

ORDINANCE NO. 2025-23

AN ORDINANCE OF THE TOWNSHIP OF PLUMSTEAD, BUCKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 26, WATER, PART 1, STORMWATER MANAGEMENT, ARTICLE H, PROHIBITIONS, SECTION 26-174, WASTE DISPOSAL PROHIBITIONS TO INCLUDE A NEW PROHIBITION ON PLACEMENT OF ORGANIC MATERIALS WITHIN THREE FEET OF INLETS, SWALES, OR DRAINAGE CONVEYANCE FACILITIES; AND AMENDING ARTICLE B, DEFINITIONS, TO DEFINE “ORGANIC MATERIALS” AND “PROPER WASTE RECEPTACLES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Supervisors of Plumstead Township reaffirm that the purpose of its stormwater management ordinance is to promote the public health, safety, and welfare by minimizing the harm and maximizing the benefits caused by stormwater; and

WHEREAS, the Board has become aware that inlets, swales, and drainage conveyance facilities have become blocked by organic materials placed in the public rights-of-way for collection; and

WHEREAS, such blockage impedes the free flow of water and reduces the utility of the inlets, swales, and drainage conveyance facilities in managing such runoff; and

WHEREAS, keeping gathered organic material at least three feet away from inlets, swales, and drainage conveyance facilities will promote effective stormwater management.

NOW THEREFORE, The Board of Supervisors of Plumstead Township, Bucks County enacts and ordains as follows:

ARTICLE I. DEFINITIONS

Chapter 26, Water, Part 1, Stormwater Management, Article B, Definitions, Section 26-111, is revised to add definitions for the terms “Organic Materials” and “Proper Waste Receptacles” in their proper alphabetical locations. The new defined terms shall read as follows:

ORGANIC MATERIALS

Materials derived from natural plant and animal sources such as leaves, grass clippings, wood, wood pieces, branches, compost, mulch, manure, agricultural waste or byproducts, and other natural materials that can be gathered through natural or manmade means and retain or impede the flow of stormwater runoff.

PROPER WASTE RECEPTACLES

A plastic or metal container with a lid that fully surrounds and completely contains its contents on all sides in a manner that does not allow the contents to be displaced from the container by natural elements (e.g., wind, rain, or snow) and is of sturdy construction, and undamaged, so that the contents cannot leak or otherwise escape from the container.

ARTICLE II. DISPOSAL PROHIBITION

Chapter 26, Water, Part 1 Stormwater Management, Article H, Prohibitions, Section 26-174 is hereby amended with the creation of a new §26-174.B to expressly prohibit the deposit of Organic Materials in stormwater inlets, swales, or drainage conveyance facilities. The added language is provided below in italics, in addition to the existing prohibitions identified in §26-174:

§26-174.B Waste Disposal Prohibitions.

- A. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, or other component of the Township's separate storm sewer system, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.

- B. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left or maintained, any organic material, as defined within this Chapter, within three feet of stormwater inlets, swales, or drainage conveyance facilities to prevent the retention or impediment of stormwater runoff. Organic material bagged or placed in a proper waste receptacle for the purposes of collection is exempt from the three feet distance requirement.*

ARTICLE III. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ARTICLE IV. SEVERABILITY.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or part of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Plumstead Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

ARTICLE V. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days after enactment.

ENACTED AND ORDAINED into an Ordinance this day of , A.D., 2025,
by the Board of Supervisors of Plumstead Township in lawful session duly assembled.

PLUMSTEAD TOWNSHIP
BOARD OF SUPERVISORS


James McComb, Chair


Daniel Hilferty, Vice Chair


Gregory Bankos, Assistant Secretary


Matthew Given, Assistant Treasurer


Kenneth Lichtenstein, Member