



# West Pikeland Township

WEST PIKELAND TOWNSHIP, CHESTER COUNTY, PA  
ORDINANCE NO. 2025 - 01

**AN ORDINANCE OF WEST PIKELAND TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE NO. 2022-02, THE WEST PIKELAND TOWNSHIP STORMWATER MANAGEMENT ORDINANCE, IN ORDER TO INSTITUTE THE PROVISIONS FOR AGRICULTURAL STRUCTURES AS SET FORTH BY THE CHESTER COUNTY ACT 167 MODEL STORMWATER MANAGEMENT ORDINANCE.**

**WHEREAS**, at a public meeting held on October 17, 2022, the West Pikeland Township Board of Supervisors (the “Board of Supervisors”) adopted Ordinance No. 2022-02, the “West Pikeland Township Stormwater Management Ordinance,” to control and manage stormwater runoff, erosion and sedimentation control, and to protect and preserve surface and groundwater of, and to protect the health, safety and welfare of West Pikeland Township and its residents; and

**WHEREAS**, West Pikeland Township, acting under the authority and direction of various Pennsylvania statutes as amended, including but not limited to the Second Class Township Code, 53 P.S. §65101-68701, the Pennsylvania Stormwater Management Act, 32 P.S. §6801.1 – 6801.17, the Municipalities Planning Code, 53 P.S. §10101-11202 (“MPC”), and the Clean Streams Law, 35 P.S. §691.1 – 691.1001, as well as certain other laws and regulations promulgated by the Commonwealth, wishes to amend its Stormwater Management Ordinance to ensure protection, development and improvement of agricultural lands.

**AND NOW**, this 6th day of January 2025, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors of West Pikeland Township, Chester County, Pennsylvania as follows:

**Section 1.** The Board of Supervisors hereby amends Table 106.2 within Ordinance No. 2022-02, the West Pikeland Township Stormwater Management Ordinance, as follows:

**TABLE 106.2**

**Thresholds for Regulated Activities that are Eligible for “Modified” Requirements for the Provisions of this Ordinance that are Listed Below**

<b>Ordinance Article/Section</b>	<b>Activities Listed in Subsection 106.D and 106.E</b>
Article I – General Provisions	All Provisions Apply
Article II – Definitions	All Provisions Apply
Article III, Sections 302, and 303, 311 – SWM Standards	All Provisions Apply

Article III, Sections 301, 304, 305, 306, 307, 308, 309, and 310 – SWM Standards	Exempt if Modified Requirements of Subsections 106.D and 106.E are Applied
Article IV – SWM Site Plan Requirements	Modified Provisions Apply – Appendix A
Article V – Performance, Inspection & As-Builts	Modified Provisions Apply – Appendix A
Article VI – Fees and Expenses	All Provisions Apply
Article VII – O&M and Easements	Modified Provisions Apply – Appendix A
Article VIII – Prohibitions	All Provisions Apply
Article IX – Enforcement and Penalties	All Provisions Apply
Other Erosion, Sediment and Pollution Control Requirements	Must comply with Title 25, Chapter 102 of the PA Code and other applicable State and municipal codes, including the Clean Streams Law.

Table 106.2 Notes:

- “Modified Requirements” – Regulated Activities listed within the Subsections of this Ordinance noted in Table 106.2 are eligible for exemption only from the indicated sections and subsections of this Ordinance and only if the modified requirements of Subsections 106.D and 106.E are met to the satisfaction of the Municipality; all other provisions of this Ordinance apply.

**Section 2.** The Board of Supervisors hereby amends Ordinance No. 2022-02, the West Pikeland Township Stormwater Management Ordinance, to add the following new Section 106.E, which shall read as follows:

Section 106.E. Modified Requirements for Agricultural Structures.

It is the declared policy of the Commonwealth to conserve and protect and to encourage the development and improvement of its agricultural lands for the production of food and other agricultural products. Municipalities must encourage the continuity, development, and viability of agricultural operations within its jurisdiction. Except as necessary to protect the public health, safety and welfare, Regulated Activities involving proposed new or expanded Impervious Surfaces associated with Agricultural Activities are exempt from the full requirements of Sections 301, 304, 305, 306, 307, 308, 309, and 310, and Article IV, Article V, and Article VII of this Ordinance (modified provisions apply as noted in Table 106.2) only when it has been demonstrated to the satisfaction of the Municipality that the proposed project will comply with all of the requirements listed below. All other provisions of this Ordinance shall apply. To be eligible for exemption from the Ordinance provisions stated above, the proposed Regulated Activity shall:

- a. Be directly associated with an Agricultural Activity (as defined in Article II);

b. Include less than fifteen thousand (15,000) square feet of proposed new or expanded Impervious Surface and adjoining vehicle parking and movement area;

c. Be installed on a farm or mushroom operation that has a current Mushroom Farm Environmental Management Plan (MFEMP) reviewed and deemed adequate by the Conservation District, or an Agricultural Erosion and Sediment Control Plan or Conservation Plan (as defined in Article II) that complies with the requirements of 25 PA Code 102;

d. Divert runoff from the proposed new or expanded Impervious Surfaces (including vehicle parking and movement area) entirely away from animal management, waste management and crop farming areas and any other source of pollutants;

e. Include BMP(s) that will permanently retain at least one (1) inch of rainfall runoff from the total area of proposed new or expanded Impervious Surfaces and vehicle parking and movement areas;

f. Be designed so that any point of discharge of runoff from the proposed new or expanded Impervious Surface (excluding vehicle movement area):

(1) Is not directly connected to, and is not directly connected to any constructed Conveyance that is connected to, a municipal Separate Storm Sewer System or public roadway; and

(2) Is located at least one hundred fifty (150) feet from any municipal Separate Storm Sewer System or public roadway, or any constructed Conveyance connected to any municipal Separate Storm Sewer System or public roadway.

g. Either:

(1) Have all proposed new or expanded Impervious Surfaces and proposed vehicle parking and movement areas and BMP(s) included within the current MFEMP or current Agricultural Erosion and Sediment Control Plan or a Conservation Plan for the farm or mushroom operation; or

(2) Be constructed per design plans prepared and sealed by a Licensed Professional in conformance with the PADEP "Best Practices for Environmental Protection in the Mushroom Farm Community" (2003 or as amended), or per design plans prepared and sealed by a Licensed Professional (or Conservation District staff person designated by NRCS) that comply with USDA NRCS standards and specifications, and for which completion of construction will be certified by the Licensed (or NRCS-designated design) Professional responsible for the design; and

h. Not be eligible for exemption if an NPDES permit is required.

**Section 3.** Severability. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of any other section or provision of this Ordinance than the one so declared.


**Section 4.** Repealer. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of the said inconsistency.

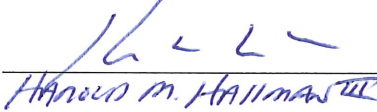
**Section 5. Effective Date.** This Ordinance shall be effective five (5) days from the date of enactment.

**RESOLVED and ADOPTED** this 6<sup>th</sup> day of January, 2025.


West Pikeland Township  
Board of Supervisors

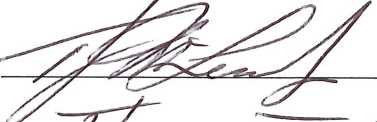
By:

  
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NORDEN VIGILANTE Chair

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HAROLD M. HALLMAN Vice Chair

  
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CARIN MIFSUD Supervisor

  
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STEVE FALGOUT Supervisor

  
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THOMAS T. MCLOWAN Supervisor

Attest:

  
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THERESA STOCKDALE  
Assistant Secretary