

ORDINANCE NO. 139

AN ORDINANCE OF WASHINGTON TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA, CREATING AND ESTABLISHING A PLANNING COMMISSION, DESIGNATING ITS POWERS AND DUTIES, PROVIDING FOR THE ADOPTION OF A DEVELOPMENT PLAN AND AN OFFICIAL MAP, AND PROCEDURES RELATIVE THERETO.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Washington Township, Northampton County, Pennsylvania, and it is hereby enacted and ordained by authority of the same:

ARTICLE I

TITLE AND PURPOSE

Section 1. This Ordinance shall be known and may be cited as the Washington Township Planning Commission Ordinance.

Section 2. The purpose of this Ordinance is to create and establish a Planning Commission for Washington Township pursuant to the provisions of Article XX-A of The Second Class Township Code, as added by Act 1953, July 13, P. L. 404, Section 1.

ARTICLE II

PLANNING COMMISSION ESTABLISHED

Section 1. There is hereby created and established in Washington Township, a Township Planning Commission to be known as the Washington Township Planning Commission (sometimes hereinafter referred to as the Planning Commission), consisting of five members who shall reside within the Township, and who shall serve without compensation, but may be reimbursed for necessary expenses.

Section 2. The members of the Planning Commission shall be appointed by the Board of Supervisors for terms of five years, except that the terms of the members first appointed shall be so fixed that one member shall be appointed for one year, one for two years, one for three years, one for four years, and one for five years; and annually thereafter, a member of said Commission shall be appointed for a term of five years.

ARTICLE III

POWERS AND DUTIES OF PLANNING COMMISSION

Section 1. The Planning Commission shall have all the powers and duties conferred and imposed upon it as set forth in Article XX-A of the Second Class Township Code as added by Act 1953, July 13, P. L. 404, Section 1, as amended, and as may hereafter be conferred upon such Planning Commission; by Acts of Assembly of the Commonwealth of Pennsylvania.

Section 2. The Planning Commission may have appropriated to its use from the general fund of Washington Township by the Board of Supervisors, in the same manner as other appropriations are made, such money as, in the opinion of the Board, is necessary and is available for the work of the Planning Commission for the year in which the appropriation is made.

ARTICLE IV

ADOPTION OF A DEVELOPMENT PLAN

Section 1. The Planning Commission shall prepare and adopt a plan of development for the Township. The plan, with accompanying maps, charts, drawings and descriptive matter, shall show the Planning Commission's recommendation for the development of the Township. The development plan shall be based on studies of the physical, social, economic and governmental conditions and trends, and shall be designed to promote with the greatest efficiency and economy the co-ordinated development of the Township and the general welfare and prosperity of its people.

ARTICLE V

OFFICIAL MAP AND PROCEDURES RELATIVE THERETO

Section 1. The Board of Supervisors may establish as the official map of the Township any part of the development plan with respect to the location and width of streets, highways and parkways and the location and extent of public parks and play - grounds. Establishment of the official map shall be by ordinance, after public hearing, with notice of such public hearing to be published in a newspaper of general circulation in the Township at least ten days prior to the hearing. Such map, subject to amendments as hereinafter provided, is to be deemed official and conclusive as regards the above subject matter and is hereby declared to be established to conserve and promote the public

health, safety, morals and general welfare.

Section 2. The Board of Supervisors may by resolution, whenever and as often as it may deem it for the public interest, change or add to the official map of the Township, in the manner and by the methods set forth in Article XX-A of the Second Class Township Code, or as otherwise provided by law.

Section 3. The acceptance or approval by the Township, under the provisions of laws other than those contained in this section, of the locating, laying out, widening or closing of any public way or area designated above as part of the official map shall be deemed to be a change or addition to the official map. The placing of a boundary line of any public way or area upon the official map shall in no way constitute an opening, establishment, taking or acceptance of any land for a public use.

Section 4. For the purpose of preserving the integrity of the official map of the Township, no permit shall be issued for any building in the bed of any street shown or laid out on the official map, except that when the property of the applicant of which such reserved location forms a part cannot yield a reasonable return to the owner unless such permit be granted, the Zoning Board of Adjustment, if the Township has established such a Board, may, in a specific case, by the vote of a majority of its members, grant a permit for a building in such street which will as little as practicable increase the cost of opening such street or tend to cause a change of the official map; and the Board shall impose reasonable requirements as a condition of granting the permit so as to promote the health, safety and general welfare of the public. If the Township has no Zoning Board of Adjustment, the Board of Supervisors shall have the same powers and be subject to the same restrictions as provided in this section.

Section 5. No public sewer, water main or other Township street utility or improvement shall be constructed in or so as to serve any street, highway, parkway, playground or park until the street, highway, parkway, playground or park is duly placed on the official map.

Section 6. No permit for the erection of any building shall be issued unless a street or highway giving access to such proposed structure has been duly placed on the official map. Where the enforcement of the provision of this section would entail practical difficulty or unnecessary hardship and where the circumstances of the case do not require the structure to be related to existing or proposed streets or highways, the

applicant for the permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the Zoning Board of Adjustment, if such a Board has been established in the Township, or, if there is no Board of Adjustment, to the Board of Supervisors, and the same provisions shall apply to such appeals and to such Board as are provided in cases of appeals on zoning regulations. The Board may, in passing on such appeal, make any reasonable exception and issue the permit subject to conditions that will protect any street or highway layout.

ARTICLE VI

LAND SUBDIVISIONS

Section 1. When subdivision regulations have been adopted by the Board of Supervisors under authority granted by Article XII-A of the Second Class Township Code, the Supervisors, before approving plans for proposed subdivisions, shall refer such plans to the Planning Commission for its recommendations. If the Planning Commission shall not make its recommendation thereon within thirty days after such reference, it shall be deemed to consent thereto.

ARTICLE VII

ZONING

Section 1. The Planning Commission shall have all of the powers and duties of a Township Zoning Commission, as conferred by Article XX of The Second Class Township Code, added by Act 1947, July 10, P.L. 1481, Section 71, as amended.

ARTICLE VIII

VALIDITY

Section 1. The Board of Supervisors does hereby incorporate by reference all of the powers and duties of and regulations pertaining to a Planning Commission as set forth in Article XX-A of The Second Class Township Code as added by Act 1953, July 13, P. L. 404, Section 1, as amended. Should any section or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole, or of any other part thereof.

Enacted and ordained as an Ordinance of Washington Town-
ship this 17th day of December, 1963.

BOARD OF SUPERVISORS OF
WASHINGTON TOWNSHIP

Paul W. Warrick
Chairman
Earle B. Jennings
LeRoy Hester

ATTEST:

Gloria G. Clark
Secretary