

Ordinance No. 1-3-11-2010

CONOY TOWNSHIP
LANCASTER COUNTY, PA

AN ORDINANCE TO AMEND SECTION 600 OF THE CONOY
TOWNSHIP ZONING ORDINANCE AS ADOPTED AND
ENACTED ON AUGUST 27, 1992, AS AMENDED, TO
PROVIDE FOR THE ESTABLISHMENT AND MEMBERSHIP
OF THE ZONING HEARING BOARD

BE IT ORDAINED AND ENACTED BY Board of Supervisors of Conoy Township,
Lancaster County, Pennsylvania, as follows:

Section 1. Legal Authorization

The Pennsylvania Municipalities Planning Code (MPC), Act 247, as amended and reenacted, and, in particular, Section 601 allows for the enactment and amendment of the Township Zoning Ordinance by the Township Board of Supervisors

Section 2. Amendment

Section 600 of the Township Zoning Ordinance is amended to replace the current language in its entirety with the following language:

When used hereafter in this Article, the word "Board" shall mean the Zoning Hearing Board.

There shall be a Zoning Hearing Board that shall consist of three (3) members who shall be appointed by resolution by the Board of Supervisors. However, the Board of Supervisors may, by resolution, increase the size of the Board to five (5) members. All Board members must be Township residents. Terms of the office shall be three (3) years for three-member Boards and five (5) years for five-member Boards. If a three-member Board is changed to a five-member Board, the members of the existing three-member Board shall continue in office until their term of office would expire under prior law. The Board of Supervisors shall appoint two additional members to the Board with terms scheduled to expire in accordance with the provisions of this section. The Board shall promptly notify the Board of Supervisors of any vacancies that occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township. Any member of the Board may be removed for malfeasance, misfeasance, or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

The Board of Supervisors may appoint by resolution at least one but no more than three residents of the municipalities to serve as alternate members of the Board. The term of office of any alternate member shall be three years. When seated pursuant to the provisions of Section 601, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Ordinance and as otherwise provided by law. Alternates shall hold no other office in the municipality, including membership on the planning commission and zoning officer. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board nor be compensated pursuant to Section 602, unless designated as a voting alternate member pursuant to Section 601 of this Ordinance.

Section 3. Validity

All other sections, parts and provisions of the Township Zoning Ordinance shall remain in full force and effect as previously enacted and amended.

Section 4. Severability

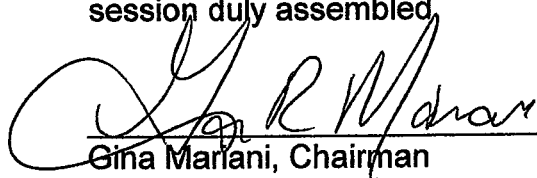
In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of this Ordinance shall be and shall remain in full force and effect.

Section 5.

This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Conoy Township as provided by law.

Section 6.

DULY ORDAINED AND ENACTED this 11 day of March, 2010, by the Board of Supervisors of Conoy Township, Lancaster County, Pennsylvania in lawful session duly assembled,



Gina Mariani, Chairman

Attest 

Mike Skelly, Secretary-Treasurer

CERTIFICATE

I, the undersigned, Secretary-Treasurer of Conoy Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of a proposed Zoning Ordinance Amendment to be considered and enacted by the Board of Supervisors of the Township on March 11 2010.

ATTEST:


Secretary-Treasurer, Conoy Township