

**BOROUGH OF ST. LAWRENCE
BERKS COUNTY, PENNSYLVANIA**

Ordinance No. 424

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, PENNSYLVANIA, PROHIBITING NON-STORMWATER DISCHARGES TO THE STORM DRAINAGE SYSTEM OF THE BOROUGH; PROHIBITING CONNECTIONS TO THE STORMWATER DRAINAGE SYSTEM WHICH WOULD HAVE THE EFFECT OF ADMITTING NON-STORMWATER DISCHARGES TO THE STORMWATER DRAINAGE SYSTEM OF THE BOROUGH; PROVIDING AUTHORITY FOR SUSPENSION OF MS4 ACCESS TO STOP AN ACTUAL OR THREATENED DISCHARGE PRESENTING IMMINENT AND SUBSTANTIAL DANGER OF INJURY TO PERSONS OR THE ENVIRONMENT; PROVIDING REGULATIONS FOR INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES; PROVIDING FOR THE MONITORING OF DISCHARGES OF STORMWATER; REQUIRING THE USE OF BEST MANAGEMENT PRACTICES TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS; PROVIDING FOR PROTECTION OF WATERCOURSES PASSING THROUGH PRIVATE PROPERTY BY PROPERTY OWNERS AND OCCUPANTS; REQUIRING NOTIFICATION TO THE BOROUGH CODE ENFORCEMENT OFFICER OF SPILLS WHICH RESULT OR MAY RESULT IN ILLICIT DISCHARGES OR POLLUTANTS DISCHARGING INTO STORMWATER; PROVIDING FOR ENFORCEMENT, PENALTIES, AND APPEALS FROM ENFORCEMENT ACTIONS, AND PROVIDING FOR SEVERABILITY OF PORTIONS FOUND TO BE UNLAWFUL AND REPEAL OF INCONSISTENT ORDINANCES

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of St. Lawrence, Berks County, Pennsylvania, as follows:

SECTION 1. **Purpose and Intent.**

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of the Borough of St. Lawrence, Berks County, Pennsylvania ("Borough") through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the Municipal Separate Storm Sewer System ("MS4") in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

- a. To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user.

b. To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system.

c. To establish legal authority to carry out all education, public notice, inspection, review, and monitoring procedures necessary to ensure compliance with this ordinance

SECTION 2. Definitions.

For the purposes of this Ordinance, the following terms shall be defined as follows:

a. Authorized Enforcement Agency: An agency permitted to enforce federal, state, or local laws, regulations, or Ordinances.

b. Best Management Practices (BMPs): schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

c. Borough: The Borough of St. Lawrence, Berks County, Pennsylvania.

d. Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

e. Construction Activity. Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of 5 acres or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

f. Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

g. Illegal Discharge or Illicit Discharge. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in this Ordinance.

h. Illicit Connections or Illegal Connections. An illicit connection or illegal connection is defined as either of the following:

i. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,

ii. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

i. Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

j. National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

k. Non-Storm Water Discharge. Any discharge to the storm drain system that is not composed entirely of storm water.

l. Person : means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

m. Pollutant. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard waste; gravel, refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

n. Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

o. Storm Drainage System. Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities,

retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

p. Stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

q. Stormwater Pollution Prevention Plan: A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

r. Wastewater means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

s. Yard Waste: Grass, leaves and brush (i.e., small branches, twigs) from general yard maintenance. Yard waste does not include materials generated by tree removal, land clearing or home renovation projects.

SECTION 2. Public Education and Outreach on Stormwater Impacts.

The Borough shall implement a public education program to distribute educational materials to the community and conduct outreach programs and activities about the impacts of stormwater discharges on bodies of water and steps that the public can take to reduce pollutants in stormwater runoff. This education and outreach program shall include the publication of a newsletter containing information on this topic, and the use of other educational materials and methods of public outreach, including public meetings to address concerns and solicit input from target audiences in the Borough.

SECTION 3. Applicability.

This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency. All regulated activities and all activities that may affect stormwater runoff, including but not limited to land development and earth disturbance activity, are subject to regulation by this Ordinance.

SECTION 4. Responsibility for Administration.

The Borough Code Enforcement Officer shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the

Borough or other Authorized Enforcement Agency may be delegated in writing by the persons or entities acting in the beneficial interest of or in the employ of the Authorized Enforcement Agency in addition to the Borough Code Enforcement Officer.

SECTION 5. **Severability.**

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION 6. **Ultimate Responsibility.**

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants, and neither intends nor implies that a person or entity has not violated other environmental laws and/or regulations.

SECTION 7. **Compatibility With Other Requirements.**

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

SECTION 8. **Erroneous Permit.**

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

SECTION 9. **Discharge Prohibitions.**

a. **Prohibition of Illegal Discharges.**

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to Pollutants or waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water. The commencement, conduct or continuance of any illegal discharge to the storm

drain system is prohibited except as described as follows:

i. The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated - typically less than one PPM chlorine), fire fighting activities, and any other water source not containing Pollutants.

ii. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.

iii. Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test.

iv. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

b. Prohibition of Illicit Connections.

i. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

ii. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

iii. A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

iv. The Borough Code Official shall require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this Ordinance to eliminate or secure approval for the connection by a specified date.

v. If, subsequent to eliminating a connection found to be in violation of this Ordinance, the responsible person can demonstrate that an illegal discharge will no longer occur, said person may request Borough approval to reconnect. The reconnection or reinstallation shall be at the responsible person's expense.

SECTION 10. **Illicit Discharge Detection and Elimination.**

The Borough shall perform the following tasks to assist in the detection and elimination of illicit discharges:

a. Develop, implement, and enforce a program pursuant to this Ordinance, the Borough Stormwater Ordinance, and Commonwealth and federal law to detect and eliminate illicit discharges into the MS4.

b. Develop a stormwater system map, showing the location of all outfalls and the names and locations of all surface waters of the Commonwealth that receive discharges from those outfalls.

c. Develop and implement a plan to detect and assess non-stormwater discharges, including yard waste and illegal dumping, into the MS4.

d. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and the improper disposal of waste.

SECTION 11. **Suspension of MS4 Access.**

a. **Suspension due to Illicit Discharges in Emergency Situations**

The Borough Codes Enforcement Officer may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

b. **Suspension due to the Detection of Illicit Discharge**

Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

c. Unauthorized Reinstatement of MS4 Access

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

SECTION 12. Industrial or Construction Activity Discharges.

a. Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Borough Codes Enforcement Officer prior to the allowing of discharges to the MS4.

b. Construction site operators shall, during all phases of a construction project, implement erosion and sedimentation control BMPs. Further, construction site operators shall establish and implement measures approved by the Borough and reviewing agencies at the construction site to prevent waste that may cause adverse impacts to water quality from entering the MS4. Such wastes include, but are not limited to: discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste.

c. Borough, in its site plan reviews for construction activities not exempt from the regulations contained herein, shall consider potential adverse water quality impacts caused by the construction activity and the project as completed.

SECTION 13. Pollution Prevention and Good Housekeeping in Municipal Operations

The Borough shall develop and implement an operations and maintenance program which includes training for employees to prevent and reduce Pollutant runoff and runoff into the MS4 from municipal operations. This training shall include prevention of stormwater pollution from activities including but not limited to road maintenance, snow and ice removal and abatement, fleet maintenance, building maintenance, stormwater system maintenance, construction and land disturbance, and open space and right of way maintenance. The Borough shall require the use of said practices in all applicable municipal operations.

SECTION 14. Monitoring of Discharges.

a. Applicability.

This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

b. Access to Facilities.

i. The Borough Codes Enforcement Officer shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

ii. Facility operators shall allow the Borough Codes Enforcement Officer ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

iii. The Borough Codes Enforcement Officer shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.

iv. The Borough Codes Enforcement Officer has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

v. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the [authorized enforcement agency] and shall not be replaced. The costs of clearing such access shall be borne by the operator.

vi. Unreasonable delays in allowing Borough Codes Enforcement Officer access to a permitted facility is a violation of a storm water discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.

vii. If the Borough Codes Enforcement Officer has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance,

or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

SECTION 15. Requirement to Prevent, Control, and Reduce Storm Water Pollutants by the Use of Best Management Practices.

The Borough will adopt requirements identifying Best Management Practices (BMPs) for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the United States or the Commonwealth of Pennsylvania. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, shall be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the discharge or further discharge of pollutants to the MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner's or operator's expense.

The Borough Code Official will report to Borough Council annually on the status of implementation of BMPs, the Pollutants of concern to be addressed the next year, and any new BMPs to be developed and included in the Borough's SWPP and BMP guidance documents utilized by the Borough.

SECTION 16. New Development and Redevelopment.

The Borough may adopt requirements identifying appropriate BMPs to control the volume, rate, and potential Pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport, and discharge of Pollutants. The Borough shall incorporate such requirements in any land use approval or permit, or construction or building-related permit to be issued relative to such development or redevelopment. The owner and the developer shall comply with the terms, provisions, and conditions of such land use approvals or permits and construction or building-related permits as required in this Ordinance and in the Borough Stormwater Management Ordinance.

SECTION 17. Watercourse Protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

SECTION 18. Notification of Spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the United States or Commonwealth of Pennsylvania, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Borough Codes Enforcement Officer within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained by the Borough Codes Enforcement Officer for at least three (3) years.

SECTION 19 Requirement of Annual Inspections

Notwithstanding other requirements of law, all stormwater facilities on private property shall be inspected annually by a person certified to conduct such inspection. Upon completion of such inspection, the person conducting the inspection shall provide a report to the Borough Manager stating that the stormwater facility is functioning as intended and in good working order, and that all necessary maintenance to keep such stormwater facility in good working order has been conducted.

SECTION 20. Requirement to Eliminate Illegal Discharges.

The Borough Code Official may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge,

and take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

SECTION 21. **Requirement to Remediate.**

Whenever the Borough Codes Enforcement Officer finds that a discharge of Pollutants is taking place or has taken place which will result in or which has resulted in pollution of storm water, the storm drain system, or waters of the United States, the Borough Codes Enforcement Officer may require by written notice to the owner of the property and/or the responsible persons that the pollution be remediated and the affected property restored within a specified time.

SECTION 22. **Requirement to Monitor and Analyze.**

The Borough Codes Enforcement Officer may require by written notice that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution, illicit discharges, and/or non-stormwater discharges to the storm drain system or waters of the United States undertake at said person's expense such monitoring and analyses and furnish such reports to the Borough as deemed necessary to determine compliance with this Ordinance and applicable law.

SECTION 23. **Enforcement.**

a. Notice of Violation.

Whenever the Borough Codes Enforcement Officer finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. Such notice may require one or more of the following, without limitation of resort to other remedies available under the laws and regulations of the Commonwealth of Pennsylvania or the United States or the Ordinances of the Borough of St. Lawrence:

- i. The performance of monitoring, analyses, and reporting;
 - ii. The elimination of illicit connections or discharges;
 - iii. That violating discharges, practices, or operations shall cease and desist;
 - iv. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
 - v. Payment of a fine to cover administrative and remediation costs;
- and;

vi. The implementation of source control or treatment BMPs.

b. Abatement.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

SECTION 24. Appeal of Notice of Violation.

Any person receiving a Notice of Violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be received within fifteen (15) days from the date of the Notice of Violation. Hearing on the appeal before the appropriate authority or his/her designee shall take place within fifteen (15) days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final.

SECTION 25. Enforcement Measures After Appeal.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within fifteen (15) days of the decision of the municipal authority upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

SECTION 26. Cost of Abatement of the Violation.

Within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within thirty (30) days. If the amount due is not paid within a timely manner as determined by the decision of the Borough or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the Borough by reason of such violation. The liability shall be paid in not more than 12 equal

payments. Interest at the rate of twelve percent (12%) per annum shall be assessed on the balance beginning on the first day following discovery of the violation.

SECTION 27. Injunctive Relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. If a person has violated or continues to violate the provisions of this ordinance, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

SECTION 28. Compensatory Action.

In lieu of, or in addition to, enforcement proceedings, penalties, and remedies authorized by this Ordinance, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

SECTION 29. Violations Deemed a Public Nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

SECTION 30. Criminal Prosecution.

Any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of One Thousand Dollars and 00/100 (\$1,000.00) per violation per day and/or imprisonment for a period of time not to exceed ninety (90) days.

The Authorized Enforcement Agency may recover all attorney's fees court costs and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

SECTION 31. Remedies Cumulative and Not Exclusive.

The remedies listed in this Ordinance are cumulative and are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

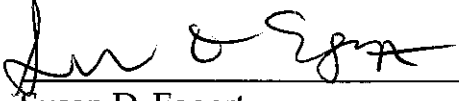
SECTION 32. Effective Date and Repealer

This Ordinance shall be in full force and effect on the earliest date permitted by applicable law. All prior ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

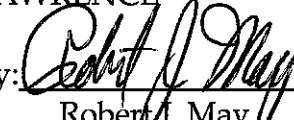
ENACTED AND ADOPTED by the Council this 9th day of October, 2014.

ATTEST:

COUNCIL OF THE BOROUGH OF SAINT
LAWRENCE



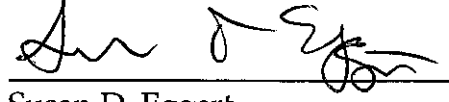
Susan D. Eggert,
Borough of Saint Lawrence Secretary

By: 


Robert J. May
Council President

APPROVED, this 9th day of Oct 2014, by the Mayor of the Borough of Saint Lawrence, Berks County, Pennsylvania

ATTEST:



Susan D. Eggert,
Borough of Saint Lawrence Secretary



Michael C. Fritz,
Mayor

ST LAWRENCE BOROUGH
BOROUGH MANAGER
3540 ST. LAWRENCE AVENUE
READING, PA 19606

{ No.0000423933

Page 1 of 1

Proof of Publication of Notice in Reading Eagle

Under Act No. 587, Approved May 16, 1929.

Commonwealth of Pennsylvania,
County of Berks

} SS:

Lynn Schittler, Assistant Secretary, READING EAGLE COMPANY, of the County and Commonwealth aforesaid, being duly sworn, deposes and says that the READING EAGLE established January 28, 1868 is a newspaper of general circulation published at 345 Penn Street, City of Reading, County and State aforesaid, and that the printed notice or publication attached hereto is exactly the same as printed and published in the regular edition and issues of the said READING EAGLE on the following dates, viz.:

Reading Eagle Tuesday, September 30, 2014, A.D.

Affiant further deposes that this person is duly authorized by READING EAGLE COMPANY, a corporation, publisher of said READING EAGLE, a newspaper of general circulation, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statements as to time, place, character of publication are true.

Lynn Schittler
Lynn Schittler

Sworn to and subscribed before me on this day of September 30, 2014

Ann L. Liptak
Notary

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Ann L. Liptak, Notary Public
City of Reading, Berks County
My Commission Expires Oct. 2, 2016

NOTICE TO THE BOROUGH OF ST. LAWRENCE RESIDENTS AND PROPERTY OWNERS

The Borough Council of St. Lawrence, Berks County, Pennsylvania, hereby serves notice of its intention to adopt the following summarized Ordinances at its regularly scheduled meeting to be held on Thursday, October 9, 2014 starting at 7:30 p.m. in the Borough Municipal Building, 3540 St. Lawrence Avenue, Berks County, Pennsylvania. The complete title and a summary of the proposed Ordinances are as follows:

BOROUGH OF ST. LAWRENCE BERKS COUNTY PENNSYLVANIA

Ordinance No. 424

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, PENNSYLVANIA, PROHIBITING NON-STORMWATER DISCHARGES TO THE STORM DRAINAGE SYSTEM OF THE BOROUGH; PROHIBITING CONNECTIONS TO THE STORMWATER DRAINAGE SYSTEM WHICH WOULD HAVE THE EFFECT OF ADMITTING NON-STORMWATER DISCHARGES TO THE STORMWATER DRAINAGE SYSTEM OF THE BOROUGH; PROVIDING AUTHORITY FOR SUSPENSION OF M54 ACCESS TO STOP AN ACTUAL OR THREATENED DISCHARGE PRESENTING IMMINENT AND SUBSTANTIAL DANGER OF INJURY TO PERSONS OR THE ENVIRON-

MENT; PROVIDING REGULATIONS FOR INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES; PROVIDING FOR THE MONITORING OF DISCHARGES OF STORMWATER; REQUIRING THE USE OF BEST MANAGEMENT PRACTICES TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS; PROVIDING FOR PROTECTION OF WATERCOURSES PASSING THROUGH PRIVATE PROPERTY BY PROPERTY OWNERS AND OCCUPANTS; REQUIRING NOTIFICATION TO THE BOROUGH CODE ENFORCEMENT OFFICER OF SPILLS WHICH RESULT OR MAY RESULT IN ILLICIT DISCHARGES OR POLLUTANTS DISCHARGING INTO STORMWATER; PROVIDING FOR ENFORCEMENT, PENALTIES, AND APPEALS FROM ENFORCEMENT ACTIONS, AND PROVIDING FOR SEVERABILITY OF PORTIONS FOUND TO BE UNLAWFUL AND REPEAL OF INCONSISTENT ORDINANCES

ORDINANCE No. 425

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, ESTABLISHING "NO PARKING" ZONES ALONG PORTIONS OF BINGAMAN STREET, JACKSONWALD AVENUE, BROWN STREET, BRUMBACH STREET, GANSTER STREET, ST LAWRENCE AVENUE, NORTH PROSPECT STREET, PARKVIEW ROAD AND LYNN AVENUE; AUTHORIZING THE ERECTION OF "NO PARKING" SIGNS; PROVIDING PENALTIES FOR VIOLATION; AND REPEALING ALL INCONSISTENT ORDI-

NANCES

Ordinance No. 426

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, DEFINING A "SNOW EMERGENCY" AND PROVIDING FOR A DECLARATION OF A SNOW EMERGENCY; DESIGNATING CERTAIN STREETS AS "SNOW EMERGENCY ROUTES" REQUIRING SNOW TIRES OR CHAINS TO OPERATE A VEHICLE ON DESIGNATED "SNOW EMERGENCY ROUTES" DURING A DECLARED SNOW EMERGENCY; PROHIBITING PARKING ON "SNOW EMERGENCY ROUTES" DURING A DECLARED "SNOW EMERGENCY"; PROVIDING FOR REMOVAL AND IMPOUNDMENT OF VEHICLES PARKED OR STALLED ON A SNOW EMERGENCY ROUTE; SETTING FORTH PENALTIES FOR VIOLATION; PROVIDING FOR THE PLACEMENT OF SIGNS ALONG DESIGNATED SNOW EMERGENCY ROUTES; AND REPEALING PRIOR ORDINANCES

Copies of the full text of the ordinance may be examined without charge or obtained for a charge not greater than the cost thereof at the Borough Hall, 3540 St. Lawrence Avenue, Reading, PA 19606, at the Berks County Law Library, Berks County Courthouse, Sixth and Court Streets, Reading, PA 19601, and at the Reading Eagle, 345 Penn Street, Reading, PA 19601.

Allison A. Leinbach,
Borough Manager

