

ORDINANCE NO. 2194

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING PORTIONS OF CHAPTER 5, CODE ENFORCEMENT, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, IN ORDER TO PERMIT OWNER-OCCUPANTS OF SINGLE-FAMILY DWELLINGS AND SEMI-DETACHED DWELLINGS TO PERFORM PLUMBING WORK ON THE SUBJECT PROPERTIES; CHAPTER 9, GRADING AND EXCAVATING, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, IN ORDER TO INCREASE THE SQUARE FOOTAGE EXEMPTION FOR A GRADING PERMIT; AND CHAPTER 26, WATER, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, IN ORDER TO DECREASE THE SQUARE FOOTAGE THRESHOLD FOR THE REQUIREMENT FOR A STORMWATER MANAGEMENT PERMIT.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of same as follows:

**SECTION 1.** Section 411, License Required, of Part 4, Plumbing Code, of Chapter 5, Code Enforcement, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

1. No person other than a master plumber who is registered with and licensed by the Department of Licensing and Inspection shall be allowed to carry on or engage in the business of plumbing or house drainage within the Borough, nor shall any journeyman plumber in that person's employ or under that person's supervisions be allowed to alter, repair or make any connection with any water, drain, soil, waste or vent pipe or any pipe, fixture or fixtures connected therewith; provided, however, that an owner-occupant of single-family dwelling or semi-detached dwelling may engage in plumbing for that property only.

- A. An owner-occupant may establish that status by providing documentation demonstrating ownership such as a deed, mortgage, or other similar document and then occupancy by providing documentation such as a current driver's license or state-issued identification showing the property's street address, or an employer statement sent to the property address with the person's name.
2. No person other than a master plumber who is registered with and licensed by the Department of Licensing and Inspection shall advertise for or otherwise solicit any plumbing or house drainage business within the Borough.

**SECTION 2.** Section 106, Activities Requiring Grading Permit, of Part 1, Soil Erosion, Sedimentation and Grading Controls, of Chapter 9, Grading and Excavating, is hereby amended to read as follows:

Except for those activities exempted by § 107 below, the following activities require a grading permit, which shall be a prerequisite to an issuance of a building permit when applicable.

- A. Modifying, disturbing, blocking, diverting or otherwise adversely affecting the natural overland or subsurface flow of stormwater.
- B. Constructing, erecting or installing any drainage dam, ditch, culvert, drainpipe or bridge or any other structure or obstruction affecting the drainage of any premises.
- C. Paving, filling, stripping, excavating, grading or regrading any land, including private and/or nondedicated streets and/or alleys.
- D. Disturbing the landscape, vegetation or any ground cover by any proposal involving an area in excess of 499 square feet.

**SECTION 3.** Subsection 1 of Section 222, Exemptions, of Article C, Stormwater Management Standards, of Part 2, Stormwater Management, of Chapter 26, Water, is hereby amended as follows:

1. Regulated activities that result in cumulative earth disturbances of less than 1,600 square feet are exempt from the requirements in §§ 223, 224 and Subpart D of this Part.


**SECTION 4. 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 part of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Burgess and Town Council of the Borough of Pottstown that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, had not been included herein.


**SECTION 5. Reenactment.** All other parts of Chapter 5, Code Enforcement, Chapter 9, Grading and Excavating, and Chapter 26, Water, of the Code of Ordinances of the Borough of Pottstown, as amended, are hereby re-enacted and reordained and shall remain in effect as previously adopted.

**SECTION 6. Effective Date.** This ordinance shall become effective immediately upon enactment.

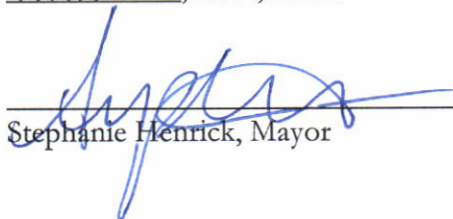
ENACTED and ORDAINED this 9<sup>th</sup> day of MARCH, 2020.

**THE BURGESS AND TOWN COUNCIL  
OF THE BOROUGH OF POTTSTOWN**

BY:   
Dan Weand, President

ATTEST:   
Virginia L. Takach, Secretary

Approved this 9<sup>th</sup> day of  
MARCH, A.D., 2020.

  
Stephanie Henrick, Mayor