

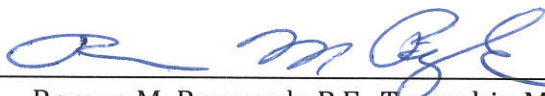
WHITPAIN TOWNSHIP

ORDINANCE #4-251

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY AMENDING ARTICLE XXV, SECTION 160-170.D [FP FLOODPLAIN CONSERVATION DISTRICT/BOUNDARY DISPUTES; APPEALS/ALLUVIAL SOIL BOUNDARY SHORT PROCEDURE] TO REPLACE ALL REFERENCES TO "ALLUVIAL SOILS" WITH "HYDRIC SOILS."

CERTIFICATION

I, ROMAN M. PRONCZAK, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE #4-251



Roman M. Pronczak, P.E., Township Manager
September 17, 2018

ENACTED: Sept. 17, 2018

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IT IS HEREBY ENACTED AND ORDAINED by the Whitpain Township Board of Supervisors that the Township's Zoning Ordinance shall be amended as follows:

SECTION 1. Amendment to Article XXV, Section 160-170.D [FP Floodplain Conservation District/Boundary disputes; appeals/Alluvial soil boundary short procedure] of the Zoning Ordinance, to replace all references to "Alluvial Soils" with "Hydric Soils."

Article XXV, Section 160-170.D [FP Floodplain Conservation District/Boundary disputes; appeals/Alluvial soil boundary short procedure] is amended to replace all references to "Alluvial Soils" with "Hydric Soils." This section, as amended, shall read as follows:

160-170. Boundary disputes; appeals.

D. Hydric soil boundary short procedure. A landowner may, upon signing an agreement with the Board of Supervisors, submit detailed soil profiles and a report to the Township's consultant for the purposes of determining a hydric soil classification. If the Township's consultant and the landowner's consultant agree that the site-specific information supplied by the landowner indicates an accurate classification of the soils, then the Township shall accept this as the correct boundary. However, prior to any such change, the landowner shall be responsible for any map revisions and the costs thereof. In the event that the Township's consultant should not accept the information as being an accurate representation of a hydric soil classification, the landowner shall have the right to appeal to the Zoning Hearing Board as noted in Subsection B above.

SECTION 2. Repeal and Ratification

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. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date

This Ordinance shall become effective 5 days after enactment.

ORDAINED AND ENACTED this 17th day of September 2018, by the Whitpain Township Board of Supervisors.

**WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS**



ADAM D. ZUCKER, *Chair*

[Seal]

Attested by:



ANTHONY F. GRECO
Secretary