

ORDINANCE NO. #93-01

AN ORDINANCE OF THE WEST BRANDYWINE TOWNSHIP BOARD
OF SUPERVISORS CREATING A PLANNING COMMISSION AND
DEFINING THE POWERS AND DUTIES THEREOF AND ESTABLISHING
THE MEMBERSHIP AND REPEALING INCONSISTENT ORDINANCES

The Board of Supervisors of West Brandywine Township hereby enacts and ordains the following, by virtue of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, P.L. 805, as reenacted and amended:

Section 1. Definitions.

The following words and phrases when used in this Ordinance shall have the following meanings:

1. "Board" means Board of Supervisors of West Brandywine Township.
2. "Commission" means Planning Commission of West Brandywine Township.
3. "Township" means West Brandywine Township.

Section 2. All Members of the existing Planning Commission shall continue in office until the end of the term for which they were appointed, and their successors shall be appointed as provided by this Ordinance.

Section 3. The Commission shall be composed of seven (7) members. Additional members necessary to bring the aggregate membership to seven (7) shall be appointed by the Board of Supervisors. No more than two (2) members may be employees or officers of the Township.

All new members or additional members shall be appointed for four (4) years as provided for in Section 203 of the Pennsylvania Municipalities Planning Code.

The Chairperson of the Planning Commission shall notify the Board of Supervisors of any vacancies on the Commission and the Board of Supervisors shall appoint a person to fill the remainder of the unexpired term.

All members of the Commission shall serve without

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compensation, however, the Township shall reimburse Planning Commission members for necessary and reasonable expenses including the attendance of seminars.

Section 4. Any member of the Commission may be removed from office by the Board for malfeasance, misfeasance, or nonfeasance in office or for any other just cause by a majority vote of the Board, taken after the member has fifteen (15) days notice of the intent to take such a vote.

Should the member place a request for a hearing in writing, a hearing shall be held by the Board. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

Section 5. The Commission shall elect its own Chairperson and other officers as it deems necessary. It may only make and alter rules for its procedures consistent with the Ordinances of the Township and the laws of the Commonwealth.

Section 6. The Board shall appropriate funds to the Commission for the purpose of purchasing supplies and mailings of information due the Commission.

Section 7. The powers and duties of the Commission shall be:

A. The Commission shall, at the request of the Board, have the power and shall be required to:

1. Prepare revisions to the comprehensive plan for the development of the Township and present them to the Board for its consideration.

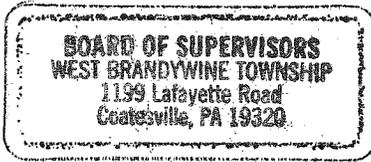
2. Maintain and keep on file records of its action. All records and files of the Commission shall be in the possession of the Board.

B. The Commission, at the request of the Board, may:

1. Make recommendations to the Board concerning the adoption or amendment of an official map.

2. Prepare and present to the Board a zoning ordinance, and make recommendations to the Board on proposed amendments to it.

3. Prepare, recommend and make recommendations with



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reference to the administration of subdivision, land development, and planned residential development regulations of the Township.

4. Prepare and present to the Board a building code and housing code, and make recommendations concerning proposed amendments thereto.

5. Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed.

6. Prepare and submit to the Board an environmental study.

7. Submit to the Board a recommended capital improvements program.

8. Prepare and submit to the Board a water survey, which shall be consistent to any applicable water resources plan adopted by a river basin commission.

9. Promote public interest in, and understanding of, the comprehensive plan and planning.

10. Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.

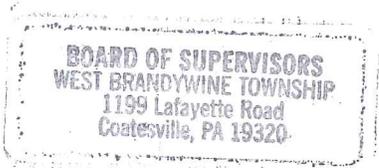
11. Hold public meetings and hearings.

12. Require from other agencies and departments of the Township such available information as relates to the work of the Commission.

13. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.

C. In the performance of its powers and duties, any recommendation which involves engineering considerations, shall be subject to review and comments by the Township engineer, which comments shall be incorporated and separately set forth in a written report by the engineer to the Commission.

Section 8. The Commission may, with the consent of the Board, accept and utilize funds, personnel or other assistance made available by the county, the Commonwealth or the federal



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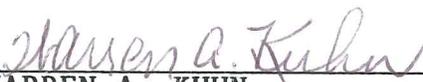
government, or any other private sector. The Board shall be the party to enter into agreement for any of these services.

Section 9. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed.

Section 10. This Ordinance shall automatically be amended from time to time to comply with and to conform with any amendments to the Municipalities Planning Code dealing with the subject matter of this Ordinance. Any such amendments to the Municipalities Planning Code are incorporated herein by reference as such amendments occur from time to time and any parts of this Ordinance inconsistent with the provisions of the current Municipalities Planning Code are hereby repealed.

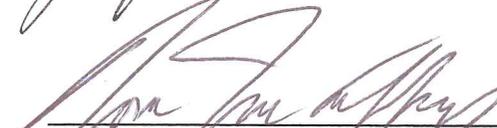
Section 11. This Ordinance shall become effective five (5) days after adoption.

ENACTED AND ORDAINED this 1ST day of APRIL, 1993.


WARREN A. KUHN
Secretary/Treasurer


JOSEF G. OBERNIER, SR.
Chairperson


RONALD A. RAMBO, JR.
Township Manager


THOMAS J. McCAFFREY
Member


CARL S. LINDBORG
Member