

**EAST BRANDYWINE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 3 of 2024**

AN ORDINANCE OF THE TOWNSHIP OF EAST BRANDYWINE, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF EAST BRANDYWINE, CHAPTER 350, TITLED "SUBDIVISION AND LAND DEVELOPMENT," AND CHAPTER 399, TITLED "ZONING", BY AMENDING REGULATIONS APPLICABLE TO TRAIL CONSTRUCTION AND TRAIL SURFACES

IT IS HEREBY ENACTED by the Board of Supervisors of East Brandywine Township, Chester County, Pennsylvania, that Chapters 350 and 399 of the Code of the Township of East Brandywine (the "Code"), are amended as set forth hereinbelow:

SECTION 1. Section 350-50.C(2)(o), titled "Trail construction", is amended by deleting the current text and inserting the following new text:

- (o) Trail construction. (See Appendix "Typical & Alternative Trail Surface Cross Sections" for an illustration of trail dimensions, construction specifications, and alternative surface examples.)

SECTION 2. Section 350-50.C(2)(o)[2][b][i] through [vi] and Section 350-50.C(2)(o)[3] are amended by deleting the current text and inserting the following new text:

- [b] Where the Board of Supervisors deems it appropriate for reasons including, but not limited to, environmental sensitivity, stormwater management, protection of scenic or characteristic landscapes, or similar purposes, the Board, following consideration of any recommendation by the Township Engineer, may authorize and require the use of alternative surfacing materials and techniques, including but not limited to:
 - [i] A minimum of five inches of three-eighths-inch crushed stone, compacted with fine particles.
 - [ii] Soilcement, stone chips, and resin-based stabilizer as a flexible surface in sensitive areas.
 - [iii] Sand or stone dust.
 - [iv] Mown grass (to handle high traffic) or boardwalk, particularly in areas of frequent flooding, waterlogged soils, and riparian corridors.
 - [v] Porous paving.
 - [vi] Wood chips, as the least preferred alternative.

[3] All trails, other than mown grass or boardwalk surfaces, shall be underlined with Class 4 geotextile fabric.

SECTION 3. Section 399-13.1.C(1)(c)[2] is amended by deleting the current text and inserting the following new text:

[2] Other than where a boardwalk is used, the surface of such trail shall be retained in a natural condition and maintained primarily through user traffic.

SECTION 4. Attachment 29 of Chapter 350 of the Code is repealed and the document attached to this Ordinance as Exhibit "A" titled "350 ATTACHMENT 29 TYPICAL & ALTERNATIVE TRAIL SURFACE CROSS SECTIONS" dated 2023-10-19, is enacted as new Attachment 29 of Chapter 350 of the Code.

SECTION 5. 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 parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been enacted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 6. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed to the extent any conflicting ordinance or part affects this Ordinance.

SECTION 7. Effective Date. This Ordinance shall be effective 5 days following enactment, as by law provided.

(signature page to follow)

ENACTED this 18 day of April, 2024.

**BOARD OF SUPERVISORS
EAST BRANDYWINE TOWNSHIP**

ATTEST:




Lisa Taraschi, Secretary



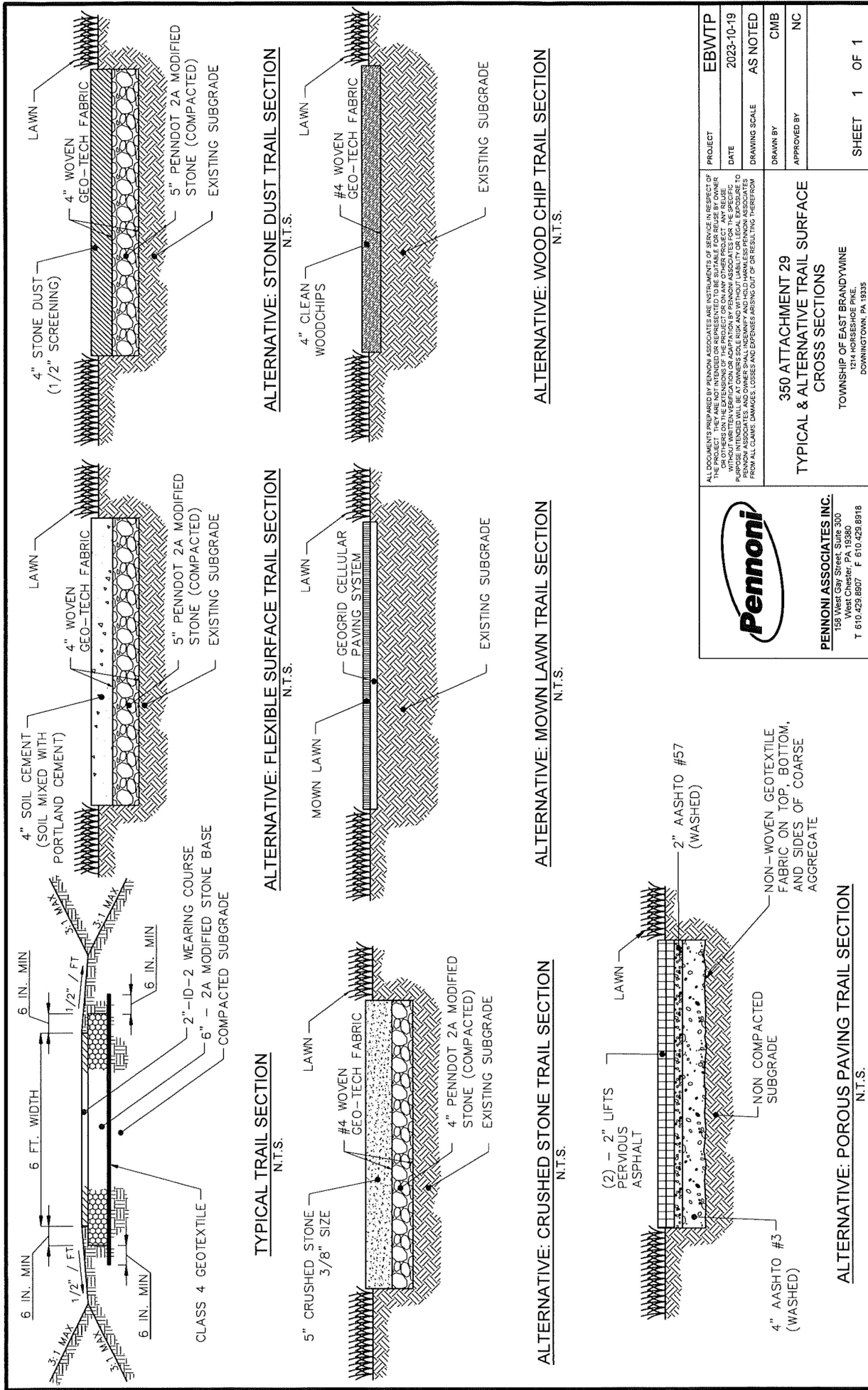
Kyle P. Scribner, Chairman



Carl K. Croft, Vice Chairman



Francis X. Taraschi, Member



Pennoni

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350 ATTACHMENT 29
 TYPICAL & ALTERNATIVE TRAIL SURFACE
 CROSS SECTIONS

TOWNSHIP OF EAST BRANDYVINE
 1714 HERSCHE PIKE
 DOWNTOWN, PA 19335

PROJECT	EBWTP
DATE	2023-10-19
DRAWING SCALE	AS NOTED
DRAWN BY	CMB
APPROVED BY	NC
SHEET	1 OF 1

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