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SOUTH SHENANGO TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA
ORDINANCE NO. 1981 -

AN ORDINANCE OF THE TOWNSHIP OF SOUTH SHENANGO, CRAWFORD COUNTY, PENNSYLVANIA, TO GOVERN AND REGULATE THE GRADING OF LAND, THE MODIFICATION OF NATURAL TERRAIN, THE ALTERATION OF DRAINAGE, THE MAINTENANCE OF ARTIFICIAL STRUCTURE SURFACES, AND MAINTENANCE OF DRAINAGE NECESSARY TO CORRECT SOIL EROSION; REQUIRING THE SECURING OF GRADING PERMITS; PROVIDING FOR THE ENFORCEMENT THEREOF; AND PROVIDING FOR PENALTIES IN THE EVENT OF A VIOLATION OR VIOLATIONS THEREOF.

WHEREAS, the Supervisors do deem the drilling of oil or gas wells, and the character of preparation and use of gas well sites, and the construction and installation of natural gas or oil collection or transmission pipelines or other pipelines, or substantially similar activities, to constitute a hazard to soil conservation and to the environment with the Township; and

WHEREAS, the Township Supervisors deem that the conduct of such activities for agricultural purposes does not constitute such a hazard because of the circumstances that such activities will be limited to primarily level terrain and the ground surface affected will ordinarily be tilled or otherwise prepared for agricultural use and for other reasons,

NOW, THEREFORE, the Supervisors of the Township of South Shenango, Crawford County, Pennsylvania, do hereby ordain:

Section 1. Short Title

This Ordinance shall be known and may be cited as the South Shenango Township Erosion and Sediment Control Ordinance.

Section 2. Purpose

The purpose of this Ordinance is to regulate the modification of the natural terrain, the alteration of drainage, the maintenance of artificial structures and surfaces, and to provide for certain erosion and sediment control measures within South Shenango Township so as to assure and safeguard health, safety, environment and general welfare in the Township.

Section 3. Activities Requiring A Permit

(a) It shall be unlawful for any person, firm or corporation to conduct earthmoving activities within South Shenango Township or to otherwise disturb the ground surface, landscape or vegetation in the Township over an area of one-half acre or more than one-half acre, or to install or construct, or participate in the installation of any subsurface pipeline conduit running a distance of 100 yards or more, without first securing a permit.

(b) The provisions of this section shall not apply to common household gardening, truck farming and the cultivation of land or the installation of land drainage tiles for agricultural purposes as long as they are carried out using adequate soil and water conservation practices.

Section 4. Application For Permit

(a) Applications for permits shall be made in writing to the South Shenango Township Board of Supervisors.

(b) A separate application shall be required for each area where earthmoving will take place.

(c) The application shall be accompanied by a fee, which shall not be refunded whether or not a permit is granted as follows:

1. \$100.00 for each area for which a permit is required, excluding pipeline construction or related activity.

2. As to construction of any pipeline or related activities, the permit fee shall be \$100.00 for the first mile or part thereof, plus \$100.00 for each additional mile or part thereof treated in the same application.

Section 5. Data Required For Permit

(a) The application for a permit shall be accompanied by plans of the property showing:

1. A map or sketch of the site showing the location in relation to the nearest township or state roads.

2. Description or map of the general topography showing drainageways.

3. Description of the soil conditions in the area.
4. Description or sketch of the proposed earthmoving activity including proposed cuts, fills, roads, final contours, etc.
5. Plans, design details and/or specifications of proposed erosion and sediment control practices. Standards and specifications for erosion and sediment control practices shall be in accord with those found in the Erosion and Sediment Control Handbook published by the Crawford Conservation District, June, 1971, as amended.
6. A time schedule indicating the anticipated starting and completion dates of the project and an anticipated time of exposure of each area prior to the completion of effective erosion and sediment control practices.

(b) Two copies of the plan shall be submitted.

Section 6. Approval of Permit

(a) Upon submission of the application, the South Shenango Township Supervisors will, in consultation with the Crawford Conservation District, determine that the application is complete and that the plan is adequate before issuing the permit.

Section 7. Enforcement

(a) Enforcement shall be the responsibility of the South Shenango Township Supervisors or their delegate.

(b) Initial inspections shall be carried out on a random basis. Inspections shall include site inspection as well as inspection of the plan which shall be maintained on the site and available.

(c) Where an inspection has been made and it is determined that a plan has not been implemented in accordance with the provisions of the plan the applicant shall bear all costs of future inspections of the site. The hourly rate for such subsequent inspections shall be the regular hourly rate then paid by the Township Supervisors to the Township Building Code Inspector.

Section 8.

The Township shall not be deemed by the grant of a permit to any person or entity, to guaranty or warrant to any person that the activities performed pursuant to such permit will be in accord with approved sediment and erosion control practices, or that gas or oil wells or pipelines have been properly or safely designed or constructed and the Township disclaims all warranties or guarantees whatsoever. Furthermore, the grant of a permit under this Ordinance shall not excuse or satisfy any requirement to obtain any other permit which may be required in connection with the permittee's activities, including but not limited to application for authority to extend any pipeline into or through a road right of way, under the Township Road Cut Ordinance.

Section 9. Severability

Should any section of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or of any other part thereof.

Section 10. Violations

Any person, firm or corporation violating any provision of this Ordinance shall, upon summary conviction before any Magistrate or District Justice, be sentenced to pay a fine not exceeding \$300.00 and costs of prosecution, and any appropriate restitution for inspection charges paid by the Township which are the responsibility of the applicant, and in default of payment of such fine and costs and other charges, the violator may be sentenced to the county jail for a term of not more than thirty (30) days. Each and every day in which a person, firm or corporation shall be in violation of this Ordinance shall constitute a separate offense. Furthermore, activities in violation of this Ordinance shall be deemed to be a public nuisance which the Township may enjoin by an action in equity. The foregoing remedies shall not be deemed to be exclusive and the Township shall have the right to pursue such other remedies as may be available at law or in equity.

Enacted and Ordained this 10th day of August, 1981.

SOUTH SHENANGO TOWNSHIP SUPERVISORS

BY: Scot P. Helton
Chairman

BY: Larry Cron
Supervisor

BY: Marshall S. Livingston
Supervisor

ATTEST:

BY: Rebecca A. Tokar
Secretary

(Seal)