

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,  
BUCKS COUNTY, PENNSYLVANIA AMENDING THE  
SOLEBURY TOWNSHIP CODE OF ORDINANCES TO  
ADD ASSOCIATE COMMITTEE MEMBERS TO THE  
PLANNING COMMISSION, PARKS AND RECREATION  
BOARD, HISTORICAL ARCHITECTURAL REVIEW  
BOARD AND THE FARM COMMITTEE**

**WHEREAS**, the Municipalities Planning Code (“MPC”) at Section 201 provides that Solebury Township may establish a Planning Commission (53 P.S. §10201) and Solebury Township Code at Section 1-201, provides for a Planning Commission in accordance with the MPC;

**WHEREAS**, Section 203(e) of the Municipalities Planning Code authorizes the Township to appoint alternative members to the Planning Commission (53 P.S. §10203);

**WHEREAS**, Section 1527 (53 P.S. §66527) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the “Board of Supervisors”) include the ability to secure the safety of persons or property within the Township;

**WHEREAS**, Section 67204 of the Pennsylvania Second Class Township Code provides that the Board of Supervisors may establish a Parks and Recreation Board; and

**WHEREAS**, Solebury Township established a Parks and Recreation Board with nine (9) members pursuant to Chapter 1, Part 2.C of the Solebury Township Code of Ordinances;

**WHEREAS**, Solebury Township established a Farm Committee pursuant to Chapter 1, Part 2.D of the Solebury Township Code of Ordinances to provide, among others things, information to local farmers, residents and the Township committees about the benefits of balancing agricultural and other uses;

**WHEREAS** the Township established a Historical Architectural Review Board pursuant to Chapter 11 of the Solebury Township Code of Ordinances, which is to include members with a demonstrated interest in and knowledge of historic preservation;

**WHEREAS**, the Township desires to establish nonvoting associate committee members for the Parks and Recreation Board, the Farm Committee and the Historical Architectural Review Board and alternate members of the Planning Commission;

**WHEREAS**, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. §66601); and

**WHEREAS**, the proposed amendments have been advertised, considered, and reviewed in accordance with Pennsylvania law;

**NOW THEREFORE**, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, that the Solebury Township Code of Ordinances is **AMENDED** as follows:

**I. In Chapter 1, Part 2, 1-ADD to §1-201 the following subsection:**

- C. The Board of Supervisors may appoint up to three (3) alternate members of the Planning Commission in accordance with the requirements of Article II of the Municipalities Planning Code, 53 P.S. §10203(e).

**II. In Chapter 1, Part 2.C:**

**A. ADD to Section 1-223** a Subsection Heading “A” before the existing paragraph and **ADD** the following Subsection B:

B. Associate members. The Board of Supervisors may appoint up to three (3) nonvoting associate members to the committee to serve a one-year term. Associate members shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law, but shall not have the right to vote. Associate members shall serve their full term unless voluntarily resigned or removed by the Board of Supervisors and may be reappointed at the Board’s discretion to additional terms. Associate members shall not count as members of the Parks and Recreation Board for purposes of meeting the nine-person requirement in 53 P.S. §67204 and Section 1-221 of this Part. Associate members shall abide by the Township’s Ethics Policy.

**B. Section 1-222, ADD** after the existing paragraph, the following sentence: “Associate members are not entitled to be reimbursed for expenses incurred in performing their duties.”

**III. In Chapter 1, Part 2. D:**

**A. In Section 1-232 ADD** a Subsection Heading “A” before the existing paragraph and **ADD** the following Subsection B:

B. Associate members. The Board of Supervisors may appoint up to three (3) nonvoting associate members to the committee to serve a one-year term. Associate members shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law, but shall not have the right to vote. Associate members shall serve their full term unless voluntarily resigned or removed by the Board of Supervisors and may be reappointed at the Board’s discretion to additional terms. Associate members shall not count as members of the Farm Committee for purposes of the seven-person maximum. The

majority of associate members shall be involved in agriculture. Associate members shall abide by the Township's Ethics Policy.

**B. Section 1-222, ADD** after the existing paragraph, the following sentence:  
“Associate members are not entitled to be reimbursed for expenses incurred in performing their duties.”

**IV. ADD** to Chapter 11, Section 11-104.1 regarding the Historical Architectural Review Board the following:

E. The Board of Supervisors may appoint up to three (3) nonvoting associate members to the Board to serve a one-year term. The associate members shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law, but shall not have the right to vote. Associate members shall either be registered architects, licensed real estate brokers, building inspectors, reside in a historic district, or otherwise qualified as determined by the Board of Supervisors. Associate members may not serve as HARB designees for purposes of the fast-track applications.

F. Associate members shall serve their full term unless voluntarily resigned or removed by the Board of Supervisors. Associate members may be reappointed to additional terms at the discretion of the Board. The position of any associate member of the Board residing in Solebury Township at the time of his appointment who thereafter moves his residence from the Township shall automatically be vacant.

**V. Partial Repealer**

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

**VI. Severability**

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

**VII. Effective Date**

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

**ORDAINED AND ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

BOARD OF SUPERVISORS OF SOLEBURY  
TOWNSHIP, BUCKS COUNTY,  
PENNSYLVANIA

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Mark Baum Baicker, Chair

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Kevin Morrissey, Vice-Chair

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Noel Barrett, Member

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Robert McEwan, Member

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John S. Francis, Member

Attest:

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Catherine Cataldi, Township Secretary