

LOGGING APPLICATION CHECKLIST

Job Address: _____

Date Submitted: _____

BP# _____

TO BE COMPLETED BY APPLICANT:

FOR OFFICE USE ONLY

Are plans complete?

(Reviewer must circle & initial)

ORG. SUBD. UPDATE 1

	Yes	N/A		
1. Complete application	___	___	Y/N	___
2. Logging permit fees, make payable to Township of Moon	___	___	Y/N	___
3. Complete set of Logging Plans	___	___	Y/N	___
4. Timber Harvest Plan	___	___	Y/N	___
5. Erosion & Sedimentation Control Plan signed, dated and approved by Allegheny County Conservation District with a copy of ACCD approval and comments	___	___	Y/N	___
6. Performance security as required by 196-6.A	___	___	Y/N	___
7. Over Posted Weight Permit approved and Road Financial Security as required by 196-6.B, Chapter 183, Article IV of the Moon Township Code, Over Posted Weight Permit for Township Roads	___	___	Y/N	___
8. Liability Insurance Certificates as per Section 196-9. Insurance in the amount of at least \$1,000,000.00. The certificate shall name the Township as an additional insured and the certificate shall state that the Township be notified at least 60 days prior to cancellation of said insurance.	___	___	Y/N	___
9. Proof of Pennsylvania State Complying Workers Comp Insurance	___	___	Y/N	___
10. Proof of written timber sales contract between the property owner and logging company.	___	___	Y/N	___
11. Preliminary slope stability investigation as per 188-303 of the Moon Township Code.	___	___	Y/N	___
12. Unstable soils area for logging shall include a Geo-Tech Engineer Report Investigation as per Section 208-303 B of the Moon Township Code.	___	___	Y/N	___
13. Department of Environmental Protection General Permit #8 required when encroaching a perennial or intermittent stream	___	___	Y/N	___

I acknowledge that all submittal items listed above are included if required for my project. I am aware that if it is determined that any required item is not included in this submittal. I may be subject to an **ADDITIONAL UPDATE FEE.**

You are strongly urged to check with the Plan Reviewers if you are unsure of what is required.

APPLICANT: _____

DATE: _____

Application Fee: \$500.00

Engineering Escrow: \$3,000.00

APPLICATION FOR A LOGGING PERMIT

TOWNSHIP OF MOON, 1000 BEAVER GRADE ROAD, MOON TOWNSHIP, PA 15108
PHONE (412) 262-1700 FAX (412) 262-534

Address of Property Affected: _____

Applicant: _____

Address: _____

Phone: _____ Fax: _____

Logging Company: _____

Company Representative: _____

Address: _____

Phone: _____ Fax: _____

Forester who prepared the Timber Harvest Plan: _____

Address: _____

Phone: _____ Fax: _____

Property Owner: _____

Address: _____

Phone: _____ Fax: _____

Hauling Contractor: _____

Address: _____

Phone: _____ Fax: _____

The Applicant/Owner/Logging Contractor/Forester hereby certifies that the statements made herein and representations contained in all accompanying matter part of this application are true and correct. The Applicant/ Owner/Logging Contractor/Forester shall be responsible for reviewing and fully understanding all Permit conditions and insuring compliance to all applicable Codes and Ordinances. The Applicant/Owner/Logging Contractor/Forester shall be responsible for any fees incurred (Engineering etc.) in relation to the above proposed project. The Applicant/ Owner/Logging Contractor/Forester grants Moon Township Officials the right to enter onto the property for the propose of inspecting the work permitted and posting notices. As applicant, I hereby certify that proposed work is authorized by the owner of record and I have been authorized by the owner to make this application as his authorized agent.

Applicant Date

Authorized Agent/Logging Contractor Date

Property Owner: Date

Owner's Professional Forester Date

APPLICATION FOR LOGGING PERMIT

OFFICE USE ONLY

Permit Fee _____

Receipt No. _____

Engineering Escrow _____

Receipt No. _____

Date Permit Issued _____

Initials _____

Bond Amount _____

Receipt No. _____

Date Bond Released _____

Initials _____

Township Engineer

Date

Township Forester

Date

Inspection Comments:

Date

Condition of property prior to logging _____

Cutting Block Inspections:

Date

Condition of property at completion of logging _____

Permit Refused _____

Reason _____

PERMIT #: _____

**MOON TOWNSHIP
OVER-POSTED WEIGHT PERMIT**

TOWNSHIP STREET NAME: _____ DATE: _____

APPLICANT/COMPANY: _____

APPLICANT/PERSON: _____

APPLICANT/COMPANY ADDRESS: _____

POST OFFICE: _____ ZIP: _____ PHONE #: _____

STREET ADDRESS OF WORK: _____

DESCRIBE THE LENGTH OF ROAD TO BE USED: _____ MILES

CONDITION OF ROAD: _____

BOND AMOUNT TO BE HELD BY TOWNSHIP: \$ _____

DATE WHEN OVER-POSTED WEIGHT TRAFFIC ON TOWNSHIP ROAD WILL STOP: _____

NUMBER OF OVER-POSTED WEIGHT VEHICLES: _____

IDENTIFY VEHICLES: _____

WEIGHT OF VEHICLES: _____ TONS

DESCRIBE TRAFFIC CONTROL MEASURES (I.E. PENNDOT PUBLICATION 203): _____

THE APPLICANT MUST NOTIFY THE ROADMASTER AND POLICE DEPARTMENT AT LEAST TWENTY-FOUR (24) HOURS BEFORE OVER-POSTED WEIGHT TRAFFIC BEGINS.

I HAVE READ AND UNDERSTAND MOON TOWNSHIP ORDINANCE #357 AND WILL COMPLY WITH THE REQUIREMENTS OF SAID ORDINANCE.

SIGNATURE OF APPLICANT: _____ DATE: _____

SIGNATURE OF ROADMASTER: _____ DATE: _____

Upon approval, two copies of the permit shall be returned to the applicant. One copy of the approved permit must be kept with the over-posted weight vehicles. Permit expires 30 days from issuance date.

OFFICIAL

**TOWNSHIP OF MOON
ORDINANCE NO. 574**

AN ORDINANCE OF THE TOWNSHIP OF
MOON, ALLEGHENY COUNTY,
PENNSYLVANIA, REPEALING CHAPTER 196
OF THE MOON TOWNSHIP CODE OF
ORDINANCES, LOGGING, IN ITS ENTIRETY
AND ADOPTING A NEW CHAPTER 196 OF
THE MOON TOWNSHIP CODE OF
ORDINANCES, LOGGING.

WHEREAS, Chapter 196 of the Moon Township Code of Ordinances, Logging, regulates logging activities and timber harvesting within the Township; and

WHEREAS, the Board of Supervisors of the Township desires to repeal Chapter 196 of the Moon Township Code of Ordinances, Logging, in its entirety and to adopt a new Chapter 196 of the Moon Township Code of Ordinances, Logging, in order to maintain, preserve and protect the public health, safety and welfare.

NOW, THEREFORE, the Board of Supervisors of the Township of Moon hereby ordains and enacts as follows:

Section 1: Chapter 196 of the Moon Township Code of Ordinances, Logging, is repealed in its entirety and a new Chapter 196 of the Moon Township Code of Ordinances, Logging, is hereby adopted in accordance with the attached.

Section 2: All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

Section 3: This Ordinance shall take effect in accordance with applicable law.

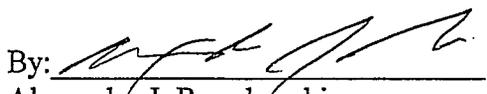
ORDAINED and ENACTED this _____ day of _____, 2004, by the Board of Supervisors of the Township of Moon in lawful session duly assembled.

ATTEST:

TOWNSHIP OF MOON



Gregory G. Smith
Township Manager/Secretary
(Seal)

By: 

Alexander J. Ropelewski
Chairperson, Board of Supervisors

Board of Supervisors of the Township of Moon
Township of Moon, Pennsylvania
OFFICE OF THE TOWNSHIP MANAGER
1000 Moon Township Office Building
Moon, Pennsylvania 15108
Phone: 412-271-1000
Fax: 412-271-1001
www.moonpa.gov

CHAPTER 196 LOGGING

§196-1. Purpose.

It is the intent of this chapter to promote the welfare of the people of the Township by providing for the regulation of the removal of trees in such a way as to protect and preserve the environment, roads and quality of the community in general. Trees are a natural resource and an integral part of the natural landscape of the Township, providing soil erosion control, surface water flow barriers and scenic beauty, and fostering myriad plant and wildlife species. The removal or harvest of trees is therefore of prime concern to the residents of the Township and shall not be permitted, except as hereinafter provided.

§196-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CLEARCUTTING—Removing all or a majority of trees from the area logged.

CUTTING BLOCK—An area of property to be logged, approximately 10 to 15 acres in size, depicting the phase number, defined by natural boundaries and determined by a professional forester.

DIAMETER LIMIT CUTTING—The practice of cutting all and only all trees above a certain diameter within the area logged.

FELLING—The act of cutting a standing tree so that it falls to the ground.

LOGGING—The act of cutting/harvesting live or dead trees for cordwood, for timber, for pulp or for any commercial purpose, excepting therefrom a landowner and/or any agent of a landowner cutting on the property of the landowner for the use solely of the landowner, any properly approved clearing for development of building sites or clearing for farming operations. A landowner who cuts/harvests trees or permits such cutting/harvesting of trees upon the landowners property for other than the landowner's own use is a person engaging in logging and in a logging operation. A logging operation shall include the acts of tree harvesting, site clean up and site restoration.

PROFESSIONAL FORESTER—A person, who has earned a four-year college degree in forest management, is registered with the Pennsylvania Bureau of

Forestry and can demonstrate expertise in environmentally sound forest management/timber harvesting practices.

SKIDDING—The dragging of trees on the ground from the stump to the landing by any means.

SLASH—All debris resulting from logging operations, including stems, limbs and parts thereof. "Tops" shall be the word used to refer to the upper portion of a felled tree not normally merchantable. Typically, a "top" becomes part of the "slash" produced by a logging operation.

TOWNSHIP—The Township of Moon, Allegheny County, Pennsylvania

TOWNSHIP CODE ENFORCEMENT OFFICER—The Code Enforcement Officer of the Township, the designee of the Township Manager, and/or the designee of the Township Board of Supervisors.

TOWNSHIP ENGINEER—A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed by the Board of Supervisors to serve as the engineer for the Township.

TOWNSHIP FORESTER—A professional forester appointed and/or retained by the Township Board of Supervisors.

§196-3: Logging Permit Required.

Logging operations within the Township of Moon on any parcel of property over one acre in size shall require a logging permit. The logging permit shall be issued by the Township for the entire site, but subject to review for each cutting block. The logging operation must be completed to the satisfaction of the Township in one cutting block prior to commencement of logging operation in the next cutting block. A logging operation which moves from one cutting block to another without first receiving the approval of the Township is subject to the penalties in 196-14 and other appropriate legal processes. The cutting block phase numbers shall be shown on the timber harvest plan as prepared by a professional forester (See § 196-7, Application for Logging Permit). A logging permit shall be valid for a period of three years. A one-time, six-month extension shall be granted when requested in a statement from the professional forester hired by the property owner. If logging is conducted without or in violation of a Township logging permit, the landowner and the logging operator shall each be in violation of this chapter and each shall be fully subject to all applicable fines and penalties.

§196-4. General Requirements.

- A. The Allegheny County Conservation District (A.C.C.D.) must approve the Erosion and Sedimentation Control Plan of the property owner and/or logger

who seeks to operate, or cause to operate, a logging operation. Proper erosion and sedimentation control measures, as outlined in the A.C.C.D. approved plan, shall be implemented prior to any commencement of logging activities on the property and throughout the duration of such logging activities to prevent accelerated water runoff. The first logging activities shall be construction of the roadways, trails, landings and such. The erosion and sedimentation control measures shall be maintained throughout the logging operation and until seeding has germinated.

- B. Applicants shall conduct a preliminary slope stability investigation as defined in § 188-303 of the Moon Township Code of Ordinances, Subdivision and Land Development. Any Logging that is proposed on unstable soils, as defined by Chapter 208 of the Moon Township Code of Ordinances, Zoning, shall comply with the requirements of § 208-303.B. of the Moon Township Code of Ordinances, Zoning.
- C. Hauling or skidding or placing fills or other obstructions in perennial or intermittent streams is prohibited except as approved by a professional forester. Nothing in this chapter, including the exception stated in the immediately preceding sentence, is intended to supersede, federal and/or state law relating to clean water, flowing water, fish hatcheries or the pollution of water resources.
- D. Diameter-limit cutting shall not be permitted.
- E. Clearcutting shall not be permitted unless approved by the Township Forester; based upon a determination that: clearcutting will assist in forest regeneration; clearcutting will not cause excessive erosion and sedimentation; and clearcutting will not be done within 50 feet of any public road right-of-way or any abutting property.
- F. No tree may be cut which is the largest of its species in the state.
- G. No on-site retail sale of harvested wood or logs shall be permitted from the property unless the property is located in a commercial zoning district, which permits such use. (See Chapter 208 of the Moon Township Code of Ordinances, Zoning).
- H. No portable sawmills are permitted.
- I. No tops or slash of the felled trees shall be left on any right-of-way or drainage ditch leading from a culvert, water bar, intercepting dip or break in the berm of road or in, on or within 25 feet of a boundary line, stream, spring seep, dam, lake or public road right-of-way unless otherwise authorized in writing by a professional forester who shall not, in any use, have the power to authorize violations of federal or state law, including regulations passed to

implement the law. Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or the Pennsylvania Department of Transportation; whichever is responsible for the maintenance of the thoroughfare. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner. All tops and slash between 25 and 50 from a public roadway or private roadway providing access to adjoining residential property or within 50 feet of adjoining residential property shall be lopped to a maximum height of four feet above the surface of the ground. Tops of trees may be left in retired skid trails to discourage unauthorized entry if desired by the owner.

- J. Logging operations shall be conducted at a time of the year when the Township Forester determines that the least amount of environmental damage will occur and are subject to being shut down if they occur at other times. A logging operation and its principles shall be subject to the penalties in 196-14 for violation of this requirement.
- K. Littering resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.
- L. When a logging operation has been completed, all disturbed areas such as the landings, roads and critical areas must be seeded with annual grasses as determined by the Township Forester upon completion of the logging operations.
- M. Access roads shall be permanently blocked. The Township shall choose the appropriate post-harvest security. When the logging operation on a parcel has been completed, the access road shall be permanently blocked and kept as such.
- N. Applicants shall comply with § 208-213 of the Moon Township Code of Ordinances, Zoning.

§196-5. Use of Township Roads.

- A. For all logging operations, prior to hauling on any Township road, financial security shall be posted in accordance with §196-6 hereof. The Township Engineer and/or his designee shall prepare a report prior to hauling to establish the existing road condition and for the purpose of establishing reasonable times and conditions for hauling logs so that damage to the road will be minimized. Such conditions may include, without limitation, limiting hauling to dry periods. The Township shall be notified during normal working hours as to when hauling will begin from a cutting block so that the first truck can be followed to determine if the roadway is being damaged.

- B. A logging operation shall keep any roadway over which it hauls logs or other logging residue clean and free of mud and debris to the extent that such roadway mud, debris or similar material is the result of vehicles traveling to and from the logging operation. At the point of access, the logger shall construct an aggregate entrance area to support the roadway edge. No parking of logging vehicles or storage of logs shall be permitted in the road right-of-way. Water from the logging area shall not be discharged onto the roadway surface.
- C. No cutting or loading shall take place between the hours of 5:00 p.m. and 7:00 a.m. Monday through Saturday and all day Sunday and federally designated legal holidays.

§ 196-6. Financial Security Required. All financial security required by this chapter shall comply with the requirements of § 188-209.D of the Moon Township Code of Ordinances, Subdivision and Land Development.

- A. Performance Security. Prior to the commencement of a logging operation, the applicant shall post financial security guaranteeing restoration of the property logged or of any other property damaged by the logging operations. This financial security shall be in an amount acceptable to the Township Board of Supervisors or its designee, and said amount shall be based upon the actual area of soil disturbance as delineated in the timber harvest plan. The Township shall be given three business day advance notice, in writing, by the contractor, owner or any other party conducting a logging operation, for the purpose of permitting the Township to inspect the site and approve/disapprove logging work proposed to begin on a cutting block which has not previously been the subject of logging under the approved timber harvest plan. Such initial notice may not be given on a weekend or official Township holiday and must be hand delivered to the Township's offices. The contractor, owner or any other party conducting the logging operation shall contact the Township within three business days after final operations have been completed. The Township Forester, Township Engineer or Township Zoning Officer shall complete a post-harvest inspection of the subject property. The performance financial security will not be released by the Township until a post-harvest report indicates that land restoration has been completed to the satisfaction of the Township.
- B. Road Financial Security. Prior to hauling on any Township road, the applicant for the logging permit shall post separate financial security to guarantee restoration of roads damaged by the hauling. This financial security, including the amount, type and form, shall also comply with Chapter 183, Article IV of the Moon Township Code of Ordinances, Uses by Vehicles over Posted Weight.

§ 196-7. Application for Logging Permit.

A. Application for a logging permit shall be made in writing to the Township Code Enforcement Officer on forms supplied by the Township. Such application shall be accompanied by: a logging plan; a timber harvest plan; an Erosion and Sedimentation Control plan signed, dated and approved by the A.C.C.D.; a copy of the A.C.C.D.'s approval and comments; performance security, as required by § 196-6.A; road financial security, as required by § 196-6.B; insurance certificates complying with § 196-9 hereof; and, if applicable, proof of a written timber sales contract between the property owner and logging company. All documents should be submitted to the Township prior to requesting a review of the timber harvest plan and the accompanying documents. The timber harvest plan shall be available at the harvest site at all times during the operation and shall be provided to the Township Code Enforcement Officer upon request.

B. Each logging plan shall include a sketch map or drawing containing the following information:

- 1) Location map.
- 2) North arrow.
- 3) Contours as shown on a U.S.G.S. topographical map.
- 4) Location of any preexisting roads/right-of-way, easements, streams and property lines. It shall also include the location of proposed roads or access/egress cartways.
- 5) Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place, the boundaries of the proposed harvest area within that property and the cutting block subdivisions of the site.
- 6) Total acreage.
- 7) Areas of trees to be harvested must be depicted.
- 8) Cutting block subdivision of the site.
- 9) Significant topographic features related to potential environmental problems.
- 10) Location of all earth disturbance activities such as roads, landings and water control measures and structures.

- 11) Location of all crossings of waters of the Commonwealth
- 12) The general location of the proposed operation to municipal and state highways, including any accesses to those highways.
- 13) Location of any areas identified as unstable soils.

C. The timber harvest plan, prepared by a professional forester hired by the property owner and/or applicant shall show the following:

- 1) The point of access onto public roadway(s) where the aggregate entrance is to be placed; log landing areas, stream crossings and logging trails.
- 2) Areas of trees to be harvested must be designated by the cutting block phase numbers. The phase number shall depict the order of harvesting.
- 3) Design, construction, maintenance and retirement of the access system including haul roads, skid roads, skid trails and landings.
- 4) Design, construction and maintenance of water control measures and structures such as culverts, broad based dips, filter strips and water bars.
- 5) Design, construction and maintenance of stream and wetland crossings.
- 6) The type and rate of seeding/mulching to be used and where it will be placed to stabilize the soil after logging operations.
- 7) A wetland determination statement and a PA Natural Diversity Inventory Search Form shall be submitted with the plan.

§ 196-8. Fee Schedule.

All applications for logging permits under this Chapter shall be accompanied by permit fees in an amount as set from time to time by resolution of the Township Board of Supervisors. No application shall be accepted by the Township or acted upon unless the appropriate fees have been paid to the Township.

§ 196-9. Insurance.

Prior to commencing logging operations, the applicant shall procure and maintain adequate insurance in an amount of least \$1,000,000 to protect it

from claims for damages because of bodily injury, including death, and from claims of damages to property which may arise both out of and during logging operations, whether such operations be by itself or by any contractor, agent subcontractor, or anyone directly or indirectly employed by it or them. A certificate of insurance in this amount shall be filed with the Township prior to commencement of logging operations, which certificate shall state that the Township shall be given written notice at least 60 days prior to cancellation of such insurance. The Township shall be named as an additional insured on all policies of insurance described in this paragraph. Prior to commencing logging operations, the applicant shall procure and maintain worker's compensation insurance as required by state law.

§196-10. Action on application.

- A. The Township Forester and Township Engineer shall examine said application and related required information to determine compliance with all applicable Township regulations and ordinances within 45 days after all necessary filing and required information has been submitted. The Township Engineer shall either approve or reject said application within that time frame. If application is rejected, the Township representatives shall inform the applicant, in writing, stating the reasons for such rejection.
- B. Review of application by others. A copy of all plans and applications for proposed logging to be considered for approval may be submitted by the Township Code Enforcement Officer to any other appropriate persons or agencies, i.e., the Township Forester, Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, Bureau of Forestry; Fish and Boat Commission; Bureau of Dams and Waterways Management, etc. The application will also be available to the public for inspection at the Township office during regular business hours.

§196-11. Inspection; stop-work orders.

From time to time as he may deem advisable, the Township Code Enforcement Officer shall inspect the work done under the approved plans, specifications, timing schedule and logging permit. Whenever the Township Code Enforcement Officer finds that work under any logging permit fails to conform to the approved plans, specifications and timing schedule, he may as he deems reasonably necessary in reliance upon the criteria set forth in this chapter, by written order, direct suspension of other work until conformance has been achieved or direct such other measures that he deems reasonably necessary in the circumstances for control of erosion and sedimentation on the site and for compliance with this chapter.

§ 196-12. Appeal of permitting decisions and stop-work orders.

Any person aggrieved by a logging permit decision or stop-work order may file a written appeal within 10 days of the date of the decision or order appealed from. The appeal shall be filed, along with the applicable fee, in the Township Manager's office. The Board of Supervisors shall hold a local agency law hearing on such appeal and may affirm, reverse or modify the decision or order appealed from. The Board of Supervisors may impose, as part of its decision any conditions and safeguards necessary in order to protect the public health, safety and welfare or to protect private or public property and to promote the objectives of this chapter. The Board of Supervisors, as part of its decision, may adjudicate constitutional law issues and may grant relief from any substantive requirement herein where full compliance with the requirement, due to unique physical conditions of the land to be logged, is not reasonably possible and where waiving the requirement will not result in significant adverse environmental consequences or in any violation of applicable laws or regulations.

§ 196-13. Liability.

Neither the issuance of logging permits under the provisions of this chapter nor the compliance with the provisions hereto or with any conditions imposed by the Board of Supervisors, hereunder shall relieve any person from the responsibility for the damage to any persons or property otherwise imposed by law, nor impose any liability upon the Township for damages to persons or property. Nothing in this chapter is to be interpreted as eliminating or reducing the immunities (statutory or common law/traditional) enjoyed by the Township of its elected or appointed officials.

§ 196-14. Violations and penalties.

Any person who violates a provision of this chapter, or fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof in an action brought before the district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, sentenced to pay a fine of not less than \$300.00 nor more than \$1,000.00, plus all court costs including reasonable attorney's fees incurred by the Township, and to imprisonment to the extent permitted by law for the punishment of summary offenses. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of the code found to have been violated. In addition to any other remedy available under law, the Township may enforce this chapter by an action in equity. All fines and penalties collected for violation of this code shall be paid to the Township Treasurer. The initial determination of ordinance violation and the service of notice of violation are hereby delegated to the Township Manager, the Police Chief, the Building Code Official, the Code Enforcement Officer, the Zoning Officer and their

designees and to any other officer or agent that the Township Manager or the Board of Supervisors deems appropriate.

§ 196-15. Applicability; interpretation.

When provisions of this chapter conflict with other applicable regulations, codes or laws, the more stringent regulation or legislation shall apply. As in the case with all legislation, this chapter is to be interpreted utilizing a rule of reason that will best allow for the attainment of the balance between the public and private the chapter seeks to archive. Furthermore, the chapter is to be interpreted and applied, to the extent possible, so that it meets all federal and state constitutional requirements and statutory requirements. If any aspect of the chapter is finally determined to violate constitutional and/or statutory requirements, through the process of appellate litigation, that aspect of the chapter shall be deemed excised or reformed to the extent necessary to cause the remainder of the chapter to remain legally enforceable.

Don't Let Storm Water Run Off With Your Time and Money!

What the Construction Industry Should Know About Storm Water In Our Community

The construction industry plays an important role in improving our community's quality of life by not only providing new development, but also protecting our streams and rivers through smart business practices that prevent pollution from leaving construction sites.

Storm water runoff leaving construction sites can carry pollutants such as dirt, construction debris, oil, and paint off-site and into storm drains. In our community, storm drains carry storm water runoff directly to local creeks, streams, and rivers with no treatment. Developers, contractors, and homebuilders can help to prevent storm water pollution by taking the following steps:

1. Comply with storm water permit requirements.
2. Practice erosion control and pollution prevention practices to keep construction sites "clean."
3. Conduct advanced planning and training to ensure proper implementation on-site.

The remainder of this fact sheet addresses these three steps.

Storm Water Permit Requirements for Construction Activity

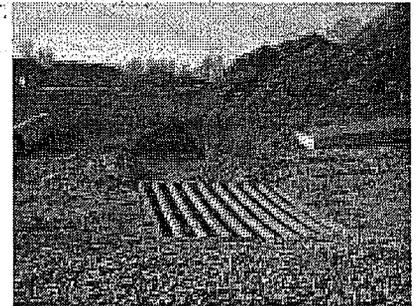
Planning and permitting requirements exist for construction activities. These requirements are intended to minimize storm water pollutants leaving construction sites.

- Pennsylvania's Erosion and Sediment Pollution Control Program (25 Pa. Code, Chapter 102) requires Erosion and Sediment Control Plans for all earth disturbing activities.
- The National Pollutant Discharge Elimination System (NPDES) Permit Program (25 Pa. Code, Chapter 92) requires that construction activities disturbing greater than one acre submit a Notice of Intent for coverage under a general NPDES permit.

Knowing your requirements before starting a project and following them during construction can save you time and money, and demonstrate that you are a partner in improving our community's quality of life. For more information about these programs, contact your local county conservation district office or the Department of Environmental Protection.

What is Storm Water?

Storm water is water from precipitation that flows across the ground and pavement when it rains or when snow and ice melt. The water seeps into the ground or drains into what are commonly called storm sewers. These are the drains you see at street corners or at low points on the sides of streets. Collectively, the draining water is called **storm water runoff**.



Erosion Control Practices:

- Perimeter controls (e.g. silt fence)
- Sediment traps
- Immediate revegetation
- Phased, minimized grading
- Construction entrance
- Protection of streams and drainage ways
- Inlet protection



An Ounce of Prevention

Rain that falls onto construction sites is likely to carry away soil particles and other toxic chemicals present on construction sites (oil, grease, hazardous wastes, fuel). Storm water, if not properly managed, carries these pollutants to streams, rivers, and lakes. Erosion and sediment control practices can serve as a first line of defense,

§ 188-303. Preliminary slope stability investigation.

- A. At a minimum, the applicant shall conduct a preliminary slope stability investigation as outlined in this subsection. The intent of the preliminary investigation is to determine the general geologic and subsurface conditions at the site and their impact on development, especially with respect to limitations/constraints on site grading, including cut slope and fill embankment construction and the capacity of natural soils to support development. The preliminary investigation is not to be considered a final, detailed, or comprehensive investigation of proposed site grading, but only a preliminary evaluation of anticipated limitations. It should be an aid to developing conceptual site grading and development plans. This investigation shall include consultation and review of existing maps, such as, but not limited to: Map of Zones where Land Use can be affected by Landsliding, flooding, and undermining, Allegheny County, PA by Reginald P. Briggs and William R. Cohl 1975, USGS Map MF-685D; Coal Resources of Allegheny County, PA Part 1, Coal Crop Lines, Mined-Out Areas and Structure Contours Compiled by Clifford H. Dodge, Mineral Resource Report 89 1985 by PA DER; Soil Survey of Allegheny County, PA by United States Department of Agriculture Soil Conservation Service.
- B. The following requirements are encouraged, but not required as part of the preliminary slope stability investigation:
- (1) Standard penetration tests (SPTs) should be conducted in all test borings at no greater than three (3) foot vertical intervals in the soil mantle of all borings in compliance with American Society for Testing and Materials (ASTM) Test Designation: D1586-84. Where SPT refusal on bedrock is encountered prior to reaching the required depth, continuous NX, NQ or NQ-2 rock cores should be procured as required for the engineering analysis. Thin-walled steel (shelby) tube samples of relatively undisturbed soil samples should be procured from selected borings, if and where required for physical laboratory testing to determine relevant soil properties for the preliminary engineering analysis.
 - (2) Groundwater encountered in each test boring should be recorded during drilling operations and twenty-four (24) hours after completing each boring.
 - (3) The borings should be accurately located in the field. Ground surface elevations should be obtained at each boring. The final boring locations and their ground surface locations must be shown on a to-scale topographical survey in accordance with § 188-302.
 - (4) A suitable boring log should be provided for each boring. At minimum, the logs should include: boring designations; SPT results; depths of strata encountered; percent core recoveries and rock quality designations (RQDs) of rock cores; date boring was drilled; groundwater information; types and descriptions of geomaterials

encountered; comments or notes regarding voids, boulders, obstructions, or any other unusual subsurface conditions encountered.

(5) A written report prepared and signed by the professional geo-technical engineer licensed in the Commonwealth of Pennsylvania performing the preliminary investigation shall be submitted to the Township. The report should, at a minimum, include: a description of the existing surface and subsurface site conditions; a review of the site geology and geohydrology; a discussion of any slope movements, sloughs, landslides, rock falls, or mining on or adjacent to the site, and an evaluation of their existing and/or potential impact on the site; the test boring logs and laboratory test results and the to-scale boring location plan described above in § 188-303 Subsection D. The report should also include preliminary geo-technical engineering recommendations regarding apparent limitations/constraints on grading for land development, including apparent stable grades for proposed cut slopes and fill embankments. Any general measures required to provide for long-term stability, including, but not limited to, drainage requirements, benching, erosion protection, and subgrade preparation should also be discussed in the report. This preliminary investigation report will not be considered a detailed engineering evaluation of site grading. The Township Engineer shall review the report and shall provide a summary recommendation to the Planning Director and Planning Commission.

(6) The amount of buildable area as defined in this Chapter and Chapter 208, Zoning may be adjusted pending upon the results of the preliminary slope stability investigation and pending Township approval.

C. Pending the results of the preliminary slope stability investigation, the Township's Geotechnical Engineer may request a comprehensive slope stability investigation.

§ 188-304. Comprehensive slope stability investigation.

A. The intent of the comprehensive investigation is to determine the stability of proposed grading operations and develop detailed engineered measures to provide for long-term slope stability. Test borings extending to sufficient depths to evaluate proposed grading should be performed. Specifically, borings should be located at the toes (base) of proposed fill embankments supporting roads or structures, or are eight (8) feet or greater in height and will be graded to a slope steeper than four (4) horizontal to one (1) vertical (4:1). Sufficient borings should be located in cut slope areas supporting roads or structures, or that is greater than six (6) feet in height and will be graded to a slope steeper than four and one-half (4.5) horizontal to one (1) vertical (4.5:1). The borings should extend at least to bedrock surface, but must also extend to a depth of at least five (5) feet beyond the anticipated cut depth.

B. Standard penetration tests (SPTs) should be conducted in all test borings at no greater than three (3) foot vertical intervals in the soil mantle of all borings in compliance with American Society for Testing and Materials (ASTM) Test Designation: D1586-84. Where SPT refusal on bedrock is encountered prior to reaching the required depth, continuous NX, NQ,