

ARTICLE 10

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Article 10

AMENDMENTS

1001 Purpose: Whenever the public necessity, convenience, general good, or good subdivision and land development practice require, the Township Board of Supervisors by Ordinance, may, after receipt and recommendation thereon from the Planning Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations now or hereafter established by this Ordinance and amendments thereof.

1002 Citizen Request for Amendment: Requests for changes in the Subdivision and Land Development Ordinance may be made by owners of land in the Township or by their authorized agents.

1. Applications: All applications for amendments shall be made in writing by the owner or authorized agent, and shall be filed with the Administrator to the Planning Commission on forms prescribed by him.

Applications shall contain all information necessary to assure the fullest practicable presentation of the facts for the record, and shall contain the following:

- a. The applicant's name and address and that of his representative, and the interest of every person represented in the application; and
- b. A statement of the proposed change in the Ordinance and the reasons in support of the change.

The Administrator shall check the application to determine whether it conforms with these requirements, and, if satisfactory, shall immediately submit it to the Township Board of Supervisors.

1003 Planning Commission Requests for Amendment to Ordinance: Amendments to the Subdivision and Land Development text may be initiated by the Planning Commission by motion recommending adoption according to procedures enumerated in Section 1005, below, and be submitted to the Township Board of Supervisors, who shall follow the procedures enumerated in Section 1004, below.

1004 Procedures of the Township Board of Supervisors: The Township Board of Supervisors shall follow the procedures below for amending the Subdivision and Land Development Ordinance:

1. Preparation of Amendments: The Township Board of Supervisors may request the Planning Commission to prepare amendments to the Subdivision and Land Development Ordinance using the same procedure as set forth in the Pennsylvania Municipalities Planning Code (Act 247 as amended) for the preparation of the Subdivision and Land Development Ordinance itself, as described in Section 1005, below.
2. Referral to the Planning Commission: In the case of an amendment other than that prepared by the Planning Commission, the Township Board of Supervisors shall submit each such amendment to the Planning Commission at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations. However, the Township Board of Supervisors shall not be bound by the recommendations of the Planning Commission.

Section 1004 (cont'd)

3. Referral to County Planning Commission: The Township Board of Supervisors shall submit the proposed amendments to the County Planning Commission for its review and recommendations thirty (30) days prior to the public hearing on the amendment by the Township Board of Supervisors. However, the Township Board of Supervisors shall not be bound by the recommendations of the County Planning Commission.
4. Public Hearing: Before voting on the enactment of an amendment, the Township Board of Supervisors shall hold a public hearing thereon, pursuant to public notice, which notice shall be given in the manner prescribed in Section 1006, below.
5. Voting on Amendment: The Township Board of Supervisors shall consider the recommendations of the Township Planning Commission, the County Planning Commission and testimony presented at the public hearing before voting on the proposed amendment at a public meeting.
6. Notice of Decision: The applicant and others requesting notice of the decision of the Township Board of Supervisors shall receive such notice through the Administrator.
7. Filing Copy of Amendment with County: Within thirty (30) days after enactment, a certified copy of the amendment to the Subdivision and Land Development Ordinance shall be forwarded to the County Planning Commission.

1005 Procedures of the Planning Commission: The Planning Commission shall follow the procedures set forth below for amending the Subdivision and Land Development Ordinance:

1. Preparation of Amendments: At the request of the Township Board of Supervisors or on its own initiative the Planning Commission:
 - a. shall prepare the text of the proposed subdivision and land development amendments as well as make all necessary studies and surveys preliminary thereto;
 - b. may hold a public meeting pursuant to public notice and may hold additional public meetings upon such notice as it shall determine to be advisable; and
 - c. shall present to the Township Board of Supervisors the proposed subdivision and land development amendments, together with recommendations and explanatory materials, upon completion of its work.
2. Review Amendments: In the case of an amendment other than that prepared by the Planning Commission, the Commission shall review each such amendment submitted to it by the Township Board of Supervisors. It shall consider whether or not such proposed amendment reflects, in the view of the Commission, the policy goals of the Township as found in the statement of Community Development Objectives in the Comprehensive Plan and the statements of Policies and Purposes in this Ordinance. The Commission shall submit its recommendations on the amendment to the Township Board of Supervisors prior to the public hearing scheduled on the amendment by the Township Board of Supervisors.

1006 Public Notice and Hearings: Before voting on the enactment of an amendment to the Subdivision and Land Development Ordinance, the Township Board of Supervisors shall hold

Section 1006 (cont'd)

a public hearing for the purpose of informing the public and obtaining public comment on the proposed amendment. The public hearing shall be held pursuant to public notice as follows:

1. Description of Amendment: Public notices of a proposed Subdivision and Land Development Ordinance amendment shall include either the full text thereof or the title and a brief summary prepared by the Township Solicitor setting forth all the provisions in reasonable detail. If the full text is not included:
 - a. A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published;
 - b. An attested copy thereof shall be filed in the County Law Library; and
 - c. A public notice shall include a reference to the place within the Township where copies of the proposed Subdivision and Land Development Ordinance amendment may be examined without charge or obtained for a charge not greater than the cost thereof.
2. Public Notice: A public notice of a proposed Subdivision and Land Development ordinance amendment shall be published once each week for two (2) successive weeks, in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

1007 Publication, Advertisement and Availability of Ordinances

1. Notice of Proposed Enactment: Proposed Subdivision and Land Development Ordinance amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this Section, and shall include the time and place of the meeting at which passage will be considered, a reference to the place within the Township where copies of the proposed Subdivision and Land Development Ordinance amendment may be examined without charge or obtained for a charge not greater than the cost thereof.

The Township Board of Supervisors shall publish the proposed Subdivision and Land Development Ordinance amendment once in a newspaper of general circulation in the Township not more than sixty (60) days nor less than seven (7) days prior to passage.

Publication of the proposed Subdivision and Land Development Ordinance amendment shall include either the full text thereof or the title and a brief summary, prepared by the Township Solicitor, and setting forth all the provisions in reasonable detail. If the full text is not included:

- a. A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published; and
- b. An attested copy of the Subdivision and Land Development Ordinance amendment shall be filed in the County Law Library or other county office designated by the County Commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing said ordinance.

Section 1007 (cont'd)

2. Revision of Amendment: In the event substantial amendments are made in the Subdivision and Land Development Ordinance amendment, before voting upon enactment, the Township Board of Supervisors shall, at least ten (10) days prior to enactment, readvertise, in one newspaper of general circulation in the Township, a brief summary of the revised amendment setting forth all the provisions in reasonable detail together with a summary of the amendment.
3. Incorporation into Official Ordinance Books: This Subdivision and Land Development Ordinance and any amendments may be incorporated into official ordinance books by reference with the same force and effect as if duly recorded therein.