \text{ sq. ft.} \times 2 \text{ inches of runoff}) / 12 \text{ inches} = 500 \text{ cu. ft.}$$

Example continued:**Step 3: Sizing the Selected Volume Control BMP**

Several Best Management Practices (BMPs), as described below, are suitable for small storm water management projects. However, their application depends on the volume required to be controlled, how much land is available, and the site constraints. Proposed residential development activities can apply both nonstructural and structural BMPs to control the volume of runoff from the site. A number of different volume control BMPs are described below. Note that Figure 1 is an example of how these BMPs can be utilized in conjunction to control the total required volume on one site.

Structural BMPs**1. Infiltration Trench**

An Infiltration Trench is a linear storm water BMP consisting of a continuously perforated pipe at a minimum slope in a stone-filled trench. During small storm events, infiltration trenches can significantly reduce volume and serve in the removal of fine sediments and pollutants. Runoff is stored between the stones and infiltrates through the bottom of the facility and into the soil matrix. Runoff should be pretreated using vegetative buffer strips or swales to limit the amount of coarse sediment entering the trench which can clog and render the trench ineffective. In all cases, an infiltration trench should be designed with a positive overflow.

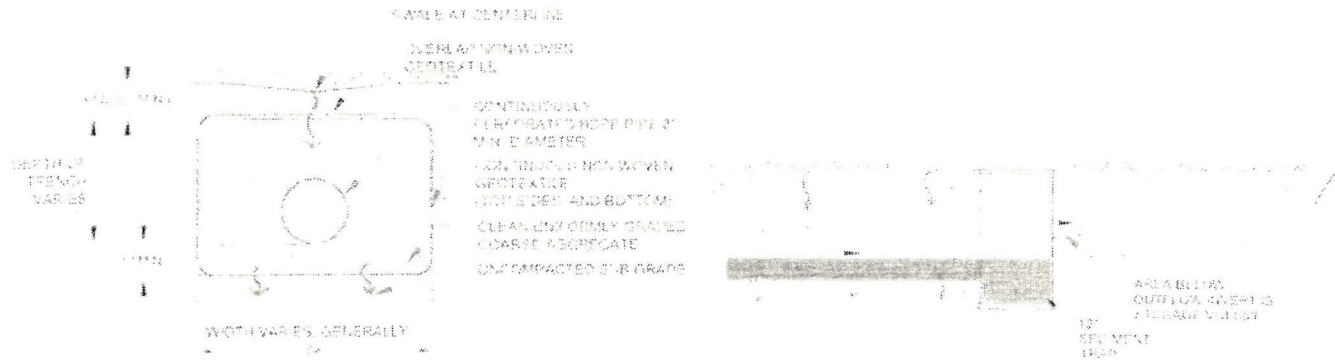
Design Considerations:

- Although the width and depth can vary, it is recommended that Infiltration Trenches be limited in depth to not more than six (6) feet of stone.
- Trench is wrapped in nonwoven geotextile (top, sides, and bottom).
- Trench needs to be placed on un-compacted soils.
- Slope of the Trench bottom should be level or with a slope no greater than 1%.
- A minimum of 6" of topsoil is placed over trench and vegetated.
- The discharge or overflow from the Infiltration Trench should be properly designed for anticipated flows.
- Cleanouts or inlets should be installed at both ends of the Infiltration Trench and at appropriate intervals to allow access to the perforated pipe.
- Volume of facility = Depth x Width x Length x Void Space of the gravel bed (assume 40%).

Maintenance:

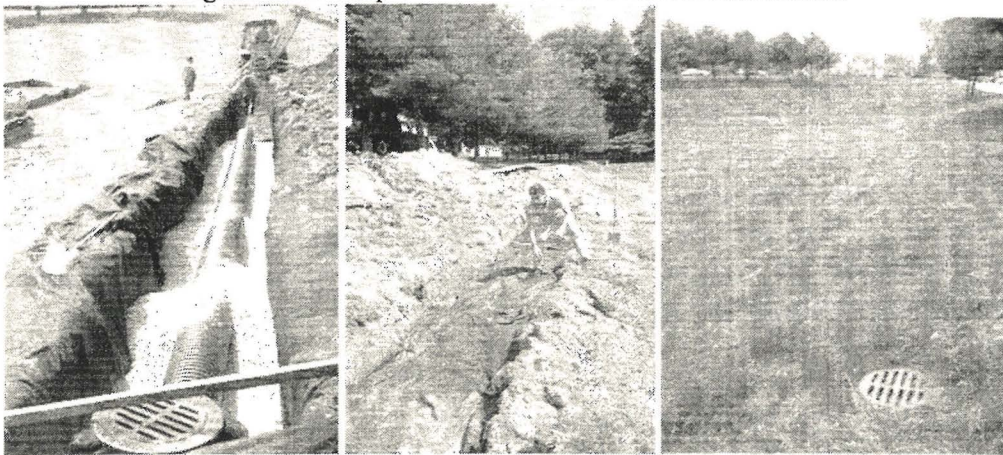
- Catch basins and inlets should be inspected and cleaned at least two times a year.
- The vegetation along the surface of the infiltration trench should be maintained in good condition and any bare spots should be re-vegetated as soon as possible.
- Vehicles should not be parked or driven on the trench and care should be taken to avoid soil compaction by lawn mowers.

Figure 2: Infiltration Trench Diagram



Source: PA BMP Guidance Manual, Chapter 6, page 42.

Figure 3: Example of Infiltration Trench Installation



Source: PA BMP Guidance Manual, Chapter 6, Page 46.

Sizing Example for Infiltration Trench

1. Determine Total Impervious Surface to drain to Infiltration Trench:

Garage Roof (Left)	6 ft. x 24 ft.	=	144 sq. ft.
Driveway	12 ft. x 50 ft.	=	1000 sq. ft.
Walkway	4 ft. x 20 ft.	=	80 sq. ft.

2. Determine the required infiltration volume:
 $(1224 \text{ sq. ft.} \times 2 \text{ inches of runoff}) / 12 \text{ ft.} = 204 \text{ cu. ft.} / 0.4^* = 510 \text{ cu. ft.}$
 (*0.4 assumes 40% void ratio in gravel bed)

3. Sizing the infiltration trench facility:
 Volume of Facility = Depth x Width x Length

Set Depth to 3 feet and determine required surface area of trench.

$$510 \text{ cu. ft.} / 3 \text{ ft.} = 170 \text{ sq. ft.}$$

The width of the trench should be greater than 2 times its depth ($2 \times D$), therefore in this example the trench width of 6 feet selected.

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Determine trench length: $L = 170 \text{ sq. ft.} / 6 \text{ ft.} = 28.3 \text{ ft.}$

Final infiltration trench dimensions: 3 ft. (D) x 6 ft. (W) x 28.3 ft. (L)

2. Rain Garden

A Rain Garden is a planted shallow depression designed to catch and filter rainfall runoff. The garden captures rain from a downspout or a paved surface. The water sinks into the ground, aided by deep rooted plants that like both wet and dry conditions. The ideal location for a rain garden is between the source of runoff (roofs and driveways) and the runoff destination (drains, stream, low spots, etc.).

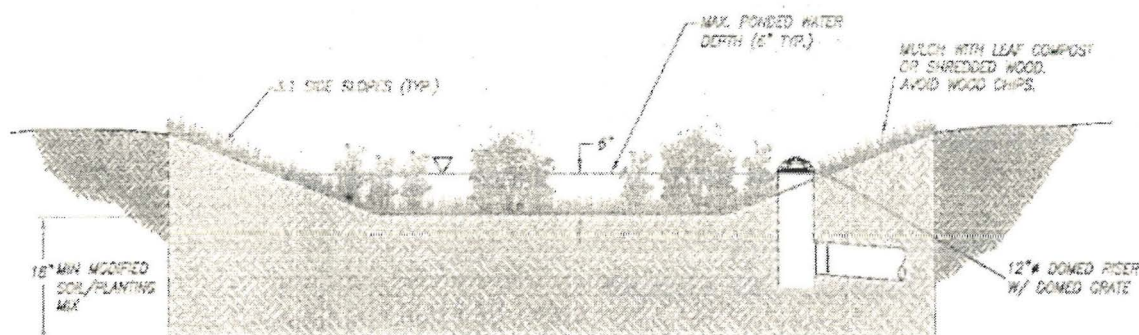
Design Considerations:

- A maximum of 3:1 side slope is recommended.
- The depth of a rain garden can range from 6 - 8 inches. Ponded water should not exceed 6 inches.
- The rain garden should drain within 72 hours.
- The garden should be at least 10-20 feet from a building's foundation and 25 feet from septic system drain fields and wellheads.
- If the site has clay soils, soil should be amended with compost or organic material.
- Choose native plants. See http://pa.audubon.org/habitat/PDFs/RGBrochure_complete.pdf for a native plant list. To find native plant sources go to www.pawildflower.org.
- At the rain garden location, the water table should be at least 2' below the soil level. If water stands in an area for more than one day after a heavy rain you can assume it has a higher water table and is not a good choice for a rain garden.

Maintenance:

- Water plants regularly until they become established.
- Inspect twice a year for sediment buildup, erosion and vegetative conditions.
- Mulch with hardwood when erosion is evident and replenish annually.
- Prune and remove dead vegetation in the spring season.
- Weed as you would any garden.
- Move plants around if some plants would grow better in the drier or wetter parts of the garden.

Figure 4: Rain Garden Diagram



Source: PA BMP Guidance Manual, Chapter 6 Page 50

Sizing Example for Rain Garden

1. Pick a site for the rain garden between the source of runoff and a low lying area, a.k.a., a drainage area.

2. Perform an infiltration test to determine the depth of the rain garden:

- Dig a hole 8" x 8"
- Fill with water and put a popsicle stick at the top of the water level.
- Measure how far it drains down after a few hours (ideally 4 hours).
- Calculate the depth of water that will drain out over 24 hours.

3. Determine total impervious surface area to drain to rain garden:

House Roof (Front)	14 ft. x 48 ft.	=	672 sq. ft.
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4. Sizing the rain garden:

For this example, let's say the infiltration test determined 6" of water drained out of a hole in 24 hours. The depth of the rain garden should be set to the results of the infiltration test so 6" is the depth of the rain garden. The sizing calculation below is based on controlling 1" of runoff. First divide the impervious surface by the depth of the rain garden.

$$672 \text{ sq. ft.} / 6 \text{ (depth of rain garden in inches)} = 112 \text{ sq. ft.}$$

In order to control 2" of runoff volume, the rain garden area is multiplied by 2.

$$112 \text{ sq. ft.} * 2 = 224 \text{ sq. ft.}$$

The rain garden should be about 225 sq. ft. in size and 6" deep.

3. Dry Well (a.k.a., Seepage Pit)

A Dry Well, sometimes called a Seepage Pit, is a subsurface storage facility that temporarily stores and infiltrates storm water runoff from the roofs of structures. By capturing runoff at the source, Dry Wells can dramatically reduce the increased volume of storm water generated by the roofs of structures. Roof leaders connect directly into the Dry Well, which may be either an excavated pit filled with uniformly graded aggregate wrapped in geotextile, or a prefabricated storage chamber or pipe segment. Dry Wells discharge the stored runoff via infiltration into the surrounding soils. In the event that the Dry Well is overwhelmed in an intense storm event, an overflow mechanism (surcharge pipe, connection to a larger infiltration area, etc.) will ensure that additional runoff is safely conveyed downstream.

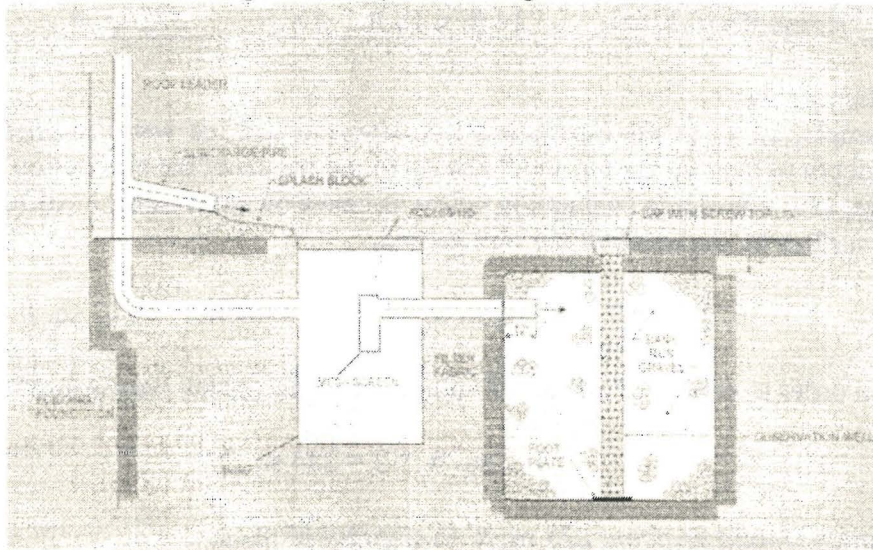
Design Considerations:

- Dry Wells typically consist of 18 to 48 inches of clean washed, uniformly graded aggregate with 40% void capacity (AASHTO No. 3, or similar). "Clean" gravel fill should average one and one-half to three (1.5 – 3.0) inches in diameter.
- Dry Wells are not recommended when their installation would create a significant risk for basement seepage or flooding. In general, 10 - 20 feet of separation is recommended between Dry Wells and building foundations.
- The facility may be either a structural prefabricated chamber or an excavated pit filled with aggregate.
- Depth of dry wells in excess of three-and-a-half (3.5) feet should be avoided unless warranted by soil conditions.
- Storm water dry wells must never be combined with existing, rehabilitated, or new septic system seepage pits. Discharge of sewage to storm water dry wells is strictly prohibited.
- As shown in Figure 5, the installation should include a surcharge or overflow pipe.

Maintenance:

- Dry wells should be inspected at least four (4) times annually as well as after large storm events.
- Remove sediment, debris/trash, and any other waste material from a dry well.
- Regularly clean out gutters and ensure proper connections to the dry well.
- Replace the filter screen that intercepts the roof runoff as necessary.

Figure 5: Dry Well Diagram



Source: PA BMP Guidance Manual, Chapter 6, Page 65.

Sizing Example for Dry Wells:

1. Determine contributing impervious surface area:

House Roof (Rear)	14 ft. x 48 ft.	=	672 sq. ft.
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2. Determine required volume control:

$$(672 \text{ sq. ft.} \times (2 \text{ inches of runoff} / 12 \text{ inches/ft.})) = 112 \text{ cu. ft.}$$

$$112 \text{ cu. ft.} / 0.4 = 280 \text{ cu. ft. (assuming the 40\% void ratio in the gravel bed)}$$

3. Sizing the dry well:

Set the depth to 3.5 ft.; Set the width equal to the length for a square chamber.

$$3.5 \text{ ft.} \times L \times L = 280 \text{ cu. ft.}; \quad L \times L = 280 \text{ cu. ft.} / 3.5 \text{ ft.}; \text{ thus } L \times L = 80 \text{ sq. ft.}; L=9 \text{ (approx)}$$

$$\text{Dimensions} = 3.5 \text{ ft. (D)} \times 9 \text{ ft. (L)} \times 9 \text{ ft. (W)}$$

NonStructural BMPs

1. Tree Plantings and Preservation

Trees and forests reduce storm water runoff by capturing and storing rainfall in the canopy and releasing water into the atmosphere through evapotranspiration. Tree roots and leaf litter also create soil conditions that promote the infiltration of rainwater into the soil. In addition, trees and forests reduce pollutants by taking up nutrients and other pollutants from soils and water through their root systems. A development site can reduce runoff volume by planting new trees or by preserving trees which existed on the site prior to development. The volume reduction calculations either determine the cubic feet to be directed to the area under the tree canopy for infiltration or determine a volume reduction credit which can be used to reduce the size of any one of the planned structural BMPs on the site.

Tree Considerations:

- Existing trees must have at least a 4" trunk caliper or larger.
- Existing tree canopy must be within 100 ft. of impervious surfaces.
- A tree canopy is classified as the continuous cover of branches and foliage formed by a single tree or collectively by the crowns of adjacent trees.
- New tree plantings must be at least 6 ft. in height and have a 2" trunk caliper.
- All existing and newly planted trees must be native to Pennsylvania. See <http://www.dcnr.state.pa.us/forestry/commontr/commontrees.pdf> for a guide book titled *Common Trees of Pennsylvania* for a native tree list.
- When using trees as volume control BMPs, runoff from impervious areas should be directed to drain under the tree canopy.

Determining the required number of planted trees to reduce the runoff volume:

1. Determine contributing impervious surface area:

Garage Roof (Right)	6 ft. x 24 ft.	=	144 ft.
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2. Calculate the required control volume:
(144 sq. ft. x 2 inches of runoff) / 12 inches = 24 cu. ft.
3. Determine the number of tree plantings:

- A newly planted deciduous tree can reduce runoff volume by 6 cu. ft.
- A newly planted evergreen tree can reduce runoff volume by 10 cu. ft.

$$24 \text{ cu. ft.} / 6 \text{ cu. ft.} = 4 \text{ Deciduous Trees}$$

Determining the volume reduction for preserving existing trees:

1. Calculate approximate area of the existing tree canopy:

$$\sim 22 \text{ sq. ft.} \times \sim 23 \text{ sq. ft.} = 500 \text{ sq. ft.}$$

2. Measure distance from impervious surface to tree canopy: 35 ft.

3. Calculate the volume reduction credit by preserving existing trees:

- For Trees within 20 feet of impervious cover:
Volume Reduction cu. ft. = (Existing Tree Canopy sq. ft. x 1 inch) / 12
- For Trees beyond 20 feet but not farther than 100 feet from impervious cover:
Volume Reduction cu. ft. = (Existing Tree Canopy sq. ft. x 0.5 inch) / 12

$$(500 \text{ sq. ft.} \times 0.5 \text{ inches}) / 12 = 21 \text{ cu. ft.}$$

This volume credit can be utilized in reducing the size of any one of the structural BMPs planned on the site. For example, the 21 cu. ft. could be subtracted from the required infiltration volume when sizing the infiltration trench;

$$510 \text{ cu. ft.} - 21 \text{ cu. ft.} = 489 \text{ cu. ft.}$$

$$489 \text{ cu. ft.} / 3 \text{ ft. (Depth)} = 163 / 6 \text{ ft. (Width)} = 27.1 \text{ ft. (Length)}$$

Using the existing trees for a volume credit would decrease the length of the infiltration trench to 27.1 ft. instead of 28.3 ft.

2. Minimize Soil Compaction and Replant with Lawn or Meadow

When soil is overly compacted during construction it can cause a drastic reduction in the permeability of the soil and rarely is the soil profile completely restored. Runoff from vegetative areas with highly compacted soils similarly resembles runoff from an impervious surface. Minimizing soil compaction and re-planting with a vegetative cover like meadow or lawn, not only increases the infiltration on the site, but also creates a friendly habitat for a variety of wildlife species.

Design Considerations:

- Area shall not be stripped of topsoil.
- Vehicle movement, storage, or equipment/material lay down shall not be permitted in areas preserved for minimum soil compaction.
- The use of soil amendments and additional topsoil is permitted.
- Meadow should be planted with native grasses. Refer to *Meadows and Prairies: Wildlife-Friendly Alternatives to Lawn* at <http://pubs.cas.psu.edu/FreePubs/pdfs/UH128.pdf> for reference on how to properly plant the meadow and for a list of native species.

Determining the volume reduction by minimizing soil compaction and planting a meadow:

1. Calculate approximate area of preserved meadow:
~22 sq. ft. x ~23 sq. ft. = 500 sq. ft.

2. Calculate the volume reduction credit by minimizing the soil compaction and planting a lawn/meadow:

- For Meadow Areas: Volume Reduction (cu. ft.) = (Area of Min. Soil Compaction (sq. ft.) x 1/3 inch of runoff) / 12

$$(500 \text{ sq. ft.} \times 1/3 \text{ inch of runoff}) / 12 = 13.8 \text{ cu. ft.}$$

- For Lawn Areas: Volume Reduction (cu. ft.) = (Area of Min. Soil Compaction (sq. ft.) x 1/4 inch of runoff) / 12

$$(500 \text{ sq. ft.} \times 1/4 \text{ inch of runoff}) / 12 = 10.4 \text{ cu. ft.}$$

This volume credit can be used to reduce the size of any one of the structural BMPs on the site. See explanation under the volume credit for preserving existing trees for details.

Alternative BMP to Capture and Reuse Storm water

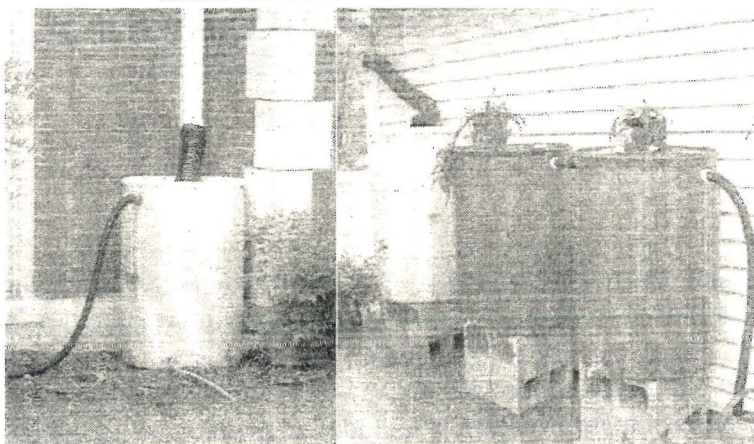
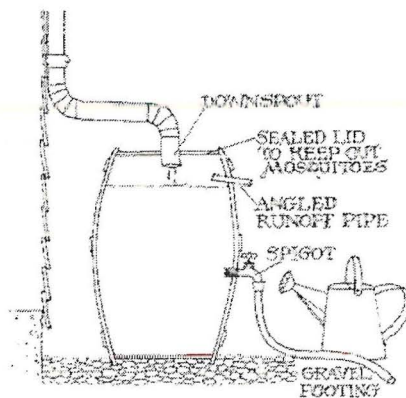
Rain Barrels

Rain barrels are large containers that collect drainage from roof leaders and temporarily store water to be released to lawns, gardens, and other landscaped areas after the rainfall has ended. Rain barrels are typically between 50 and 200 gallons in size. It is not recommended for rain barrels to be used as a volume control BMP because infiltration is not guaranteed after each storm event. For this reason, a rain barrel is not utilized in the site plan example. However, the information is included to provide an alternative for a homeowner to utilize when considering capture and reuse storm water methods.

Design Considerations:

- Rain barrels should be directly connected to the roof gutter/spout.
- There must be a means to release the water stored between storm events to provide the necessary storage volume for the next storm.
- When calculating rain barrel size, rain barrels are typically assumed to be 25% full because they are not always emptied before the next storm.
- Use screens to filter debris and cover lids to prevent mosquitoes.
- An overflow outlet should be placed a few inches below the top with an overflow pipe to divert flow away from structures.
- It is possible to use a number of rain barrels jointly for an area.

Figure 6: Rain Barrel Diagram and Examples



Sources: (top picture) <http://www.citywindsor.ca/DisplayAttach.asp?AttachID=12348>
 (bottom picture on left) <http://repurposinglife.blogspot.com/2009/05/rainwater-harvesting.html>

(bottom picture on right)
<http://www.floridata.com/tracks/transplantedgardener/Rainbarrels.cfm>

Sizing Example for a Rain Barrel

1. Determine contributing impervious surface area:

Garage Roof (Right)	6 ft. x 24 ft.	=	144 sq. ft.
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2. Determine the amount of rainfall to be captured by the Rain Barrel. A smaller storm, no more than 2", is recommended to calculate the runoff to be captured. This example chose the 1" storm event.
3. Calculate the volume to be captured and reused:
 $(144 \text{ sq. ft.} \times 1 \text{ inch of runoff}) / 12 \text{ inches} = 12 \text{ cu. ft.}$
4. Size the rain barrel:

$$1 \text{ cu. ft.} = 7.48 \text{ gallons}$$

$$12 \text{ cu. ft.} \times 7.48 = 90 \text{ gallons}$$

$$90 \text{ gallons} \times (0.25^*) = 22.5 \text{ gallons} \text{ (*assuming that the rain barrel is always at least 25\% full)}$$

90 gallons + 22.5 gallons = 112 gallons

The rain barrel or barrels should be large enough to hold at least 112 gallons of water.

0001-3
0001-3

REFERENCES:

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Delaware County Planning Commission. (2010). *Draft Crum Creek Watershed Act 167 Storm water Management Plan. Ordinance Appendix B. Simplified Approach to Storm water Management for Small Projects*.

Solebury Township. (2008). *Solebury Township Storm water Management Ordinance. "Appendix J Simplified Storm water Management Procedures for Existing Single Family Dwelling Lots"*

0000144

OFFICIAL
BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1501

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT HEREINAFTER SET FORTH, DURING THE YEAR 2019.

Be it ORDAINED and ENACTED, and it is hereby ORDAINED and ENACTED by the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania:

SECTION 1 - That the revenues and expenditures of Fiscal Year 2019, the following amounts are hereby appropriated from the fund equities, revenues and other financing sources available for the Year 2019 for the specific purposes set forth on the following pages

Revenue Source	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
Taxes & Fees	2,899,800.00				2,899,800.00
Licenses/Permits	198,200.00				198,200.00
Fines/Forfeits	60,900.00				60,900.00
Interest/Rents	3,000.00	108,100.00			111,100.00
Entitlements	365,100.00		196,000.00	1,327,550.00	1,888,650.00
Dept. Earnings	142,100.00				142,100.00
Mis. Revenue	5,600.00	200,000.00		534,999.00	740,599.00
TOTAL	3,674,700.00	308,100.00	196,000.00	1,862,549.00	6,041,349.00

Expenditure Category	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
General Gov't	289,000.00	103,100.00			392,100.00
Public Safety	1,497,180.00				1,497,180.00
Health & Welfare	30,400.00			1,327,550.00	1,357,950.00
Hwy/Roads/Streets	969,600.00		196,000.00		1,165,600.00
Rec/Parks/Lib/Civil	33,800.00				33,800.00
Debt Service	129,820.00	200,000.00		534,999.00	864,819.00
Ins. Prem/Ben	724,900.00	5,000.00			729,900.00
TOTAL	3,674,700.00	308,100.00	196,000.00	1,862,549.00	6,041,349.00

SECTION 2 - That any Ordinance or part of Ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ADOPTED this 13th day of December 2018

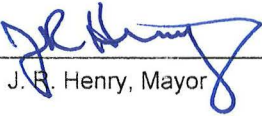
BOROUGH OF WEST VIEW

ATTEST:

BY: 
Chief of Police Bruce A. Fromlak/Manager

BY: 
William F. Aguglia, President of Council

EXAMINED and APPROVED this 13th day of December 2018

BY: 
J. R. Henry, Mayor

OFFICIAL

BOROUGH OF WEST VIEW

ORDINANCE NUMBER 1502

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY,
FIXING THE TAX RATE FOR THE YEAR 2019.

Be it ORDAINED and ENACTED by the Town Council of the Borough of West View and it is hereby ORDAINED and ENACTED by and with the Authority of the same:

That a tax be and the same is hereby levied on all real property within the Borough of West View subject to taxation for the Fiscal Year 2019 as follows:

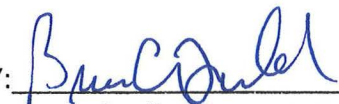
Tax Rate for general purposes,
the sum of 5.40 Mills
on each Dollar of assessed valuation

That any Ordinance, or part of Ordinance, in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ORDAINED and ENACTED this 13th day of December 2018

BOROUGH OF WEST VIEW

BY:



Chief of Police Bruce A. Fromlak
Secretary/Manager

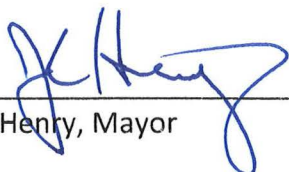
BY:



William F. Aguglia
President of Town Council

EXAMINED and APPROVED this 13th day of December 2018

BY:



J. R. Henry, Mayor

BOROUGH OF WEST VIEW
ORDINANCE NO. 1503

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING CRITERIA AS TO THE ISSUANCE OF HANDICAP PARKING PERMITS WITHIN THE BOROUGH.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of West View, Allegheny County, Commonwealth of Pennsylvania, that the following criteria as to the issuance of handicap parking permits within the Borough of West shall be adopted:

1. That any handicapped person or severely disabled veteran who desires to have the Borough erect on the highway as close as possible to their place of residence a sign or signs indicating that such place is reserved for a handicapped person or severely disabled veteran, that no parking is allowed by others who are not handicapped or severely disabled, and that any unauthorized person parking there shall be subject to a \$50.00 fine, pursuant to the provisions of §3354(d) of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §3354(d), shall, on an annual basis, make application for the erection of such sign or signs to the Borough, and which application shall include, but not be limited to, the following information:
 - A. A vehicle must be registered to a handicapped resident and the vehicle must be driven by the handicapped person, or a family member who also resides at the same address.
 - B. A copy of the current special registration plate for one passenger car or other vehicle with a registered gross weight of not more than 9,000 pounds, designating the vehicle so licensed as being used by a handicapped person pursuant to §1338(a) of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §1338(a).
 - C. Verification of one of the requirements listed in Section 3(G)(i) through (iv) of this Ordinance, said proof to be provided, in writing, by one of applicant's treating physicians, with said verification to be signed by the treating physician.
2. An application or renewal for the erection of a sign or signs from a handicapped person or severely disabled veteran under the provisions of this Section shall be made to the Chief of Police or his designee on an annual basis, which year shall run from January 1st through December 31st of the following year and any applications for the subsequent calendar year must be filed by December 31st of the current calendar year. Otherwise, if new applications or renewal applications for the erection of such signs are not filed with the Chief of Police or his designee by December 31st of the calendar year, they shall expire on December 31st of that

same calendar year, and shall not be valid for the subsequent calendar year until such time as they can actually be approved by the Chief of Police or his designee. All handicapped parking spaces permitted prior to the effective date of this Ordinance shall be allowed to remain as located but must be renewed annually beginning January 1, 2020.

3. In making the final determination regarding the grant of a new application or the renewal of a previously permitted handicapped space, the Chief of Police or his designee shall apply the following criteria:
 - A. No more than one (1) handicapped parking space shall be issued per household.
 - B. No more than two (2) handicapped parking spaces shall be located on any block where parking is permitted on only both sides of the street.
 - C. No more than one (1) handicapped parking space shall be located on any block where parking is permitted on only one side of the street.
 - D. In the event that previously permitted spaces exceed the maximum allowed by block, the Borough, through the Chief of Police or his designee, shall refrain from granting any additional spaces in that block until the number of handicapped spaces falls below the maximum allowed.
 - E. No permit shall be granted where adequate handicapped accessible off-street parking is available.
 - F. No permit shall be granted if the address does not have a vehicle registered at the address requested.
 - G. All applicants must meet at least one (1) of the following requirements, and shall provide verification of the same, in writing, provided by treating physician of applicant by one of applicant's treating physicians, with said verification to be signed by the treating physician:
 - i. The applicant is wheelchair bound;
 - ii. The applicant has severe cardiopulmonary insufficiency requiring the use of ambulatory oxygen;
 - iii. The applicant requires use of a prosthetic device(s) that restricts normal ambulation; and/or
 - iv. The person requesting a permit is caring for a person who meets one of the criteria of (i), (ii) and/or (iii).
4. In considering whether or not to grant new applications or renewal applications for the erection of a sign or signs from a handicapped person or severely disabled veteran under the provisions of this Ordinance, the Chief of Police or his designee shall consider the health, safety and welfare of the Borough and shall have the authority to deny such applications, or modify such applications.
5. In the event there is a material improvement in the physical condition of the applicant to the extent that the applicant would no longer qualify under the criteria set forth herein, the special parking privilege shall terminate and be withdrawn and the handicapped parking space shall be removed. Likewise, the


handicapped parking space shall be removed if there is a change in the circumstances such that the handicapped parking space shall no longer be appropriate under the criteria referred to herein. Further, any misstatement, error, incomplete or misleading representation or application or part thereof shall nullify any grant, and the special parking forfeited and parking space removed.


6. A parking spot so designated as being for a handicapped person or severely disabled veteran will be open to anyone with an appropriate plate or placard for their vehicle.
7. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
8. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
9. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED AND ENACTED THIS 14th day of February, 2019.

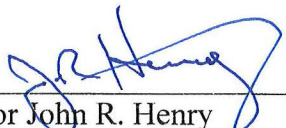
ATTEST:

BOROUGH OF WEST VIEW


Police Chief Bruce A. Fromlak
Borough Secretary


William F. Aguglia
Council President

Approved as to form:


Mayor John R. Henry

BOROUGH OF WEST VIEW
ORDINANCE NO. 1504

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 290, ZONING, OF THE BOROUGH OF WEST VIEW CODE, SPECIFICALLY AS TO SMALL WIRELESS FACILITIES.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of West View, Allegheny County, Pennsylvania, that Section 290 of the Borough of West View Code, Zoning, is hereby amended as follows:

1. That Article II, Terminology, Section 290-9, Definitions, is hereby amended to include a definition for "Antenna-Small Wireless Facility", as follows:
 - A. Small Wireless Facilities
 1. Mounted on structures 50 feet or lower in height, including their antennas; or
 2. Mounted on structures no more than 10 percent taller than other adjacent structures; or
 3. That do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater.
 - B. Each antenna associated with the deployment, excluding associated equipment, is no more than 3 cubic feet in volume;
 - C. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume.
 - D. The facilities do not require antenna structure registration under FCC rules;
 - E. The facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified by the FCC.
2. That Article V, Use Regulations, Section 290-20(i), Accessory Uses, shall be amended to include aesthetic requirement for small wireless facilities as follows:
3. That Article X, Administrative Procedures, Section 290-40, Schedule of Fees, shall be amended to include the following fees as to Small Wireless Facilities:
 - A. Non-Recurring Fees: \$500.00 for non-recurring fees, including a single up-front application that includes up to five small wireless facilities, with an additional \$100.00 for each small wireless facility beyond five; or \$1,000.00 for non-recurring fees for a new pole intended to support one or more small wireless facilities.
 - B. Recurring Fees: \$270.00 per small wireless facility, including antennas and poles, per year for all recurring fees, including any possible ROW

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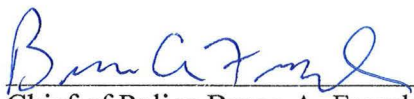
access fee or attachment fees to municipally-owned structures in the ROW.

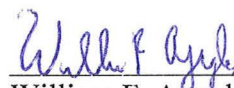
4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
5. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
6. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED AND ENACTED THIS 14th day of March, 2019.

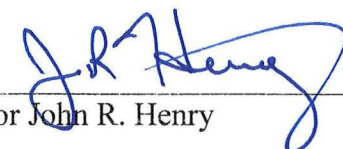
ATTEST:

BOROUGH OF WEST VIEW


Chief of Police Bruce A. Fromlak
Borough Secretary


William F. Aguglia
Council President

Approved as to form:


Mayor John R. Henry

BOROUGH OF WEST VIEW
ORDINANCE NO. 1505

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, DESIGNATED AS THE "QUALITY OF LIFE ORDINANCE" GOVERNING CERTAIN VIOLATIONS, INCLUDING THE ACCUMULATION AND DISPOSAL OF WASTE, GARBAGE AND RUBBISH; PROHIBITING THE STORAGE OF UNREGISTERED, UNLICENSED, INOPERATIVE OR DISASSEMBLED MOTOR VEHICLES; PROHIBITING THE OUTDOOR PLACEMENT OF INDOOR FURNITURE; PROHIBITING CERTAIN OPERATION OF FOOD CARTS OR VENDING CARTS; REQUIRING THE CUTTING OF HIGH WEEDS, GRASS OR VEGETATION; REQUIRING THE TIMELY REMOVAL OF SNOW AND ICE FROM SIDEWALKS; REQUIRING PROPER STORAGE CONTAINERS FOR WASTE AND GARBAGE; REQUIRING THE PROPER STORAGE OF RECYCLABLES AND HAZARDOUS MATERIALS; PROVIDING FOR ENFORCEMENT OF VIOLATIONS OF THIS ORDINANCE, INCLUDING ABATEMENT OF THE VIOLATION, ASSESSMENT OF DIRECT AND INDIRECT COST OF CLEANUP, FINES AND ESTABLISHMENT OF A TICKET PROCESS WITH RIGHT OF APPEAL; INCLUDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Borough of West View has experienced an increase in the failure of proper maintenance of properties and structures located within the Borough, which has caused a negative effect on the quality of life of the citizens, residents, and guests; and

WHEREAS, in an effort to protect both the property values and the health, safety and general welfare of the citizens, residents, and guests of the Borough of West View, Borough Council desires to implement an ordinance providing for the issuance of tickets, citations and penalties to owners and/or occupiers of said properties, in a timely manner, for quality of life violations.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of West View as follows:

SECTION I: TITLE. This Ordinance shall be known as the "Borough of West View Quality of Life Ordinance".

SECTION II: PURPOSE. Lack of maintenance of properties, littering, improper storage of trash and rubbish, storage of inoperable/non-registered vehicles, vendor

operations without permits and accumulation of snow and ice are costly problems that contribute to the deterioration of property values and general disorder in a community. These problems degrade the physical appearance of the Borough which reduces business and tax revenue, inhibiting economic development. The quality of life and community pride of the citizens of the Borough of West View are negatively impacted by the occurrences and existence of these activities. Recognizing that these are community problems, the purpose of this Ordinance is to promote the health, safety and general welfare of the Borough by helping to create a clean environment for the citizens of the Borough while eliminating safety and welfare concerns for both residents and emergency service personnel.

SECTION III -- SCOPE. The Provisions of this Ordinance shall apply to all existing and future properties and structures.

SECTION IV -- DEFINITIONS. The following words, terms and phrases when used in this Ordinance shall be defined as follows, unless context clearly indicates otherwise:

ADULT -- Any person 18 years of age or older.

DEBRIS- Any material upon the premises that is a residue of structural demolition, or any other material that is not neatly stored, stacked, or piled in such a manner so as not to create a nuisance or become a harboring place or food supply for insects or rodents.

DUMPING -- Includes, but is not limited to, depositing of litter, depositing durable goods (refrigerators, washers, dryers, etc.), small appliances, furniture, carpets, tires, vehicles, vehicle parts and automotive products and other such municipal waste, hazardous waste, residual waste, and construction or demolition debris on public or private property, except as authorized.

DWELLING UNIT -- One or more rooms, including a kitchen or kitchenette and sanitary facilities in a dwelling structure, designed as a unit for occupancy.

GARBAGE -- The animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

INDOOR FURNITURE -- Any and all pieces of furniture which are made for only inside use including, but not limited to, upholstered chairs and sofas, etc.

JUNKED VEHICLE -- Includes any vehicle which presents a hazard or danger to the public or is a public nuisance by virtue of its state or condition of disrepair whether on private or public property.

A. The following conditions, if present, are examples of a state or condition of disrepair:

- 1) Rusted and/or jagged metal on or protruding from the body of the vehicle.
 - 2) Broken glass or windows on or in the vehicle.
 - 3) Leaking of any fluids from the vehicle or deflated or flat tire(s).
 - 4) Unsecured and/or unlocked doors, hood or trunk.
 - 5) Storage or placement of the vehicle in an unbalanced condition, on concrete blocks or other similar apparatus.
 - 6) Harboring of rodents, insects, or other pests.
 - 7) Accumulation of debris, vegetation, leaves, or leaf waste under a vehicle on a Borough roadway.
- B. The foregoing examples are not inclusive of all conditions which may constitute a state or condition of disrepair. See also "nuisance motor vehicle".

LANDLORD – Any person who grants a lease or otherwise permits the use of his real estate or portion thereof for a consideration, money or otherwise.

LITTER – Includes, but is not limited to, all waste, material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, domestic animal waste, furniture or motor vehicle seats, vehicle parts, automotive products, shopping carts, construction or demolition material, recyclable material, dirt, mud, and yard waste that has been abandoned or improperly discarded, deposited or disposed.

MOTOR VEHICLE – Includes any type of mechanical device, capable or at one time capable of being propelled by a motor, in which persons or property may be transported upon public streets or highways, and including trailers or semi-trailers pulled thereby.

NUISANCE MOTOR VEHICLE – A motor vehicle with one or more of the following defects:

- A. Broken windshields, mirrors, or other glass, with sharp edges.
- B. Broken headlamps, tail lamps, bumpers or grills with sharp edges.
- C. Any body parts, truck, firewall or floorboards with sharp edges or large holes resulting from rust.
- D. Protruding sharp objects from the chassis.
- E. Missing doors, windows, hoods, trunks, or other parts that could permit animal harborage.
- F. One or more open tires or tubes which could permit animal harborage.
- G. Any vehicle suspended by blocks, jacks or other such materials in a location which may pose a danger to the public property, owners, visitors, or residents of the property on which said vehicle is found.

- H. Any excessive fluids leaking from a vehicle which may be harmful to the public or the environment.
- I. Disassembled body or chassis parts stored in, on or about the vehicle.
- J. Vehicles that do not display a current valid license and registration.
- K. Such other defects which the Fire Department determines to be a danger to the general public or property.
- L. Motor vehicles parked, drifted, or otherwise located which may interfere with the flow of pedestrian or automobile traffic or impede emergency efforts.

OCCUPANCY LICENSE – The License issued to an owner of a regulated rental unit, which is required for the lawful rental and occupancy of a regulated rental unit.

OCCUPANCY PERMIT – See Occupancy License.

OCCUPANT – Any person who lives in or has possession of, or holds an occupancy interest in a dwelling unit; or any person residing in or frequenting the premises of the dwelling unit with the actual or implied permission of the owner of lessee.

PUBLIC OFFICER – Any police officer, authorized inspector, fire chief, fire marshal, or public official designated by the Mayor and/or Borough Council to enforce the Borough ordinances.

PUBLIC NUISANCE – Any condition or premises which is unsafe or unsanitary.

PUBLIC RIGHT-OF-WAY – The total width of any land used, reserved, or dedicated as a street, alley, driveway, sidewalk, or utility easement, including curb and gutter areas.

RECYCLABLE MATERIALS – Includes material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products. Such materials may include, but not be limited to, aluminum cans, ferrous and bimetal cans, glass containers, plastic bottles and containers, and paper.

REGULATED RENTAL UNIT – A dwelling unit occupied by one or more related and/or unrelated persons under a rental agreement.

TENANT – That person or persons who has the use of real estate of a landlord and is responsible for the giving of any type of consideration therefore, but excluding those who are tenants for a period of less than 30 days.

WASTE – Any garbage, refuse, industrial, lunchroom or office waste, and other material, including solid liquid, semisolid, or contained gaseous material resulting from the operation of residential, municipal, commercial, or institutional establishments or from community activities and which is not classified as residual waste or hazardous waste as defined herein. The term does not include source-separated recyclable materials.

SECTION V - QUALITY OF LIFE VIOLATIONS.

The following shall be considered quality of life violations:

- A. The accumulation of rubbish, garbage, junk or litter.
 - 1) All exterior property and premises, and the interior or every structure, shall be kept free from any accumulation of waste, trash, rubbish, debris or garbage.
 - 2) It is prohibited to store or place any and all appliances or furniture, including but not limited to, ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, TV's, computers or electronic components, dishwashers, mattresses, recliners, sofas, interior chairs or interior tables, on the exterior of any property for the purpose of sale of any other reason except for removal or for the temporary purpose of performing maintenance to said property.
 - 3) Refrigerators and similar equipment, including, but not limited to, washers, dryers, dishwashers, and ranges not in operation shall not be discarded, stored, or abandoned on any premises.
- B. Storing of hazardous material. It shall be unlawful for any person, business, or entity to store combustible, flammable, explosive, or other hazardous materials, including but not limited to, paints, volatile oils and cleaning fluids, or combustible rubbish, including but not limited to, wastepaper, boxes, or rags, unless the storage of said materials is in compliance with the applicable fire and/or building codes, and at least ten feet away from the public right-of-way.
- C. Storing of recyclables. Storage of recyclables is only permitted in approved containers which must be kept clean and sanitary at all times.
- D. Storage and storage containers for waste or trash.
 - 1) All containers that store waste or trash shall be durable, watertight, and made of metal or plastic, have tight fitting covers, and must be kept clean and odor free at all times.
 - 2) All containers must be stored so said containers are not visible from the public right-of-way.
 - 3) Waste/trash containers may only be placed in front of any property when darkness occurs the night before the day of the scheduled pick-up day, and all containers must be returned to their storage area before daybreak on the day following pick-up.
 - 4) All waste/trash must be stored so said waste/trash is not visible from the public right-of-way.

- 5) Waste/trash may only be placed in front of any property when darkness occurs the night before the day of the scheduled pick-up day.

E. Littering, scattering rubbish, or dumping.

- 1) No person shall throw, dump, place, sweep or dispose of any litter, waste, trash, garbage, tobacco product, or rubbish upon any public sidewalk, alley, street, bridge, public passageway, public parking area, or on any public property.
- 2) The improper disposal of rubbish or garbage or dumping or disposing of rubbish or garbage on vacant, unoccupied, or other property is prohibited.

F. Motor vehicles.

- 1) It shall be unlawful to store, park or place any unregistered, uninspected, inoperative, unlicensed, junked, or nuisance motor vehicle or trailer on any premises not designated for that use, whether such premises shall be public or private.
- 2) Painting of vehicles is prohibited unless conducted inside an approved spray booth.
- 3) Vehicle repairs/maintenance in a residential district. no person shall operate repairs for profit in residential districts. This would include vehicles not owned by the property occupant/owner and use of repairs and storage on or off street. A zoning variance and licensing would be required to operate such businesses in residential districts.

G. Placement or littering by private advertising matter.

- 1) No person shall throw, place, sweep, or dispose of litter or private advertising matter upon any public sidewalk, alley, street, bridge, right-of-way, passageway, parking area, or any public property.
- 2) No person, group, organization or entity will hang, place or advertise on any public property in any manner.
- 3) No person, group, organization, or entity will hang, place or advertise on any property that they do not have any ownership rights to without written approval of said owner.

H. Animal maintenance and waste/feces cleanup. People owning, harboring, keeping, or those otherwise responsible for an animal within the Borough of West View:

- 1) Shall not permit them to run at large or make unreasonable noise.
- 2) Shall not allow waste matter/feces from the animals to collect or remain on their property so as to cause or create an unhealthy, unsanitary, dangerous, or offensive living condition and shall clean it up on a daily basis.
- 3) Shall clean up waste matter/feces from the animal deposited anywhere else in the Borough immediately.

I. Insects or vermin, and/or an infestation of insects or vermin, shall not be allowed to continue, and the owner or occupant of any infested property shall report the same to the Fire Marshall of the Borough of West View, and

take appropriate steps to abate said infestation, without unnecessary delay. Failing to do so is a violation.

- J. High weeds, grass, plant growth, or standing water. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches as defined herein, and water shall not be allowed to stand or accumulate in a manner that would attract insects or vermin.
- K. Snow and ice removal from sidewalks.

- 1) Every owner, tenant, occupant, lessee, property agent, or any other person who is responsible for any property within the Borough is required to remove any snow or ice from his or her sidewalk, and shall, within the first 12 hours after every fall of snow or sleet or formation of ice upon the sidewalks, cause the same to be removed from the sidewalks to within one foot of the curb line opposite the entire frontage of such dwelling house, store, building, or vacant lot.
- 2) No person shall cast, discharge, throw, shovel or place or cause to be cast, discharged, thrown, shoveled or placed into or onto the traveled portion of any street or alley, by any means whatsoever, any snow, slush or ice.

L. Swimming pools.

- 1) Swimming pools shall be maintained in good repair at all times. They shall also be kept clean, safe, sanitary, and covered when not in regular use.
- 2) It shall be unlawful for any person to install an in-ground pool, above-ground pool, or temporary pool (inflatable, or any pool that can be taken down each year), without proper permits, inspections, and safeguards in place (fences, locking gates, or ladders, and proper electrical grounding). Any pool that can hold 24 inches of water or more is subject to permits, inspections and safeguards.

M. Vending license violations.

- 1) It shall be unlawful for any person, business, partnership, or entity to operate, including, but not limited to, any business, vending cart, food cart, yard sale, store or establishment without the proper permits.
- 2) It shall be unlawful to violate any term, part, portion or in total, of any vending license. Any person, business, partnership or entity violating its vending license, shall be in violation of this ordinance.

- N. Storing or serving of potentially hazardous food. No person, business, partnership or entity shall store or serve potentially hazardous food, including, but not limited to, out-of-date food, food being stored above or below the appropriate temperature, food being stored directly on a flooring surface, in the presence of infestation problems, or serving food that had previously been opened.

O. Registration of tenants.

- 1) It shall be unlawful for a landlord to allow tenants or occupants to reside within the Borough of West View without securing an Occupancy License through the Borough offices. Tenants or

occupants must be registered pursuant to the Borough of West View's Rental Unit Occupancy Ordinance.

- 2) It shall be unlawful for a tenant to allow individuals to reside within their dwelling unit without securing an Occupancy License through the Borough offices. Tenants or occupants must be registered pursuant to the Borough of West View's Rental Unit Occupancy Ordinance.
- 3) It shall be unlawful for individuals to reside in a leased or rented dwelling unit without securing an Occupancy License through the Borough offices. Tenants or occupants must register pursuant to the Borough of West View's Rental Unit Occupancy Ordinance.

P. Permits and Approvals.

- 1) It shall be unlawful for an owner or contractor to perform work to a building or structure without a permit, where permits are required, unless such performance is exempt as defined in the Borough of West View Zoning Ordinance.
- 2) Temporary dumpster permits are required. Each temporary dumpster, whether placed on private property or in a public right-of-way, shall have a valid permit issued by the Borough of West View.
- 3) Illegal signs/billboards. No person or business shall construct and display a sign/advertisement without the appropriate approval and permit from the Borough of West View.
- 4) Working without a license. No person shall work within the Borough of West View without a business license and proof of insurance, which shall be supplied to the Code Enforcement Office.

Q. Property maintenance.

- 1) Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained and shall at all times be structurally sound and in good repair.

SECTION VI - AUTHORITY FOR ISSUANCE OF VIOLATION TICKETS AND CITATIONS. Upon finding a quality of life violation, any public officer of the Borough of West View, appointed by Borough Council, may issue quality of life violation tickets and/or citations to the owner and/or occupant of the property at issue or to the individual known to have violated this Ordinance.

SECTION VII - SERVICE. A violation ticket may be served upon a violator by handing it to the violator or his or agent, by handing it to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, or to the person for the time being in charge thereof, or by mailing the violation ticket to the violator's address of record.

SECTION VIII – SEPARATE OFFENSE. Each day a violation continues or is permitted to continue constitutes a separate and distinct offense for which a separate violation ticket may be issued and fine imposed.

SECTION IX – REGULATIONS. Public officers are hereby authorized to promulgate rules and regulations to implement and supplement the provisions of this Ordinance.

SECTION X – ABATEMENT.

- A. Any person or business violating this Ordinance is hereby directed to satisfy the Borough of West View upon issuance of a quality of life ticket, by correcting the violation in question. Public officers are authorized and empowered to cause a violation to be corrected.
- B. The Borough of West View reserves the right to abate the violation in question at the expense of the owner. If the Borough has effected the abatement of the violation, the cost thereof may be charged to the owner of the property, tenant, or offending party. A bill/invoice will be generated to the violator for payment separate from the quality of life ticket which will also be paid separately.
- C. Borough of West View clean-up. The Borough reserves the right to perform any necessary work to abate any violation once 72 hours passes from the date of issuance of the quality of life ticket. Should the violation, at the discretion of the appropriate officer(s), present imminent danger and/or pose a health hazard and/or risk, the Borough reserves the right to perform the abatement immediately. The Borough will perform this work at a rate of \$_____ per hour, per man, and forward the cost of any material necessary for the abatement. The Borough reserves the right to charge an additional twenty percent (20%) on all material purchases to cover all miscellaneous expenses such as wear and tear on equipment.
- D. Contractor clean-up. The Borough reserves the right to direct a contractor to perform the abatement of the violation in question once 72 hours passes from the date of issuance of the quality of life ticket. Should the violation present imminent danger and/or pose a health hazard and/or risk, the Borough reserves the right to direct the contractor to perform the abatement immediately. The contractor will submit a bill for his work to the Borough of West View, and the Borough will forward these costs to the violator. The Borough reserves the right to add a thirty percent (30%) processing fee in addition to the costs of the contractor.
- E. Abatement rates will be established by resolution from time to time based upon FEMA published rates.

SECTION XI – FINES AND PENALTIES. Any person who violates this Ordinance shall pay a fine as set forth herein for each offense plus all direct and indirect costs incurred by the Borough of West View for the clean-up and abatement of the violation.

- A. Violation ticket fines. For a violation of this Ordinance, violation tickets shall be issued in the amount of \$25.00.

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- B. Violation ticket penalties. If the person in receipt of a \$25.00 violation ticket does not pay the fine or request a hearing within 15 days, the person will be subject to a \$10.00 penalty for days 16 through 30.
 - C. Failure to respond. If a person fails to make payment or request a hearing within 30 days of a violation ticket, they shall be subject to a citation for failure to pay.
 - D. Repeated violations. Upon issuance of four tickets for the same violation, right is reserved for a public officer to issue a citation for fifth and subsequent offenses.
 - E. Continuous or egregious violations. If violations are continuous or egregious, a public officer has the right to issue a citation without first issuing a ticket, provided notice has been given. Any previously issued violation tickets will be considered notice given.
 - F. Citation fines. Any person, firm, or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this Ordinance, or of any regulation or requirement pursuant hereto and authorized hereby, shall, upon conviction, be ordered to pay a fine of not less than \$300.00 nor more than \$1,000.00 on each offense, or imprisonment of no more than 90 days on each offense, or both. Each day that such a violation exists constitutes a separate and distinct violation.

SECTION XII – APPEAL.

- A. Any person in receipt of a violation ticket may appeal to the Borough Manager's office by filing his or her appeal request, in writing, on a form to be provided by the Borough, within 15 calendar days of the date of the violation ticket, stating his reasons for appeal, and accompanied by the appropriate fine amount.
- B. If abatement or other costs were associated with the violation, these may be required to be posted, in the Borough Manager's sole discretion, along with the appeal.
- C. The violator may request an opportunity to meet in person with the Borough Manager concerning their appeal, and the request may be granted in the sole discretion of the Borough Manager, who may also deem it appropriate to consult with the public officer(s) involved in the matter or other concerned parties.
- D. Within 30 days of the appeal date, the Borough Manager made decide to uphold the appeal, deny the appeal, or may modify the violation ticket and/or any associated costs, fines or penalty amounts as he or she deems appropriate, and will issue written notice of the decision, along with any refunds applicable.

SECTION XIII – NONEXCLUSIVE REMEDIES. The penalty and collection provisions of this Section shall be independent, non-mutually exclusive, separate remedies, all of which shall be available to the Borough of West View as may be deemed appropriate for carrying out the purposes of this Ordinance. The remedies and procedures provided in this Ordinance for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the Borough in the case of a violation of any other

Borough Code Section or Ordinance, whether or not such other Code Section or Ordinance is referenced herein, and whether or not an ongoing violation of such other Code Section or Ordinance is cited as the underlying ground for a finding of a violation of this Ordinance.

SECTION XIV – SEVERABILITY. The terms, provisions, and applications of this Ordinance are severable. If any of the provisions of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such holding shall not affect the remaining provisions of this Ordinance. The remaining provisions and/or applications of this Ordinance shall remain in full force and effect without the invalid provision or application.


SECTION XV – REPEALED. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

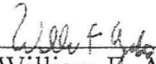
SECTION XVI – EFFECTIVE DATE. This Ordinance shall become effective immediately upon approval.

ORDAINED AND ENACTED this 14th day of March, 2019.

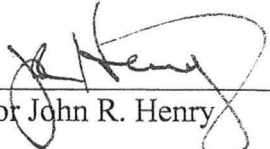
ATTEST:

BOROUGH OF WEST VIEW


Chief of Police Bruce A. Fromlak
Borough Secretary


William F. Aguglia
Council President

APPROVED AS TO FORM:


Mayor John R. Henry

BOROUGH OF WEST VIEW
ORDINANCE NO. 1506

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE FISCAL YEAR OF 2020 FOR BUDGETARY AND FISCAL PURPOSES, AND PROVIDING A DISCOUNT AND PENALTY PERIOD FOR PAYMENT OF TAXES.

WHEREAS, the Council of the Borough of West View has adopted its budget for the year 2020; and

WHEREAS, it is necessary to adopt this Ordinance to fix the tax rate to conform with the budget.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of West View, Allegheny County, Commonwealth of Pennsylvania, as follows:

1. That a tax be and the same is hereby levied on all real property within the Borough of West View subject to taxation for Borough purposes for the fiscal year of 2020 as follows:
 - a. The tax rate for general Borough purposes shall be 6.3 mills on each dollar of assessed valuation on all real property situated in said West View Borough.
2. That all taxpayers subject to the payment of taxes who shall pay the whole amount of such taxes within two (2) months of the date of the tax notice, shall be entitled to a discount of two (2%) percent of the amount of such tax. All taxpayers subject to the payment of taxes who shall fail to make payment of any tax charged against them for four (4) months after the date of the tax notice shall be charged a penalty of ten (10%) percent of the amount of such tax, which penalty shall be added to the taxes and collected by the Tax Collector.
3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
4. All Ordinances or parts of Ordinances which are inconsistent herewith are

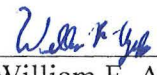
hereby repealed to the extent of such inconsistency.

ORDAINED AND ENACTED THIS 12th day of December 2019.

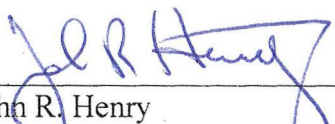
ATTEST:

BOROUGH OF WEST VIEW


Bruce A. Fromlak
Police Chief/Secretary/Manager


William F. Aguglia
President, Borough Council

Approved as to form:


John R. Henry
Mayor, Borough of West View

600107

OFFICIAL
BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1507

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT HEREINAFTER SET FORTH, DURING THE YEAR 2020.

Be it ORDAINED and ENACTED, and it is hereby ORDAINED and ENACTED by the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania:

SECTION 1 - That the revenues and expenditures of Fiscal Year 2020, the following amounts are hereby appropriated from the fund equities, revenues and other financing sources available for the Year 2020 for the specific purposes set forth on the following pages

Revenue Source	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
Taxes & Fees	3,100,085.00				3,100,085.00
Licenses/Permits	195,250.00				195,250.00
Fines/Forfeits	45,500.00				45,500.00
Interest/Rents	4,000.00	85,100.00			89,100.00
Entitlements	360,600.00		186,500.00	1,175,995.00	1,723,095.00
Dept. Earnings	153,600.00				153,600.00
Mis. Revenue	15,500.00	-		509,719.00	525,219.00
TOTAL	3,874,535.00	85,100.00	186,500.00	1,685,714.00	5,831,849.00
Expenditure Category	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
General Gov't	298,500.00	84,600.00			383,100.00
Public Safety	1,595,800.00				1,595,800.00
Health & Welfare	54,500.00			1,175,995.00	1,230,495.00
Hwy/Roads/Streets	985,100.00		186,500.00		1,171,600.00
Rec/Parks/Lib/Civil	20,500.00				20,500.00
Debt Service	112,500.00	500.00		509,719.00	622,719.00
Ins. Prem/Ben	807,635.00				807,635.00
TOTAL	3,874,535.00	85,100.00	186,500.00	1,685,714.00	5,831,849.00

SECTION 2 - That any Ordinance or part of Ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ADOPTED this 12th day of December 2019

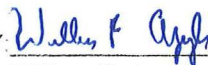
BOROUGH OF WEST VIEW

ATTEST:

BY:

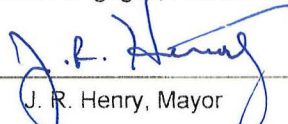

Chief of Police Bruce A. Fromlak/Manager

BY:


William F. Aguglia, President of Council

EXAMINED and APPROVED this 12th day of December 2019

BY:


J. R. Henry, Mayor

BOROUGH OF WEST VIEW
ORDINANCE NO. 1508

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 98 OF THE BOROUGH OF WEST VIEW CODE (AMUSEMENT DEVICES), SPECIFICALLY SECTION 98-5, LICENSE FEES, AND SECTION 98-10, VIOLATIONS AND PENALTIES.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of West View, Allegheny County, Commonwealth of Pennsylvania, that Chapter 98 of the Borough of West View Code, Amusement Devices, is hereby amended as follows:

1. That Section 98-5 is hereby amended to read as follows:
“(A). No license shall be issued under this chapter for any mechanical device until the annual fee shall have been paid to the Borough Secretary in accordance with the following schedule:
 - (1) That the annual license fee for any device constructed, designed and used for the rendition of music, whether by CD's, electronically, or by any other means, shall be \$300.00.
 - (2) That as to pool tables, the annual license fee for the first pool table within an establishment shall be \$300.00, and the annual license fee for each additional pool table within the same establishment shall be \$200.00.
 - (3) That the annual license fee for any device constructed, designed, and used for the playing of games, including but not limited to video games, pinball, darts, bowling, claw machines or any other mechanical machine, any machine used for the displaying of pictures, slides etc., or for the issuance of printed matter, and any other device operated for amusement not specifically mentioned herein, shall be \$500.00 per device.”
2. That Section 98-10, Violations and Penalties, shall be amended to read as follows:
“Any person, firm, or corporation who fails to procure a license as provided in Section 98-2 hereof or who violates any other provision of this chapter shall be liable to a penalty of not less than \$200.00 nor more than \$500.00, plus costs of prosecution, and upon default of the payment of any fine imposed thereon, shall be subject to imprisonment for not less than 10 or more than 30 days. Each day that a violation of this chapter continues shall constitute a separate and distinct offense.”
3. That any future amendments to said license fees or violation and penalty amounts shall be adopted by Resolution of Borough Council.
4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the

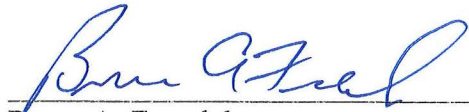
invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.

5. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
6. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

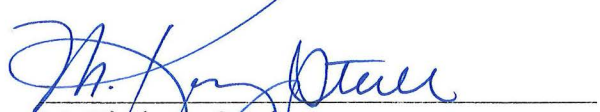
ORDAINED AND ENACTED into law this 13th day of February 2020.

ATTEST:

BOROUGH OF WEST VIEW

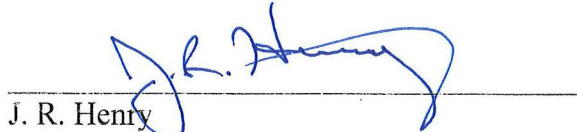


Bruce A. Fromlak
Police Chief/ Manager/Secretary



M. Kimberly Steele
President of Council

EXAMINED AND APPROVED this 13 day of February, 2020.



J. R. Henry
Mayor

BOROUGH OF WEST VIEW
ORDINANCE NO. 1509

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 1505, DESIGNATED AS THE "QUALITY OF LIFE ORDINANCE" GOVERNING CERTAIN VIOLATIONS, INCLUDING THE ACCUMULATION AND DISPOSAL OF WASTE, GARBAGE AND RUBBISH; PROHIBITING THE STORAGE OF UNREGISTERED, UNLICENSED, INOPERATIVE OR DISASSEMBLED MOTOR VEHICLES; PROHIBITING THE OUTDOOR PLACEMENT OF INDOOR FURNITURE; PROHIBITING CERTAIN OPERATION OF FOOD CARTS OR VENDING CARTS; REQUIRING THE CUTTING OF HIGH WEEDS, GRASS OR VEGETATION; REQUIRING THE TIMELY REMOVAL OF SNOW AND ICE FROM SIDEWALKS; REQUIRING PROPER STORAGE CONTAINERS FOR WASTE AND GARBAGE; REQUIRING THE PROPER STORAGE OF RECYCLABLES AND HAZARDOUS MATERIALS; PROVIDING FOR ENFORCEMENT OF VIOLATIONS OF THIS ORDINANCE, INCLUDING ABATEMENT OF THE VIOLATION, ASSESSMENT OF DIRECT AND INDIRECT COST OF CLEANUP, FINES AND ESTABLISHMENT OF A PROCESS WITH RIGHT OF APPEAL; INCLUDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Borough of West View has experienced an increase in the failure of proper maintenance of properties and structures located within the Borough, which has caused a negative effect on the quality of life of the citizens, residents, and guests; and

WHEREAS, in an effort to protect both the property values and the health, safety and general welfare of the citizens, residents, and guests of the Borough of West View, Borough Council desires to implement an ordinance providing for the issuance of s, citations and penalties to owners and/or occupiers of said properties, in a timely manner, for quality of life violations.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of West View as follows:

SECTION I: TITLE. This Ordinance shall be known as the "Borough of West View Quality of Life Ordinance".

SECTION II: PURPOSE. Lack of maintenance of properties, littering, improper storage of trash and rubbish, storage of inoperable/non-registered vehicles, vendor

operations without permits and accumulation of snow and ice are costly problems that contribute to the deterioration of property values and general disorder in a community. These problems degrade the physical appearance of the Borough which reduces business and tax revenue, inhibiting economic development. The quality of life and community pride of the citizens of the Borough of West View are negatively impacted by the occurrences and existence of these activities. Recognizing that these are community problems, the purpose of this Ordinance is to promote the health, safety and general welfare of the Borough by helping to create a clean environment for the citizens of the Borough while eliminating safety and welfare concerns for both residents and emergency service personnel.

SECTION III – SCOPE. The Provisions of this Ordinance shall apply to all existing and future properties and structures.

SECTION IV – DEFINITIONS. The following words, terms and phrases when used in this Ordinance shall be defined as follows, unless context clearly indicates otherwise:

ADULT – Any person 18 years of age or older.

BOROUGH – The Borough of West View, Allegheny County, Pennsylvania.

CODE - Any code or ordinance adopted, enacted, and/or in effect in and for the Borough of West View concerning fitness for habitation or the construction, maintenance, operation, occupancy, use or appearance of any premises or dwelling unit. Included within, but not limited by, this definition are the following which are in effect as of the date of enactment of this Ordinance: International Property Maintenance Code of 2018; ; National Electrical Code; Floodplain Management Ordinance; Weed and Vegetation Control Ordinance; Sidewalk Maintenance and Ice Removal Ordinance; Solid Waste and Recycling Ordinance; Zoning Ordinance; and any duly enacted amendment or supplement to any of the above and any new enactment falling within this definition.

CODE ENFORCEMENT OFFICER - The duly appointed code enforcement officer(s) having charge of the Office of the Code Enforcement of the Borough of West View, and any assistants or deputies thereof, including any duly appointed police officer of the Borough of West View.

COMMON AREA - In multiple dwelling units, the space which is not part of a regulated rental unit and which is shared with other occupants of the dwelling whether they reside in regulated dwelling units or not. Common areas shall be considered as part of the premises for purposes of this Ordinance.

DEBRIS- Any material upon the premises that is a residue of structural demolition, or any other material that is not neatly stored, stacked, or piled in such a manner so

as not to create a nuisance or become a harboring place or food supply for insects or rodents.

DISRUPTIVE CONDUCT - Any form of conduct, action, incident or behavior perpetrated, caused or permitted, by and occupant or visitor of a regulated dwelling unit that is so loud, untimely (as to the hour of the day), offensive, riotous, or that otherwise disturbs other persons of reasonable sensibility in their peaceful enjoyment of their premises such that a report is made to the code enforcement officer complaining of such conduct, action, incident, or behavior, and said actions constitute a violation of any Ordinance of the Borough of West View, or the criminal statutes of the Commonwealth of Pennsylvania. It is not necessary that criminal charges be filed against any person in order for a person to have perpetrated, caused or permitted the commission of disruptive conduct, as defined herein. Provided, however, that no disruptive conduct shall be deemed to have occurred unless a Police Officer or the code enforcement shall investigate and made a determination that such did occur, and keep written records, including a disruptive conduct report, of such occurrence.

DISRUPTIVE CONDUCT REPORT - A written report of disruptive conduct on a form to be prescribed therefore, to be completed by the code enforcement officer, as the cause may be, who actually investigates an alleged incident of disruptive conduct and which shall be maintained by the code enforcement officer.

DUMPING - Includes, but is not limited to, depositing of litter, depositing durable goods (refrigerators, washers, dryers, etc.), small appliances, furniture, carpets, tires, vehicles, vehicle parts and automotive products and other such municipal waste, hazardous waste, residual waste, and construction or demolition debris on public or private property, except as authorized.

DWELLING - A building having one or more dwelling units.

DWELLING UNIT - One or more rooms, including a kitchen or kitchenette and sanitary facilities in a dwelling structure, designed as a unit for occupancy.

GARBAGE - The animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

GUEST - A person on the premises with the actual or implied consent of an occupant.

INDOOR FURNITURE - Any and all pieces of furniture which are made for only inside use including, but not limited to, upholstered chairs and sofas, etc.

JUNKED VEHICLE - Includes any vehicle which presents a hazard or danger to the public or is a public nuisance by virtue of its state or condition of disrepair whether on private or public property.

A. The following conditions, if present, are examples of a state or condition of disrepair:

- 1) Rusted and/or jagged metal on or protruding from the body of the vehicle.
- 2) Broken glass or windows on or in the vehicle.
- 3) Leaking of any fluids from the vehicle or deflated or flat tire(s).
- 4) Unsecured and/or unlocked doors, hood or trunk.
- 5) Storage or placement of the vehicle in an unbalanced condition, on concrete blocks or other similar apparatus.
- 6) Harboring of rodents, insects, or other pests.
- 7) Accumulation of debris, vegetation, leaves, or leaf waste under a vehicle on a Borough roadway.

B. The foregoing examples are not inclusive of all conditions which may constitute a state or condition of disrepair. See also "nuisance motor vehicle".

LANDLORD – Any person who grants a lease or otherwise permits the use of his real estate or portion thereof for a consideration, money or otherwise.

LITTER – Includes, but is not limited to, all waste, material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, domestic animal waste, furniture or motor vehicle seats, vehicle parts, automotive products, shopping carts, construction or demolition material, recyclable material, dirt, mud, and yard waste that has been abandoned or improperly discarded, deposited or disposed.

MANAGER - An adult individual designated by the owner of a regulated rental unit. The manager shall be the agent of the owner for service of process and receiving notices or demands and to perform the obligation of the owner under this Ordinance.

MOTOR VEHICLE – Includes any type of mechanical device, capable or at one time capable of being propelled by a motor, in which persons or property may be transported upon public streets or highways, and including trailers or semi-trailers pulled thereby.

MULTIPLE-UNIT DWELLING - A building containing two (2) or more independent dwelling units, including, but not limited to, double houses, row houses, townhouses, condominiums, apartment houses, and conversion apartments.

NUISANCE MOTOR VEHICLE – A motor vehicle with one or more of the following defects:

- A. Broken windshields, mirrors, or other glass, with sharp edges.
- B. Broken headlamps, tail lamps, bumpers or grills with sharp edges.

- C. Any body parts, truck, firewall or floorboards with sharp edges or large holes resulting from rust.
- D. Protruding sharp objects from the chassis.
- E. Missing doors, windows, hoods, trunks, or other parts that could permit animal harborage.
- F. One or more open tires or tubes which could permit animal harborage.
- G. Any vehicle suspended by blocks, jacks or other such materials in a location which may pose a danger to the public property, owners, visitors, or residents of the property on which said vehicle is found.
- H. Any excessive fluids leaking from a vehicle which may be harmful to the public or the environment.
- I. Disassembled body or chassis parts stored in, on or about the vehicle.
- J. Vehicles that do not display a current valid license and registration.
- K. Such other defects which the Fire Department determines to be a danger to the general public or property.
- L. Motor vehicles parked, drifted, or otherwise located which may interfere with the flow of pedestrian or automobile traffic or impede emergency efforts.

OCCUPANCY LICENSE – The License issued to an owner of a regulated rental unit, which is required for the lawful rental and occupancy of a regulated rental unit.

OCCUPANCY PERMIT – See Occupancy License.

OCCUPANT – Any person who lives in or has possession of, or holds an occupancy interest in a dwelling unit; or any person residing in or frequenting the premises of the dwelling unit with the actual or implied permission of the owner or lessee.

OWNER - One or more persons, jointly or severally, in whom is vested all or part of the legal title to the premises, or all or part of the beneficial ownership and a right to present use and enjoyment of the premises, including a mortgage holder in possession of a regulated rental unit.

OWNER-OCCUPIED DWELLING UNIT - A dwelling unit in which the owner resides on a regular, permanent basis.

PERSON - A natural person, partnership, corporation, unincorporated association, limited partnership, trust, or any other entity.

POLICE - The Police Department of the Borough of West View or any properly authorized member or officer thereof or any other law enforcement agency having jurisdiction within the Borough of West View.

PREMISES - Any parcel or real property in the Borough, including the land and all buildings and appurtenant structures or appurtenant elements, upon which one or more regulated rental units is located.

PUBLIC OFFICER - Any police officer, authorized inspector, fire chief, fire marshal, or public official designated by the Mayor and/or Borough Council to enforce the Borough ordinances.

PUBLIC NUISANCE - Any condition or premises which is unsafe or unsanitary.

PUBLIC RIGHT-OF-WAY - The total width of any land used, reserved, or dedicated as a street, alley, driveway, sidewalk, or utility easement, including curb and gutter areas.

RECYCLABLE MATERIALS - Includes material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products. Such materials may include, but not be limited to, aluminum cans, ferrous and bimetal cans, glass containers, plastic bottles and containers, and paper.

REGULATED RENTAL UNIT - A dwelling unit occupied by one or more related and/or unrelated persons under a rental agreement.

RENTAL AGREEMENT - A written agreement between an owner/landlord and occupant/tenant, embodying the terms and conditions concerning the use and occupancy of a specified regulated rental unit or premises.

TENANT - That person or persons who has the use of real estate of a landlord and is responsible for the giving of any type of consideration therefore, but excluding those who are tenants for a period of less than 30 days.

WASTE - Any garbage, refuse, industrial, lunchroom or office waste, and other material, including solid liquid, semisolid, or contained gaseous material resulting from the operation of residential, municipal, commercial, or institutional establishments or from community activities and which is not classified as residual waste or hazardous waste as defined herein. The term does not include source-separated recyclable materials.

SECTION V - QUALITY OF LIFE VIOLATIONS.

The following shall be considered quality of life violations:

A. The accumulation of rubbish, garbage, junk or litter.

- 1) All exterior property and premises, and the interior or every structure, shall be kept free from any accumulation of waste, trash, rubbish, debris or garbage.

- 2) It is prohibited to store or place any and all appliances or furniture, including but not limited to, ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, TV's, computers or electronic components, dishwashers, mattresses, recliners, sofas, interior chairs or interior tables, on the exterior of any property for the purpose of sale of any other reason except for removal or for the temporary purpose of performing maintenance to said property.
 - 3) Refrigerators and similar equipment, including, but not limited to, washers, dryers, dishwashers, and ranges not in operation shall not be discarded, stored, or abandoned on any premises.
- B. Storing of hazardous material. It shall be unlawful for any person, business, or entity to store combustible, flammable, explosive, or other hazardous materials, including but not limited to, paints, volatile oils and cleaning fluids, or combustible rubbish, including but not limited to, wastepaper, boxes, or rags, unless the storage of said materials is in compliance with the applicable fire and/or building codes, and at least ten feet away from the public right-of-way.
- C. Storing of recyclables. Storage of recyclables is only permitted in approved containers which must be kept clean and sanitary at all times.
- D. Storage and storage containers for waste or trash.
- 1) All containers that store waste or trash shall be durable, watertight, and made of metal or plastic, have tight fitting covers, and must be kept clean and odor free at all times.
 - 2) All containers must be stored so said containers are not visible from the public right-of-way.
 - 3) Waste/trash containers may only be placed in front of any property when darkness occurs the night before the day of the scheduled pick-up day, and all containers must be returned to their storage area before daybreak on the day following pick-up.
 - 4) All waste/trash must be stored so said waste/trash is not visible from the public right-of-way.
 - 5) Waste/trash may only be placed in front of any property when darkness occurs the night before the day of the scheduled pick-up day.
- E. Littering, scattering rubbish, or dumping.
- 1) No person shall throw, dump, place, sweep or dispose of any litter, waste, trash, garbage, tobacco product, or rubbish upon any public sidewalk, alley, street, bridge, public passageway, public parking area, or on any public property.
 - 2) The improper disposal of rubbish or garbage or dumping or disposing of rubbish or garbage on vacant, unoccupied, or other property is prohibited.
- F. Motor vehicles.
- 1) It shall be unlawful to store, park or place any unregistered, uninspected, inoperative, unlicensed, junked, or nuisance motor

vehicle or trailer on any premises not designated for that use, whether such premises shall be public or private.

- 2) Painting of vehicles is prohibited unless conducted inside an approved spray booth.
- 3) Vehicle repairs/maintenance in a residential district. no person shall operate repairs for profit in residential districts. This would include vehicles not owned by the property occupant/owner and use of repairs and storage on or off street. A zoning variance and licensing would be required to operate such businesses in residential districts.

G. Placement or littering by private advertising matter.

- 1) No person shall throw, place, sweep, or dispose of litter or private advertising matter upon any public sidewalk, alley, street, bridge, right-of-way, passageway, parking area, or any public property.
- 2) No person, group, organization or entity will hang, place or advertise on any public property in any manner.
- 3) No person, group, organization, or entity will hang, place or advertise on any property that they do not have any ownership rights to without written approval of said owner.

H. Animal maintenance and waste/feces cleanup. People owning, harboring, keeping, or those otherwise responsible for an animal within the Borough of West View:

- 1) Shall not permit them to run at large or make unreasonable noise.
- 2) Shall not allow waste matter/feces from the animals to collect or remain on their property so as to cause or create an unhealthy, unsanitary, dangerous, or offensive living condition and shall clean it up on a daily basis.
- 3) Shall clean up waste matter/feces from the animal deposited anywhere else in the Borough immediately.

I. Insects or vermin, and/or an infestation of insects or vermin, shall not be allowed to continue, and the owner or occupant of any infested property shall report the same to the Code Enforcement Officer of the Borough of West View, and take appropriate steps to abate said infestation, without unnecessary delay. Failing to do so is a violation.

J. High weeds, grass, plant growth, or standing water. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches as defined herein, and water shall not be allowed to stand or accumulate in a manner that would attract insects or vermin.

K. Snow and ice removal from sidewalks.

- 1) Every owner, tenant, occupant, lessee, property agent, or any other person who is responsible for any property within the Borough is required to remove any snow or ice from his or her sidewalk, and shall, within the first 12 hours after every fall of snow or sleet or formation of ice upon the sidewalks, cause the same to be removed from the sidewalks to within one foot of the curb line opposite the entire frontage of such dwelling house, store, building, or vacant lot.

- 2) No person shall cast, discharge, throw, shovel or place or cause to be cast, discharged, thrown, shoveled or placed into or onto the traveled portion of any street or alley, by any means whatsoever, any snow, slush or ice.

L. Swimming pools.

- 1) Swimming pools shall be maintained in good repair at all times. They shall also be kept clean, safe, sanitary, and covered when not in regular use.
- 2) It shall be unlawful for any person to install an in-ground pool, above-ground pool, or temporary pool (inflatable, or any pool that can be taken down each year), without proper permits, inspections, and safeguards in place (fences, locking gates, or ladders, and proper electrical grounding). Any pool that can hold 24 inches of water or more is subject to permits, inspections and safeguards.

M. Vending license violations.

- 1) It shall be unlawful for any person, business, partnership, or entity to operate, including, but not limited to, any business, vending cart, food cart, yard sale, store or establishment without the proper permits.
- 2) It shall be unlawful to violate any term, part, portion or in total, of any vending license. Any person, business, partnership or entity violating its vending license, shall be in violation of this ordinance.

N. Storing or serving of potentially hazardous food. No person, business, partnership or entity shall store or serve potentially hazardous food, including, but not limited to, out-of-date food, food being stored above or below the appropriate temperature, food being stored directly on a flooring surface, in the presence of infestation problems, or serving food that had previously been opened.

O. Regulation of Rental Units.

1) Owner's Duties.

a. General.

It shall be the duty of every owner to keep and maintain all regulated rental units in compliance with all applicable codes and provisions of all other applicable state or federal laws and regulations and local ordinances, and to keep such property in good and safe condition. To include the number of residents permitted per unit.

As provided for in this Ordinance, every owner shall be responsible for regulating the proper and lawful use and maintenance of every dwelling which he, she or it owns. As provided for in this Ordinance, every owner shall also be responsible for regulating the conduct and activities of the occupants of every regulated rental unit which he, she or it owns in the Borough, which conduct or activity takes place at such regulated rental unit or its premises.

In order to achieve those ends, every owner of a regular rental unit shall regulate the conduct and activity of the occupants thereof, both contractually and through enforcement, as more fully set forth below.

This Section shall not be construed as diminishing or relieving, in any way, the responsibility of occupants or their guests for their conduct or activity; nor shall it be construed as an assignment, transfer, or projection over or onto any owner of any responsibility or liability which occupants or their guests may have as a result of their conduct or activity under any private cause of action, civil or criminal enforcement proceeding, or criminal law; nor shall this section be construed so as to require an owner to indemnify or defend occupants of their guests when any such action or proceeding is brought against the occupant based upon the occupant's conduct or activity. Nothing herein is intended to impose any additional civil/criminal liability upon owners other than that which is imposed by existing law.

This Ordinance is not intended, nor shall its effect be, to limit any other enforcement remedies which may be available to the Borough against an owner, occupant, or guest thereof.

- b. Designation of Manager: Every owner who is not a full-time resident of the Borough of West View, or a resident elsewhere within fifteen miles from West View, shall designate a manager who shall reside within fifteen miles of the Borough of West View. If the owner is a corporation, a manager shall be required if any officer of the corporation does not reside within the aforesaid distance. The officer shall perform the same function as a manager. If the owner is a partnership, a manager shall be required if a partner does not reside in the aforesaid distance. Said partner shall perform the same function as a manager. The manager shall be the agent of the owner for service of process and receiving notices and demands, as well as for performing the obligations of the owner under this Ordinance and under Rental Agreements with occupants. The identity, address and telephone number(s) of a person who is designated as manager hereunder shall be provided by owner or manager to the Borough, and such information shall be kept current and updated as it changes.
- c. Disclosure. The owner or manager shall disclose to the occupant in writing on or before the commencement of the tenancy: the name, address and telephone numbers of the manager, if applicable, and the name, address and telephone number of the owner of the premises.
- d. Maintenance of Premises.
 - i. The owner shall maintain the premises in compliance with the applicable codes of the Borough and shall regularly

- perform all maintenance, including lawn mowing and ice and snow removal, and shall promptly make any and all repairs necessary to fulfill this obligation.
- ii. The owner and occupant may agree that the occupant is to perform specified repairs, maintenance tasks, alterations, or remodeling. In such case, however, such agreement between the owner and occupant must be in writing. Such an agreement may be entered into between the owner and occupant only if: (a) the agreement of the parties is entered into in good faith and not for the purpose of evading the obligations of the owner or occupant; and (b) the agreement does not diminish or affect the obligation of the owner to other occupants in the premises.
 - iii. In no case shall the existence of any agreement between owner and occupant relieve any owner of any responsibility under this Ordinance or other ordinances or codes for maintenance of premises.
- e. Landlord/Tenant Act. The owner shall comply with all provisions of the Landlord-Tenant Act of the Commonwealth of Pennsylvania.
 - f. Common Areas. Where an owner does not regulate the use of common areas and the behavior of occupants and guests in the common areas, the owner shall be directly responsible for the behavior of occupants and guests in the common areas, as if the owner were an occupant.
 - g. Enforcement.
 - i. Within ten days after receipt of written notice from the Code Enforcement Officer, that an occupant of a regulated rental unit has violated a provision of this Ordinance, the owner shall take immediate steps to remedy the violation and take steps to assure that there is not a reoccurrence of the violation.
 - ii. Within twenty days after receipt of a notice of violation, the owner shall file with the Code Enforcement Officer, or other designee of the Borough, a report, on a form provided by the Borough, setting forth what action the owner has taken to remedy the violation and what steps he or she has taken to prevent a reoccurrence of the violation. The report shall also set forth a plan as to steps the owner will take in the future if the violation recurs.
 - iii. The Code Enforcement Officer shall review the report and, if adequate steps have been taken and the plan is adequate to address the future violations, shall approve the plan. The owner shall, on his or her initiative, enforce the plan and failure to do so shall be a violation of this Ordinance.

- iv. In the event that a second violation occurs within a year involving the same occupant or occupants, the Code Enforcement Officer, may direct the owner to evict in accordance with the Landlord Tenant Act the occupants who violated this Ordinance and to not permit the occupant to occupy the premises during the subsequent licensing period.
 - h. Code Violations. Upon receiving notice of any code violation from the Code Enforcement Officer, the owner shall promptly take action, or cause the necessary action to be taken, to abate the offending condition and eliminate the violation.
 - i. Borough Can Make Repairs. In case the owner of premises shall neglect, fail or refuse to comply with any notice from the Borough or its Code Enforcement Officer to correct a violation relating to maintenance and repair of the premises under any Code within the period of time stated in such notice, the Borough may cause the violation to be corrected. There shall be imposed upon the owner a charge of the actual costs involved for each time the Borough shall cause a violation to be corrected; and the owner of the premises shall be billed after the same has been completed. Any such bill which remains unpaid and outstanding after the time specified therein for payment shall be grounds for the imposition of a municipal lien upon the premises as provided by law. Such a lien may be reduced to a judgement and enforced and collected as provided by law, together with interest at the legal rate and court costs. The remedies provided by this paragraph are not exclusive and the Borough and its Code Enforcement Officer may invoke such other remedies available under this Ordinance or other applicable codes, ordinances or statutes, including, where appropriate, condemnation proceedings or declaration of the premises as unfit for habitation; or suspension, revocation, or non-renewal of the License issued hereunder.
 - j. The owner shall permit inspections of any premises by the Code Enforcement Officer at reasonable times in the discretion of the Code Enforcement Officer.
- 2) Occupant's Duties.
- a. General. The occupant shall comply with all obligations imposed upon occupants by this Ordinance, all applicable Codes and ordinances of the Borough and all applicable provisions of state law.
 - b. Health and Safety Regulations. The occupant shall dispose from his or her regulated rental unit all rubbish, garbage and other waste in a clean and safe manner in compliance with West View's Solid Waste Ordinance and all other applicable ordinances, laws and regulations.

- c. Peaceful Enjoyment. The occupant shall conduct himself or herself and require the other persons, including, but not limited to, guests on the premises and within his or her regulated peaceful enjoyment of the premises by others, and that will not disturb the peaceful enjoyment of adjacent or nearby dwellings by the persons occupying the same.
- d. Residential Use. The occupant shall, unless otherwise permitted by applicable law or ordinance, occupy or use his or her regulated rental unit for no other purpose than as a residence.
- e. Illegal Activities. The occupant shall not engage in, nor tolerate, nor permit others on the premises to engage in any conduct declared illegal under the Pennsylvania Crimes Code (18 Pa. C.S.A. §101, et seq.) or Liquor Code (47 P.S. §1-101 et seq.), or The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §780-101 et seq.), or the West View Borough Code.
- f. Disruptive Conduct.
 - i. The occupant shall not engage in, nor tolerate nor permit others on the premises to engage in disruptive conduct, or other violations of the Ordinance.
 - ii. When the Police Officer investigates an alleged incident of disruptive conduct, he or she shall complete Disruptive Conduct Report via Police Supplement Report upon a finding that the reported incident did, in his or her judgement, constitute "disruptive conduct" as defined herein. The information filled in on said report shall include, if possible, the identity or identities of the alleged perpetrator(s) of the disruptive conduct and all other obtainable information including the factual basis for the disruptive conduct requested on the prescribed form. Where the Police Officer make such investigation, said Police Officer shall then submit the completed Supplement to the Code Enforcement Officer within seven working days. In all cases, the Code Enforcement Officer shall mail a copy of the Disruptive "redacted" supplemental report to the owner or manager within ten working days of the occurrence of the alleged disruptive conduct, whether the person making the investigation on behalf of the Borough the Code Enforcement Officer.
- g. Damage to Premises. The occupant shall not intentionally cause, nor permit, nor tolerate others to cause, damage to the premises. Conduct which results in damages in excess of \$500.00 shall be considered a violation of this Ordinance.

- h. Inspection of Premises. The occupant shall permit inspections by the Code Enforcement Officer of the premises at reasonable times in the discretion of the Code Enforcement Officer.

P. Permits and Approvals.

- 1) It shall be unlawful for an owner or contractor to perform work to a building or structure without a permit, where permits are required, unless such performance is exempt as defined in the Borough of West View Zoning Ordinance.
- 2) Temporary dumpster permits are required. Each temporary dumpster, whether placed on private property or in a public right-of-way, shall have a valid permit issued by the Borough of West View.
- 3) Illegal signs/billboards. No person or business shall construct and display a sign/advertisement without the appropriate approval and permit from the Borough of West View.
- 4) Working without a license. No person shall work within the Borough of West View without a business license and proof of insurance, which shall be supplied to the Code Enforcement Office.

Q. Property maintenance.

- 1) Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained and shall at all times be structurally sound and in good repair.

SECTION VI - AUTHORITY FOR ISSUANCE OF NOTICE OF VIOLATIONS AND CITATIONS. Upon finding a quality of life violation, any public officer of the Borough of West View, appointed by Borough Council, may issue quality of life notice of violations and/or citations to the owner and/or occupant of the property at issue or to the individual known to have violated this Ordinance.

SECTION VII – REGULATIONS. Public officers are hereby authorized to promulgate rules and regulations to implement and supplement the provisions of this Ordinance.

SECTION VIII – ABATEMENT.

- A. Any person or business violating this Ordinance is hereby directed to satisfy the Borough of West View upon issuance of a quality of life , by correcting the violation in question. Public officers are authorized and empowered to cause a violation to be corrected.
- B. The Borough of West View reserves the right to abate the violation in question at the expense of the owner. If the Borough has effected the abatement of the violation, the cost thereof may be charged to the owner of the property, tenant, or offending party. A bill/invoice will be generated to the violator for payment separate from the quality of life which will also be paid separately.
- C. Borough of West View clean-up. The Borough reserves the right to perform any necessary work to abate any violation once 72 hours passes

from the date of issuance of the quality of life . Should the violation, at the discretion of the appropriate officer(s), present imminent danger and/or pose a health hazard and/or risk, the Borough reserves the right to perform the abatement immediately. The Borough will perform this work at a rate of \$_____ per hour, per man, and forward the cost of any material necessary for the abatement. The Borough reserves the right to charge an additional twenty percent (20%) on all material purchases to cover all miscellaneous expenses such as wear and tear on equipment.

- D. Contractor clean-up. The Borough reserves the right to direct a contractor to perform the abatement of the violation in question once 72 hours passes from the date of issuance of the quality of life . Should the violation present imminent danger and/or pose a health hazard and/or risk, the Borough reserves the right to direct the contractor to perform the abatement immediately. The contractor will submit a bill for his work to the Borough of West View, and the Borough will forward these costs to the violator. The Borough reserves the right to add a thirty percent (30%) processing fee in addition to the costs of the contractor.
- E. Abatement rates will be established by resolution from time to time based upon FEMA published rates.

SECTION IX – FINES AND PENALTIES. Citation fines. Any person, firm, or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this Ordinance, or of any regulation or requirement pursuant hereto and authorized hereby, shall, upon conviction, be ordered to pay a fine of not less than \$300.00 nor more than \$1,000.00 on each offense, or imprisonment of no more than 90 days on each offense, or both, together with costs of abatement. Each day that such a violation exists constitutes a separate and distinct violation.

SECTION X – NONEXCLUSIVE REMEDIES. The penalty and collection provisions of this Section shall be independent, non-mutually exclusive, separate remedies, all of which shall be available to the Borough of West View as may be deemed appropriate for carrying out the purposes of this Ordinance. The remedies and procedures provided in this Ordinance for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the Borough in the case of a violation of any other Borough Code Section or Ordinance, whether or not such other Code Section or Ordinance is referenced herein, and whether or not an ongoing violation of such other Code Section or Ordinance is cited as the underlying ground for a finding of a violation of this Ordinance.

SECTION XI – SEVERABILITY. The terms, provisions, and applications of this Ordinance are severable. If any of the provisions of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such holding shall not affect the remaining provisions of this Ordinance. The remaining provisions and/or applications of this Ordinance shall remain in full force and effect without the invalid provision or application.

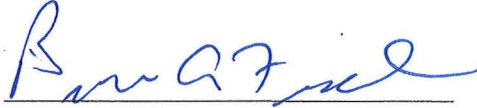
SECTION XII – REPEALED. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION XIII – EFFECTIVE DATE. This Ordinance shall become effective immediately upon approval.


ORDAINED AND ENACTED this 10th day of September, 2020.

ATTEST:

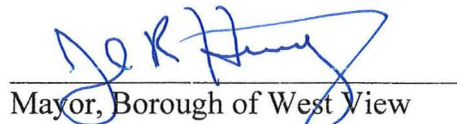
BOROUGH OF WEST VIEW



Secretary/Manager
Bruce A. Fromlak


President, Borough Council
M. Kimberly Steele

APPROVED AS TO FORM:


Mayor, Borough of West View
John R. Henry

BOROUGH OF WEST VIEW
ORDINANCE NO.1510

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE BOROUGH AND COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC.

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, the Borough of West View (hereinafter the "Borough") is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Borough's jurisdiction; and

WHEREAS, Comcast Cable Communications Management, LLC ("Comcast") currently holds a cable franchise from the Borough by virtue of a cable franchise agreement which expired in September 8 of 2019; and

WHEREAS, Comcast has requested that the Borough renew Comcast's franchise to maintain, construct and operate its Cable System over, under, and along the aforesaid public rights-of-way; and

WHEREAS, the aforesaid public rights-of-way used by Comcast are public properties acquired and maintained by the Borough on behalf of the citizens of the Borough, and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Borough desires to protect and manage the aforesaid rights-of-way, establish standards of subscriber service, maintain a technologically advanced cable system, receive franchise fees for Comcast's use of the Borough's public rights-of-way as provided by federal law, obtain the use of an educational and governmental channel, establish certain reporting requirements, obtain certain services, provide legal protections for the Borough, and meet the current and future cable-related needs of its residents; and

WHEREAS, the Borough held a public hearing on the subject of cable franchise renewal, including reviewing the cable operator's past performance and identifying the Borough's future cable-related community needs; and

WHEREAS, the Borough has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations; and

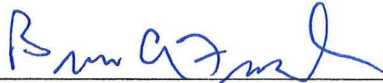
WHEREAS, the Borough, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Comcast's franchise according to the terms and conditions contained herein;

NOW THEREFORE, BE IT ORDAINED that the Council of the Borough of West View does hereby approve the cable franchise agreement negotiated with Comcast, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ORDAINED AND ENACTED THIS 13 th day of August 2020.

ATTEST:

BOROUGH OF WEST VIEW

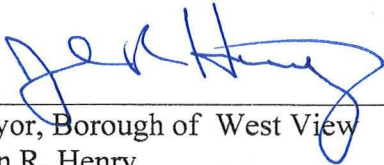


Secretary/Manager
Bruce A Fromlak



President, Borough Council
M. Kimberly Steele

Approved as to form:



Mayor, Borough of West View
John R. Henry

BOROUGH OF WEST VIEW
ORDINANCE NO.1511

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 290-ZONING, OF THE CODE OF THE BOROUGH OF WEST VIEW, SPECIFICALLY SECTIONS 290-9, DEFINITIONS, AND 290-24(A) GENERAL LIMITATIONS.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of West View, Allegheny County, Commonwealth of Pennsylvania, that Chapter 290-Zoning, of the Code of the Borough of West View, is hereby amended as follows:

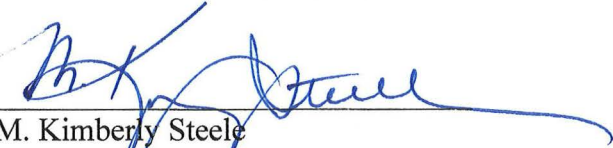
1. That Chapter 290-9, Definitions, is amended to include the following definition of Cartway: "Any portion of the street, drive, or alley that is available for vehicular traffic, including the curb, berm, shoulder, and undeveloped portion of the actual road right-of-way."
2. That Section 290-24(A), General Limitations, is hereby amended to read as follows: "No sign of any nature, is permitted within three feet of the public cartway, in the median of the any public cartway, or in any area between traffic lanes, excepting traffic signs and similar regulatory notices of a duly constituted governmental body."

ORDAINED AND ENACTED THIS 12th day of November, 2020.

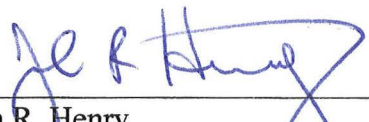
ATTEST:


Bruce A. Fromlak
Borough Secretary/Manager

BOROUGH OF WEST VIEW


M. Kimberly Steele
President, Borough Council

Approved as to form:


John R. Henry
Mayor, Borough of West View

OFFICIAL
BOROUGH OF WEST VIEW
ORDINANCE NUMBER 1512

AN ORDINANCE OF THE TOWN COUNCIL OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT HEREINAFTER SET FORTH, DURING THE YEAR 2021.

Be it ORDAINED and ENACTED, and it is hereby ORDAINED and ENACTED by the Borough of West View, County of Allegheny, Commonwealth of Pennsylvania:

SECTION 1 - That the revenues and expenditures of Fiscal Year 2021, the following amounts are hereby appropriated from the fund equities, revenues and other financing sources available for the Year 2021 for the specific purposes set forth on the following pages

Revenue Source	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
Taxes & Fees	3,076,800.00				3,076,800.00
Licenses/Permits	195,100.00				195,100.00
Fines/Forfeits	43,500.00				43,500.00
Interest/Rents	3,000.00	102,530.00			105,530.00
Entitlements	354,500.00		174,915.00	1,275,488.00	1,804,903.00
Dept. Earnings	132,600.00				132,600.00
Mis. Revenue	20,000.00	-		536,099.00	556,099.00
TOTAL	3,825,500.00	102,530.00	174,915.00	1,811,587.00	5,914,532.00
Expenditure Category	General Fund	Building Fund	Highway Aid Fund	Capital Projects & Proprietary Fund	Total
General Gov't	301,900.00	102,530.00			404,430.00
Public Safety	1,539,700.00				1,539,700.00
Health & Welfare	57,000.00			1,275,488.00	1,332,488.00
Hwy/Roads/Streets	912,000.00		174,915.00		1,086,915.00
Rec/Parks/Lib/Civil	15,500.00				15,500.00
Debt Service	112,500.00	-		536,099.00	648,599.00
Ins. Prem/Ben	886,900.00				886,900.00
TOTAL	3,825,500.00	102,530.00	174,915.00	1,811,587.00	5,914,532.00

SECTION 2 - That any Ordinance or part of Ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

ADOPTED this 10th day of December 2020

ATTEST:

BY: Bruce A. Fromlak
Chief of Police Bruce A. Fromlak/Manager

BOROUGH OF WEST VIEW

BY: M. Kimberly Steele
M. Kimberly Steele, President of Council

EXAMINED and APPROVED this 10th day of December 2020

BY: J. R. Henry
J. R. Henry, Mayor

OFFICIAL

BOROUGH OF WEST VIEW

ORDINANCE NUMBER 1513

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, COUNTY OF ALLEGHENY,
FIXING THE TAX RATE FOR THE YEAR 2021.

Be it ORDAINED and ENACTED by the Town Council of the Borough of West View and it is hereby ORDAINED and ENACTED by and with the Authority of the same:


That a tax be and the same is hereby levied on all real property within the Borough of West View subject to taxation for the Fiscal Year 2021 as follows:

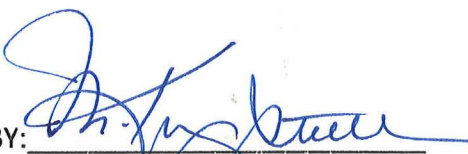
Tax Rate for general purposes,
the sum of 6.30 Mills
on each Dollar of assessed valuation

That any Ordinance, or part of Ordinance, in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

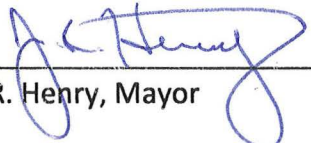
ORDAINED and ENACTED this 10th day of December 2020

BOROUGH OF WEST VIEW

BY: 
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: 
M. Kimberly Steele
President of Town Council

EXAMINED and APPROVED this 10th day of December 2020

BY: 
J. R. Henry, Mayor

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