

**WEST PIKELAND TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2012-02**

AN ORDINANCE AMENDING IN ITS ENTIRETY THE WEST PIKELAND TOWNSHIP PLANNING COMMISSION ORDINANCE #4 OF 1961 AS FOLLOWS TO ESTABLISH A PLANNING COMMISSION DEFINING ITS POWERS AND DUTIES; AND TO PROVIDE FOR APPOINTMENT OF PLANNING COMMISSION MEMBERS AND OFFICERS AND THEIR TERMS OF OFFICE.

**WHEREAS**, by the Board of Supervisors of the Township of West Pikeland, Chester County, Pennsylvania hereby create and establish a Planning Commission under the provisions of the Pennsylvania Municipal Planning Code, Act 247 of July 31, 1968, reenacted and amended by Act 170 of December 21, 1988, P. L. 1329, for the purpose of preparing a maintaining a plan for the coordinated development of West Pikeland Township, Chester County, based on physical, social economic and governmental conditions and trends, and to provide for and protect the general welfare and prosperity of its residents.

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of the Township of West Pikeland Township as follows:

**ARTICLE 1.** Ordinance #4 of 1961, as amended in its entirety and replaced with the following:

**Section 1: Board Created**

There is hereby created a Planning Commission to be known as “West Pikeland Township Planning Commission.” The term “Supervisors” as used in this chapter shall mean the Board of Supervisors of West Pikeland Township. The term “Commission” shall mean the West Pikeland Township Planning Commission

**Section 2: Membership; Terms; Vacancies**

The Commission shall consist of (7) members who shall be appointed by the Board of Supervisors and shall serve for terms of four (4) years or until their successors are appointed, except when the members of such Commission first appointed be appointed for such terms that the term of not more than two (2) members shall expire annually thereafter.

Members of this Commission may receive compensation in an amount fixed by annual resolution of the governing body pursuant to the Municipalities Planning Code.

Members so appointed shall be residents of West Pikeland Township.

Vacancies on such a Board, occurring otherwise than by expiration of term, shall be for the unexpired term and shall be filled in the same manner as the original appointments.

Any member of the Commission once qualified and appointed may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Supervisors taken after the member has received (15) fifteen days' advanced notice of the intent to take such a vote.

### **Section 3: Officers**

The members of the Commission established pursuant to this Ordinance shall elect their own Chairman and Secretary and select all other necessary officers, to serve for a period of one (1) year.

### **Section 4: Powers and Duties**

1. The Commission shall have the power to adopt rules and regulations pertaining to the conduct of its business and meetings.
2. The Commission shall at the request of the governing body have the power and shall be required to:
  - a. Prepare the comprehensive plan for the development of the municipality as set forth in this act, and present it for the consideration of the governing body.
  - b. Maintain and keep on file records of its action. All records and files of the Commission shall be in the possession of the governing body.
3. The planning agency at the request of the governing body may:
  - a. Make recommendations to the governing body concerning the adoption or amendment of an official map.
  - b. Prepare and present to the governing body of the municipality a zoning ordinance, and make recommendations to the governing body on proposed amendments to it as set forth in this act.
  - c. Prepare, recommend and administer subdivision and land development and planned residential development regulations, as set forth in this act.
  - d. Prepare and present to the governing body of the municipality a building code and a housing code and make recommendations concerning proposed amendments thereto.
  - e. Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by this act.
  - f. Prepare and present to the governing body of the municipality an environmental study.
  - g. Submit to the governing body of a municipality a recommended capital improvements program.

- h. Prepare and present to the governing body of the municipality a water survey, which shall consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
- i. Promote public interest in, and understanding of, the comprehensive plan and planning.
- j. Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
- k. Hold public hearings and meetings.
- l. Present testimony before any board.
- m. Require from other departments and agencies of the municipality such available information as relates to the work of the planning agency.
- n. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.
- o. Prepare and present to the governing body of the municipality a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the municipality.
- p. Review the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential development, and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan.

#### **Section 5: Funds**

The Planning Commission shall have no authority to spend Township funds directly. All invoices and expenses relating to funds appropriated by the Supervisors and budgeted for operation of the Commission shall be approved by the Township Manager prior to payment.

#### **Section 6: Meetings**

Meeting of the Commission shall be held at such times and at such places as shall be determined by the rules and regulations of the Commission. Meetings will be open to the public and dates and times will be advertised.

#### **Section 7: Repeal of Conflicting Provisions**

All other Township Ordinances, Township Resolutions, and parts thereof, that conflict with provisions of this Ordinance are hereby repealed and shall be of no further force or effect.

This Ordinance shall become effective immediately.

Duly enacted on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST

\_\_\_\_\_  
Joan C. Matthews, Township Secretary

WEST PIKELAND TOWNSHIP  
BOARD OF SUPERVISORS

\_\_\_\_\_  
Ernie Holling, Chairman

\_\_\_\_\_  
Richard Bright Jr., Vice Chairman

\_\_\_\_\_  
Robert Shemonsky, Supervisor

\_\_\_\_\_  
Harold M. Hallman III, Supervisor

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Tom Tucker, Supervisor