

ORDINANCE NO. 2014-820
UPPER MERION TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE UPPER MERION TOWNSHIP CODE BY REPEALING CHAPTER 140, "STORMWATER, GRADING AND EROSION CONTROL," PURSUANT TO THE ENACTMENT OF CHAPTER 140A, "STORMWATER GRADING AND EROSION CONTROL - RESIDENTIAL," AND CHAPTER 140B, "STORMWATER, GRADING AND EROSION CONTROL - MULTI-FAMILY, COMMERCIAL, INDUSTRIAL, INSTITUTIONAL," BY ORDINANCE NOS. 14-816 AND 14-817, RESPECTIVELY

WHEREAS, the Board of Supervisors has met the procedural requirements of the Second Class Township Code, 53 P.S. § 65101, *et seq.*, for the adoption of the proposed ordinance; and

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens; and

WHEREAS, Ordinance Nos. 14-816 and 14-817 were adopted by the Board of Supervisors on February 20, 2014, adding Chapter 140A, "Stormwater, Grading And Erosion Control - Residential" and Chapter 140B, "Stormwater, Grading And Erosion Control - Multi-Family, Commercial, Industrial, Institutional," respectively, to the Upper Merion Township Code; and

WHEREAS, Chapter 140A and Chapter 140B are intended to displace existing Chapter 140, "Stormwater, Grading and Erosion Control," and the enactment Chapter 140A and Chapter 140B rendered the provisions of Chapter 140 obsolete and inconsistent; and

WHEREAS, the Board of Supervisors deems it in the best interests of the Township to repeal Chapter 140, "Stormwater, Grading and Erosion Control," pursuant to the enactment of Chapter 140A and Chapter 140B.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors for Upper Merion Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

SECTION 1. CODE AMENDMENT.

CHAPTER 140 OF THE UPPER MERION TOWNSHIP CODE, "STORMWATER, GRADING AND EROSION CONTROL," IS HEREBY REPEALED IN ITS ENTIRETY.

SECTION 2. REPEALER.

All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. REVISIONS.

The Upper Merion Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 4. SEVERABILITY.

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This amendment shall become effective five (5) days after date of adoption.

SECTION 6. FAILURE TO ENFORCE NOT A WAIVER.

The failure of Upper Merion Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

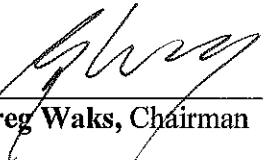
ORDAINED AND ENACTED by the Board of Supervisors for Upper Merion Township, Montgomery County, Pennsylvania, this 27th day of March, 2014.

ATTEST:



David Kraynik, Township Manager

**UPPER MERION TOWNSHIP
BOARD OF SUPERVISORS:**

By: 

Greg Waks, Chairman

Advertised Proposed Ordinance in Times Herald in March 20, 2014
Proof of Publication Dated: March 20, 2014
Hearing Held: March 27, 2014
Ordinance Adopted: March 27, 2014
Ordinance Entered: March 27, 2014 as Township Ordinance 2014-820