

ORDINANCE NO. 283

AN ORDINANCE OF THE TOWNSHIP OF PARADISE, MONROE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 160 ZONING AND REPEALING AND REENACTING CHAPTER 151 WATER CONSERVATION BY AMENDING THE ORDINANCES TO 1) REMOVE THE PERFORMANCE STANDARDS FOR PRIVATE WLLS FROM CHAPTER 160 AND RELOCATE THEM TO CHAPTER 151; 2) SUPPLEMENT CHAPTER 151 TO ADD REQUIREMENTS FOR WATER RESOURCES IMPACT STYDIES; AND 3) ADDING PROVISIONS FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.

WHEREAS, Paradise Township is a municipal corporation organized under the laws of the Commonwealth of Pennsylvania as a Second Class Township pursuant to 53 P.S. §65101, *et seq.* (the “Township”); and

WHEREAS, the Township has the authority to adopt ordinances, bylaws, rules and regulations necessary for the proper management, care, and control of the Township and its finances and to maintain peace, good government, health, and welfare of the Township and its citizens; *see* 53 P.S. §66506 (General powers); §66527 (Public safety); §66529 (Nuisances); §66601 (Ordinances); and

WHEREAS, the Township has the authority to establish an ordinance for zoning, subdivision, and land development for planning purposes consistent with the Pennsylvania Municipalities Planning Code (53 P.S. §§10101, *et seq.*); *see* 53 P.S. §66516 (Land use regulations); and

WHEREAS, the Paradise Township Board of Supervisors has reviewed the proposed amendments to Chapter 160 Zoning and Chapter 151 Water Conservation, as set forth below, and has determined that the Chapters should be revised to protect the health, welfare, and safety of the Township and its citizens.

AND NOW, the Board of Supervisors of Township hereby enacts and ordains amendments to Chapter 160 Zoning and Chapter 151 Water Conservation, as follows:

SECTION 1. Ordinance Amendments – Chapter 160. Existing Chapter 160 Zoning is amended by deleting and replacing the provisions of the enumerated section set forth below, to wit:

Chapter 160 Zoning

§ 160-21. Other Required Approvals.

§160-21.D – The provisions in §160-21.D are deleted in its entirety and replaced with the following:

“(Reserved)”

SECTION 2. Ordinance Amendments – Chapter 151. Existing Chapter 151 Water Conservation is deleted in its entirety and replaced with the following:

Chapter 151

WATER WELLS AND WATER CONSERVATION

§ 151-1. General policy for water conservation plumbing fixtures and fittings.

No water shall be provided for internal or external use to any residential, commercial, industrial, agricultural, recreational, governmental or public building or structure of any kind which is constructed or remodeled, and in which plumbing, water piping or water fixtures are to be installed, extended or altered in any way, unless the new, extended or altered plumbing, water piping and other water-using fixtures therein conform to the requirements and standards of § 151-2 of this chapter. The provisions of this chapter shall apply to any such building or structure constructed or remodeled on or after the effective date of this chapter.

§ 151-2. Water conservation performance standards for plumbing fixtures and fittings.

- A. Water closets and associated flushing mechanisms. The water consumption of water closets shall not exceed an average of 1.6 gallons per flush cycle over a range of test pressures from 20 to 80 pounds per square inch (psi). The fixture shall perform in accordance with the test requirements of the ANSI A112.19.2M and ANSI A112.19.6M.
- B. Urinals and associated flushing mechanisms. Urinal water consumption shall not exceed an average of 1.5 gallons per flush cycle over a range of test pressures from 20 to 80 psi. The fixtures shall perform in accordance with the test requirements of ANSI A112.19.2M and ANSI A112.19.6M.
- C. Showerheads. Showerhead discharge rates shall not exceed three gallons of water per minute over a range of test pressures from 20 to 80 psi. The fixtures shall perform in accordance with the test requirements of ANSI A112.18.IM.
- D. Faucets. Sink and lavatory faucet discharge rates shall not exceed three gallons of water per minute over a range of test pressures from 20 to 80 psi. The fixture shall perform in accordance with the test requirements of ANSI A112.18.1M.

§ 151-3. Special provisions for water conservation plumbing fixtures and fittings.

- A. Special purpose equipment. The performance standards of § 151-2 shall not apply to fixtures and fittings such as emergency showers, aspirator faucets and blowout fixtures that, in order to perform a specialized function, cannot meet the specified standards.
- B. Exemptions. Any person may apply to the Township for an exemption to the terms of this chapter, which may be granted by the Board of Supervisors, upon proof that some other device, system or procedure will save as much or more water as those set forth herein, or that those set forth herein cannot be complied with, without due hardship.

§ 151-4. Official review and modification of standards and restrictions for water conservation plumbing fixtures and fittings.

The Board of Supervisors may, from time to time, modify, add to or remove from the standards and restrictions herein.

§ 151-5. Notice provisions related to standards and restrictions for water conservation plumbing fixtures and fittings.

Upon the issuance of any zoning permit by the Township, the Secretary and/or Zoning Officer shall notify, in writing, the applicant for a zoning permit of the water conservation performance standards for plumbing fixtures and fittings as herein set forth.

§ 151-6. Performance standards for Private Water Supply Wells.

All Private Water Supply Wells drilled, constructed, used and maintained in Paradise Township shall comply with the rules herein. Wells already in existence at the time of the adoption of this section may remain in operation for the life of the existing well, but must conform with the rules herein at the time they are upgraded, re-drilled, relocated or closed.

- A. No Private Water Supply Well may be constructed within 100 feet of any existing or permitted sewage disposal system.
- B. No Private Water Supply Well may be constructed within 150 feet of any dead animal burial pit, within 100 feet of any animal or fowl enclosure, or within 100 feet of any fertilizer or pesticide storage, mixing or loading facilities.
- C. No Private Water Supply Well may be constructed within 100 feet of any infiltration trench or dry well.
- D. No Private Water Supply Well may be installed within the one-hundred-year floodplain. Well casing shall extend at least two feet above the level of the highest known flood of record. Surface water must be directed away from the wellhead.
- E. The "Municipality" copy of the Water Well Completion Report required of the licensed well driller by the Pennsylvania Department of Conservation and Natural Resources shall be submitted to the Zoning Officer upon well completion.
- F. Drilling fluid materials, drilling fluid additives, casing materials, screening materials, gravel pack materials and grouting and sealing materials shall be in accordance with standards established by the American Water Works Association in the AWWA Standard for Water Wells, approved by the American Water Works Association on June 15, 1997 and approved by the National Standards Institute on December 1, 1997.
- G. Well construction, well development, well disinfection and well abandonment/ decommissioning shall be in accordance with standards established by the American Water Works Association in the AWWA Standard for Water Wells, approved by the American Water Works Association on June 15, 1997 and approved by the National Standards Institute on December 1, 1997.
- H. Permanent well casings shall be continuous and watertight from top to bottom of the installed casing except for any well screens.

- I. All wells shall be drilled a minimum of 10 feet into competent bedrock and sealed from bedrock to surface, or to a minimum depth of 50 feet if bedrock is not encountered, to prevent the entrance of water from any source other than from the aquifers selected.
- J. All wells shall have suitable threaded, flanged or welded caps or compression seals to prevent foreign material from entering the well.
- K. Water quality testing for bacterial contamination shall be conducted by a laboratory certified for drinking water analysis by the Pennsylvania Department of Environmental Protection. Analysis shall include, at a minimum, tests for microbiological contamination and nitrate/nitrite.
- L. Water sample test results shall be reported to the property owner. Positive test results for fecal coliform, E. coli, Nitrate above 10 mg/L or nitrite above 1 mg/L shall be reported to both the property owner and the Zoning Officer. Nothing in this rule shall limit the right of the property owner to conduct additional water quality sampling and analysis.
- M. Permit requirements for Private Water Supply Wells.
 - (1) No Private Water Supply Well shall be constructed within Paradise Township without first obtaining a permit from the Zoning Officer.
 - (2) Permit applications shall be submitted in the name of and executed by the owner(s) of the property.
 - (3) Permit applications:
 - (a) Shall be submitted in person or mailed on a properly completed Township form;
 - (b) Shall be signed by the applicant or authorized representative.
 - (c) Shall include a plan showing the location of the proposed well in relation to the property boundaries and the nearest subsurface septic system.
 - (d) Shall include a fee in accordance with the comprehensive fee schedule adopted by resolution of the Board of Supervisors.
 - (4) Permit Issuance.
 - (a) A permit for well construction shall be issued by the Zoning Officer, subject to this chapter and the conditions contained on the permit and its attachments and supplements. The permit will authorize the applicant to proceed with the work and will also serve as a receipt for the fees accompanying the application.
 - (b) Permits will be issued only to the owner(s) of the property. Permits will not be issued to the contractor(s) or to any person(s) other than the owner(s) of the property.
 - (c) Approval by the Township of any well permit shall not constitute acknowledgment that the work was performed in accordance with the permit, nor shall such approval of the Township act as a release of the permittee(s) or waiver by the Township of its right to seek performance or restitution by the permittee(s).

§ 151-7. Water resources impact study.

A water resources impact study shall be required for all developments with an anticipated withdrawal of 4,000 or more gallons of water per day over a thirty-day period. The Water Resources Impact Study shall be conducted in accordance with the following requirements:

- A. Purpose. These regulations are to ensure that expansion of production from existing wells or development of new wells in the Township are able to provide a reliable, safe, and adequate supply of water to support the intended use within the capacity of available groundwater resources, and to estimate any impacts of the additional water withdrawals on existing nearby wells, underlying aquifers, wetlands and watercourses.
- B. Pumping Test. All elements of the pumping test well shall be completed prior to submission of the water resource impact study. A well construction permit is required for the pumping test well(s) and monitoring well(s) for preparation of the water resource impact study.
- C. Professional Preparation. The Water Resources Impact Study shall be prepared by a professional geologist and/or professional engineer, licensed in the Commonwealth, experienced in the performance of groundwater investigations for water supply wells. The report shall include a brief statement of the qualifications of the person(s) preparing the study.
- D. Certification. The water resource impact study shall be signed and sealed by the person(s) preparing the study and shall include the following information, with respect to the proposed conditional use application:
 - (1) Calculations. Calculations of the projected water demand, including both average and peak daily consumption, using the applicable criteria set forth in the following references:
 - (a) The adequacy of water supplies shall be determined based upon the cooling system size and type (evaporative or closed loop) and substantiated with actual water meter or sewage meter flow data for facilities of similar type and size. The applicant shall substantiate document any meter flow data used to determine the adequacy of supplies by submitting copies of water bills for the similar facilities.
 - (b) Guide for Determination of Required Fire Flow by the Insurance Services Office (ISO), as amended.
 - (c) Standards and Manuals for the American Water Works Association, as amended.
 - (d) In addition to the above, the projected water demand shall include any additional flow required to comply with National Fire Protection Association specifications for sprinkler systems.
 - (2) Area Maps. A topographic and geologic map of the area within a one- mile radius of the site.
 - (3) Regional Map Information. The following information shall be provided on a regional topographic map for the area within a 0.5-mile radius of all proposed wells.

If any existing wells withdrawing over 10,000 gpd are located within one mile of the site, the mapping radius shall be extended to one mile. Said map shall be up to date by using recent aerial photographs and/or a driving survey.

- (a) The location of all existing and proposed wells, including the test well(s) and monitoring wells.
 - (b) The location of all existing and proposed on-lot sewage disposal systems as well as all sewage treatment system surface water discharges.
 - (c) The location of facilities storing or handling residual or hazardous wastes and substances or petroleum products.
 - (d) The location of all perennial and intermittent watercourses.
- (4) Site Plan. A site plan shall be provided, showing existing and proposed lot lines. The following features shall be presented on an up-to-date plan for the site and area within 300 feet beyond the site perimeter.
- (a) Flagged wetland boundaries.
 - (b) All springs, seeps and ephemeral pools.
 - (c) All watercourses with a statement as to whether they are perennial or intermittent.
 - (d) Existing and proposed wells.
 - (e) Existing and proposed septic systems.
 - (f) Test well(s) and monitoring wells.
 - (g) Topography.
 - (h) Piezometer wells, if applicable.
- (5) Pumping Test Wells. The test well shall be the supply well(s) anticipated for use by the facility. A backup well is highly recommended and should be tested as a separate supply well from the primary well.
- (6) Monitoring Wells.
- (a) At least six monitoring wells shall be employed for each pumping test. Monitoring wells shall be evenly spaced radially around the test well so as to represent the region. Monitoring wells shall be distanced from the test well so as to experience background in addition to interaction conditions. For unconfined aquifers, monitoring wells shall be placed one hundred feet to three hundred feet (100' – 300') from the test well. For thick confined aquifers that are considerably stratified, monitoring wells shall be placed three hundred feet to seven hundred feet (300' – 700') from the test well. Within these parameters, the monitoring wells shall be placed at different distances from the test well. If such a well is not available a monitoring well can be drilled on the site to serve that purpose. Information regarding monitoring well casing depth, total depth and water producing zones shall be provided in the final report.

- (b) The applicant shall secure written permission from the property owner for any off-site well to be used for monitoring, that grants the Township permission for a period not to exceed 18 months after completion of the project, to obtain water level measurements as required to verify compliance with this chapter.
 - (c) Ground elevation adjacent to the well(s) in addition to the static water level shall be based on USGS vertical datum.
- (7) Testing Locations and Details. Prior to drilling and/or testing, the Township Engineer shall be provided with the Pennsylvania State Plane Coordinates for the monitoring and test well locations and a map of said locations of the test well(s) and monitoring wells. Prior to drilling and/or testing, the Township Engineer shall be provided with a copy of the Aquifer Testing Plan. The testing plan shall be prepared in accordance with the requirements contained in the DRBC document entitled “Instructions and Application for a Groundwater and/or Surface Water Withdrawal in the Delaware River Basin” and, by reference, the requirements contained in the PADEP document entitled “Aquifer Testing Guidance for Public Water Systems”. The specifications contained in the Aquifer Testing Plan, including the anticipated pumping test rate and monitoring frequency program shall be subject to approval by the Township Engineer prior to the test. Dates of drilling and testing shall be made available to the Township Engineer so that they may witness field operations as necessary.
- (8) Geologic Log. An accurate geologic log should be maintained during drilling of the pumping test well(s) and monitoring well(s) if applicable, to provide a detailed description of the type and thickness of bedrock formations and overburden encountered. Additionally, the log shall contain Information on the depth of all water bearing zones encountered and the yield from each zone. The total yield from the well shall be measured using a quantitative method. Samples shall be collected every 20 feet during drilling, or at each change in rock type, whichever occurs first.
- (9) Pumping Tests. A forty-eight-hour pumping test(s) shall be conducted on the pumping test well(s) in accordance with the approved aquifer testing plan. The pumping rate shall be not less than 150% of the combined projected peak daily water demand for the proposed need for which the well will serve. The test shall include the monitoring of background water levels in all wells for a period not less than one week prior to start of pumping. The pumping test shall be conducted during a period when there is no measurable precipitation for at least 48 hours prior to pumping and throughout the test. If precipitation is encountered during this period, the data shall be evaluated using an acceptable method to account for the effects of any recharge upon water levels in the wells, and upon all calculations of the constant pumping test data. Significant recharge during the test may cause the results to be considered invalid. Precipitation shall be measured periodically by an on-site rain gauge and reported. Barometric pressure shall also be measured on site and reported. The pumping test shall be followed by a recovery test, with monitoring of water levels in the test well being conducted until at least 95% recovery of draw down is observed in the test well, or until 48 hours after termination of pumping, whichever is first.

- (10) **Pumping Rate.** The pumping test shall be conducted at a constant pumping rate that shall not deviate greater than plus or minus five percent (+/- 5%) during the test. The rate of flow shall be monitored by a factory calibrated totalizing water meter on which the pumping rate can be calculated.
- (11) **Pumping Test Discharge.** The pumping test discharge shall be directed away from and downslope of the test well so as not to significantly influence draw down in the test well and monitoring wells due to recirculation or artificial recharge. The means of conveyance and point of discharge shall be specified in the aquifer testing plan and approved by the Township Engineer.
- (12) **Required Data.** The report shall include precipitation data, static water level immediately prior to yield testing, hydrograph of depth to water surface during test pumping and recovery period of the test well, graphs of depth to water surface at monitoring wells during the test pumping period, typed and raw field notes showing original observations, water levels and flow readings, and the time readings were taken.
- (13) **Aquifer capacity.** Documentation shall be provided to support the requirement that the aquifer beneath the site has the capacity to provide wells of sufficient yield to meet the needs of the proposed development. Supportive evidence shall consist of wells drilled on-site, neighboring well information, and data available for wells within one-half mile of the site using the Pennsylvania Groundwater Information System (PAGWIS).
- (14) **Hydrologic Budget.** A hydrologic budget shall be calculated, on an annual basis, for the site based upon the drought recharge capacity of the underlying aquifer and the projected peak water demand of the proposed well(s). The budget shall use groundwater recharge values from published references and a drought of at least one- in-ten-year severity. The recharge area for the budget shall consist only of the proposed development project, less impervious surface unless infiltration system considerations are made. If on-site septic systems are proposed, sand mounds, subsurface and at grade systems may allow for contribution of 90% return of water to the aquifer system. Aquifer contribution from spray irrigation, drip irrigation, and stream discharge systems shall be determined on a case-by-case basis. A determination shall be made on whether or not the potential exists for adverse effects on hydrogeology of the project vicinity, including adjacent wells, springs, surface water and wetlands, based upon the results of the hydrologic budget.
- (15) **On-Lot Sewage System Effects.** A narrative describing the design of all on-lot sewage disposal systems and their effect upon groundwater recharge and quality with respect to all proposed and existing water supplies shall be provided. A nitrate study shall be performed following PA DEP mass balance policy guidelines which include average year recharge from the development site alone, less impervious surface, sewer system design flow rates and a 45 mg/I effluent loading factor. Available existing groundwater quality nitrate data shall be obtained from test well(s), adjacent supply wells and springs to Include as background nitrate levels. Total nitrate levels shall not be allowed to exceed the 10 mg/I drinking water limit.

- (16) Effects on Waters of the Commonwealth. If wetlands, seeps, springs, ephemeral pools and/or streams exist on or within 300 feet of the proposed and existing wells boundary, the report shall address the potential to affect these features as a result of drilling and pumping of the proposed supply wells. Circumstantial evidence to support conclusions regarding this issue shall be considered limited in value. Thus, direct monitoring of water levels and direct measurement of flows during pumping tests shall be required when said surface water features are deemed at potential risk. If staff gauges are used, measured stream and seep flow rates must be provided to quantify flows at various gauge levels.
- (17) The applicant shall provide proof of review and approval from the Delaware River Basin Commission (DRBC) for projects that have: water withdrawals of 100,000 gallons per day (gpd) or more over a 30-day average from any source or combination of sources within the applicable River Basin.

SECTION 3. Severability. The provisions of this Ordinance shall be severable. If any of the provisions hereof shall be invalid or unenforceable, the remaining provisions of the Ordinance shall remain in full force and effect.

SECTION 4. Repealer. All ordinances or parts of ordinance conflicting with or inconsistent with the provisions of this Ordinance are hereby repealed, but only insofar as the same are in direct conflict or directly inconsistent with this Ordinance.

SECTION 5. Effective Date. This Ordinance shall be effective five (5) days after enactment.

ORDAINED AND ENACTED into an ordinance at the regular meeting of the Paradise Township Board of Supervisors, Monroe County, this _____ day of _____, 2026.

ATTEST:

PARADISE TOWNSHIP

(Assistant) Secretary

By: _____
Chair

By: _____
(Vice) Chair

By: _____
Supervisor

SECRETARY’S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ adopted by a majority vote of the Paradise Township Board of Supervisors at a meeting of said Board duly held on _____, 2026. Present at the meeting were and a record of their vote was as follows:

	Present	Aye	Nay
Peter Gonze	_____	_____	_____
Reda Briglia	_____	_____	_____
Michael Stein	_____	_____	_____

Further be it certified that public notice of said meeting was given in the manner provided by law; that said Ordinance shall be duly recorded upon the Minutes of the Board, has not been amended or rescinded, and is in full force and effect this _____ day of _____, 2026.

Tina Transue, Secretary

(Township Seal)