

**PEQUEA TOWNSHIP**  
**LANCASTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE PEQUEA TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, SECTION 408.1.A.1, 408.1.A.2, AND 408.1.C.1.c RELATIVE TO WATER SERVICE FEASIBILITY REPORT AND PROVIDING FOR A NEW SECTION 408.5 ADDRESSING AQUIFER TEST; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE AND FURTHER PROVIDING FOR AN EFFECTIVE DATE.**

**Whereas**, the Board of Supervisors of the Township of Pequea has the authority pursuant to section 1506 of The Second Class Township Code, 53 P.S. § 66506, section 601 of the Pennsylvania Municipalities Planning Code (“MPC”), 53 P.S. § 10601 to enact and amend land use ordinances as the Township shall deem beneficial to the Township and for the maintenance of the health and welfare of the Township and its citizens; and

**Whereas**, the Township has determined that certain amendments to the Subdivision and Land Development Ordinance are warranted to protect the public, health, safety and welfare and to allow for the orderly development of land (“Proposed Amendment”);

**Whereas**, a public hearing was held, following notice, for the purpose of considering this Proposed Amendment to the Subdivision and Land Development Ordinance; and

**Whereas**, the Board of Supervisors of Pequea Township, after the public hearing held pursuant to public notice, and after receipt of recommendations from the Pequea Township Planning Commission and the Lancaster County Planning Commission, deems it appropriate and proper that the Subdivision and Land Development Ordinance be amended by the Proposed Amendment.

**NOW, THEREFORE**, the Township Board of Supervisors does hereby enact and ordain as follows:

**Section 1:** The Subdivision and Land Development Ordinance shall be amended as follows:

**SECTION 408 REQUIRED REPORTS**

**SECTION 408.1 WATER SERVICE FEASIBILITY REPORT**

Section 408.1.A.1 currently reads as follows:

A drawdown/well interference report shall be prepared for all subdivisions of the parent tract into more than three (3) lots, including the remaining lands, either initially or cumulatively, as of the effective date of this Ordinance.

Section 408.1.A.1 shall be amended as follows:

A drawdown well interference report shall be prepared for all residential subdivisions of the parent tract into more than three (3) lots, including the remaining lands, either initially or cumulatively, as of the effective date of this Ordinance.

Section 408.1.A.2 currently reads as follows:

A drawdown/well interference report shall be prepared for all land developments proposing flows of four hundred (400) gallons per day, either initially or cumulatively, as of the effective date of this Ordinance.

Section 408.1.A.2 shall be amended as follows:

An aquifer test shall be prepared for all non-residential land developments and non-residential subdivisions proposing flows of four hundred (400) gpd or greater, initially or cumulatively as of the effective date of this Ordinance. A drawdown well interference report shall be provided for all non-residential land developments and subdivisions proposing flows greater than 200 gpd and less than 400 gpd.

Section 408.1.C.1.c currently reads as follows:

Commercial, industrial, agricultural or any other non-residential withdrawal rates shall be calculated by increasing the DEP sewage flows as provided in Chapter 73.17 by twenty (20) percent.

Section 408.1.C.1.c shall be amended as follows:

Commercial, industrial, agricultural or any other non-residential withdraw rates shall be calculated by increasing the DEP Sewage flows by Chapter 73.17 by 20% or other data approved by the Township Engineer.

**SECTION 408.5 AQUIFER TESTS** shall be added as follows:

A. Aquifer test standards and procedures. No person shall develop land requiring an Aquifer Test as stated in Section 408.1 without administering and passing on said land the aquifer test required by this section in compliance with the following objectives, standards, methods and procedures:

1. Test objective. The objectives of an aquifer test shall be one or more of the following:
  - a. To obtain sufficient data for the calculations of aquifer performance, including the coefficients of transmissibility and storage, permeability and specific yield.
  - b. To determine the location and character of geologic boundaries.
  - c. To ascertain the effects of well interference.

- d. To provide a guide in the spacing of wells for the development of a well field.
2. Test standard. The aquifer test shall establish that the proposed well is capable of supplying potable water at the minimum rate determined by Section 408.1.c.1 of this Ordinance at a demand rate of not less than four gallons per minute for one-hour, either with or without the use of a storage system.
3. Test supervision and evaluation. The aquifer test shall be conducted under the supervision of a qualified geologist or engineer using testing procedures hereafter set forth. The geologist or engineer shall be responsible for notifying the Township five working days prior to the start of the test. He/she or she will also summarize the test and its significance and make recommendations as to the suitability of the well or wells for the intended uses. The final report of the supervising person shall include an opinion as to whether the proposed use of the well will have an impact upon other existing wells in the immediate surrounding area. The supervising person shall provide the Township with a copy of all field notes and test results.
4. Test method. The method for conducting the aquifer test shall be as follows:

An aquifer test shall be conducted for a minimum of 12 hours at a constant rate of pumping. The pumped well shall be the one proposed for the specific subdivision or land development for which the test is conducted. Two observation wells which have hydraulic continuity with the pumped well are required. The preferred method of analysis of the aquifer test data is the nonequilibrium formula, although other methods are available and may be used. These include various methods of analysis of either the drawdown or recovery data.
5. Collection of data. Data shall be collected in conjunction with the aquifer test as follows:
  - a. Prior to the test.
    - i. Collection of geologic data of the area to be tested including well logs, if available.
    - ii. History of water level fluctuations in the area when available.
    - iii. The location, relative elevations and static water levels in the pumped well and the observation well or wells.
  - b. During the test. A standard aquifer test field data sheet will be required for a pumped well and each observation well. The data sheet shall include columns for listing.
    - i. The date.
    - ii. Clock time.

- iii. Elapsed time since pumping started/stopped (in minutes + seconds).
  - iv. Depth to water below land surface.
  - v. Drawdown or recovery (in feet) + 10ths.
  - vi. Observed discharge at specified intervals.
- c. Following the test. In accordance with recognized principles of well hydraulics, graphs shall be prepared to show time drawdown and time recovery for the pumped well and the observation wells. A distance drawdown graph will be required for anticipated rates of pumping. Computation of the coefficients of transmissibility and storage as well as the rate of pumping, time and drawdown are required as well as other data which may be considered necessary to satisfy the test objectives.

**Section 2: Remainder of Section 408.** All other sections, parts, and provisions of Section 408, "Required Reports" shall remain in full force and effect as previously enacted.

**Section 3: Savings Clause.** The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the court shall not impair the validity of any of the remaining sections, clauses, sentences, part or provisions of the Ordinance. It is hereby declared the intent of the Board of Supervisors of Pequea Township that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

**Section 4: Repealer.** Any specific provisions of the Pequea Township Subdivision and Land Development Ordinance, Zoning Ordinance or any other Township ordinance or resolution that is in direct conflict within this Ordinance are hereby repealed to the extent of such conflict.

**Section 5: Effective Date.** This Ordinance shall become effective five (5) calendar days after the date of enactment.

**ORDAINED AND ENACTED** by Board of Supervisors of Pequea Township this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

(Township Seal)

**BOARD OF SUPERVISORS OF PEQUEA TOWNSHIP**

By: \_\_\_\_\_  
Harry D. Lehman, III, Chairman

Attest:

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, Secretary