WHITPAIN TOWNSHIP

ORDINANCE #351

AN ORDINANCE AMENDING THE TOWNSHIP'S CODE, CHAPTER 38 [PLANNING COMMISSION] TO ADD A NEW § 38-7 [ALTERNATE MEMBERS] MAKING PROVISION FOR ALTERNATE MEMBER APPOINTMENT BY RESOLUTION; PROHIBITION FOR ALTERNATE MEMBERS SERVING ON THE TOWNSHIP'S ZONING HEARING BOARD OR AS THE TOWNSHIP'S ZONING OFFICER; TERM OF OFFICE; BASIS FOR APPOINTMENT; CONTINUATION OF APPOINTMENT UNTIL DECISION; AND CASE-DESIGNATION OF APPOINTED ALTERNATE MEMBERS

ENACTED: September 20, 2016

WHITPAIN TOWNSHIP

ORDINANCE #351

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IT IS HEREBY ENACTED AND ORDAINED by the Whitpain Township Board of Supervisors as follows:

SECTION 1. Amendment to the Township's Code, Chapter 38 [Planning Commission].

The Township's Code, Chapter 38 [Planning Commission] shall be amended to add a new § 38-7 [Alternate Members] which shall read as follows:

§ 38-7 Alternate Members.

1. The Township Board of Supervisors may appoint, by resolution, up to 3 Township residents to serve as alternate members. Such alternate member appointments are subject to the following:

   A. The term of office of an alternate member is designated as 4 years.

   B. Alternate members may be appointed to substitute for any absent, recused, or disqualified Planning Commission member.

   C. Alternate members may be designated to cases as needed on a rotating basis according to declining seniority among the alternates.

   D. Alternate members are entitled to participate in all proceedings and discussions of the Planning Commission to the same and full extent as provided by law for Planning Commission members, including specifically the right to cast a vote as a voting member

during the proceedings, and shall have all the powers and duties as otherwise provided by law.

E. Any alternate member may participate in any proceeding or discussion of the Planning Commission but shall not be entitled to vote as a member of the Planning Commission unless designated as a voting alternate member in accord with applicable law.

F. Alternate members will continue to serve on the Planning Commission for any proceeding in which they were originally appointed until the Planning Commission reaches a decision on the matter.

G. Alternate members may not serve as members of the Township's zoning hearing board or as a Township's zoning officer.

SECTION 2. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date.

This Ordinance shall become effective 5 days after enactment.

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[SIGNATURES ON NEXT PAGE]

ORDAINED AND ENACTED this 20th day of September 2016, by the Whitpain Township Board of Supervisors.

WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS

ADAM D. ZUCKER, *Chairman*

[Seal]

Attested by:

ANTHONY F. GRECO
Secretary

CERTIFICATION

I, ROMAN M. PRONCZAK, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER OF WHITPAIN TOWNSHIP IN MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE #351

Roman M. Pronczak, P.E., Township Manager
September 20, 2016