

ORDINANCE NO. 140 – 2002

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING AND SUPPLEMENTING ARTICLE I ENTITLED AUTHORITY, TITLE AND PURPOSE OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF TILDEN TOWNSHIP SO AS TO ADOPT THE REGULATIONS OF THE MUNICIPALITIES PLANNING CODE FOR THE CREATION, APPOINTMENT AND TERM OF THE TILDEN TOWNSHIP PLANNING COMMISSION; TO DECREASE THE TERMS OF THE MEMBERS FROM FIVE YEARS TO FOUR YEARS; TO AUTHORIZE MEMBERSHIP; TO AUTHORIZE THE FILLING OF VACANCIES; TO PROVIDE FOR THE REMOVAL FROM MEMBERSHIP; TO ESTABLISH THE POWERS AND DUTIES; TO ENTITLE MEMBERS TO RECEIVE COMPENSATION; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, the Board of Supervisors of the Township of Tilden(the “Board of Supervisors”), Berks County, Pennsylvania,. by appropriate action, being Ordinance No. 6-1965, amended by Ordinance No. 35-1974, heretofore caused to be created and established, the Tilden Township Planning Commission (the “Planning Commission”) under the provisions of the Second Class Township Code, as amended and supplemented (the "Second Class Township Code"); and

WHEREAS, the Planning Commission presently is organized and existing under provisions of the said Second Class Township Code; and

WHEREAS, the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended (the “Municipalities Planning Code”) provides, among other things, for the establishment, regulation of the terms and authority of Planning Agencies and members; and

WHEREAS, the Board of Supervisors, being the governing authority of the Planning Commission, desire to amend the Subdivision and Land Development Ordinance to reflect said regulation of the Planning Commission in compliance with the Municipalities Planning Code.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, as follows:

SECTION 1. Article I entitled "Authority, Title and Purpose" of the Subdivision and Land Development Ordinance of the Township of Tilden of 1991, as amended, is hereby amended and supplemented to include the following in the heading:

"Article I. Authority, Title, Purpose and Planning Commission."

SECTION 2. Article I entitled "Authority, Title and Purpose" of the Subdivision and Land Development Ordinance of the Township of Tilden of 1991, as amended, is hereby amended and supplemented to include the following new sections:

"1.50. Creation of Planning Commission.

The creation of the Tilden Township Planning Commission, consisting of five (5) members, is hereby confirmed as established in Ordinance No. 6-1965.

1.51. All members of the Planning Commission shall be appointed by the Board of Supervisors.

1.52 The term of each of the members of the Planning Commission shall be for four (4) years, or until his successor is appointed and qualified, except that the terms of the presently seated members shall be fixed pursuant to this Ordinance as follows:

1<sup>st</sup> member      Term begins January 7, 2003    Term ends January 5, 2004

2<sup>nd</sup> member      Term begins January 7, 2003    Term ends January 3, 2005

3<sup>rd</sup> member      Term begins January 7, 2003    Term ends January 2, 2006

4<sup>th</sup> member      Term begins January 7, 2003    Term ends January 2, 2007

5<sup>th</sup> member      Term begins January 7, 2003    Term ends January 2, 2007

Each successive term shall be for four years and commence the morning of the first day after appointment or reappointment of each respective member by the Board of Supervisors at the Supervisors' annual reorganization meeting and shall expire at midnight of the day on which appointment or reappointment is made for a new member or new term.

The Chairman of the Planning Commission shall promptly notify the Board of Supervisors concerning vacancies of the Planning Commission, and such vacancy shall be filled for the unexpired term. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term according to the terms of this Ordinance.

- 1.53 All of the members of the Planning Commission shall be residents of the municipality. At least three (3) members of the Planning Commission shall not be officers or employees of Tilden Township and shall be designated as citizen members.
- 1.54 Any member of the Planning Commission, once qualified and appointed, may be removed from office 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. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

1.55 The Planning Commission shall organize as provided in the Municipalities Planning Code and shall have the powers and duties as are prescribed therein.

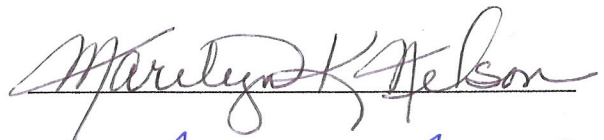
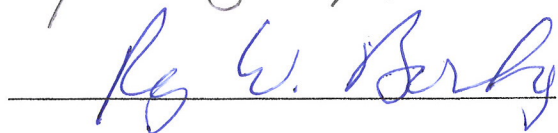
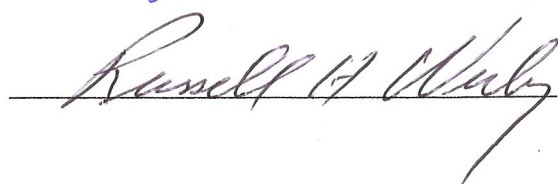
1.56 The Planning Commission shall be entitled to receive compensation as determined, from time to time, by the Board of Supervisors, by Resolution.”

SECTION 2. All ordinances or parts of ordinances, insofar as the same shall be inconsistent herewith shall be and the same hereby expressly are repealed.

SECTION 3. This Ordinance shall become effective five (5) days following the date of adoption.

DULY ENACTED AND ORDAINED into law by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, in lawful session duly assembled, this 17<sup>th</sup> day of August, 2002.

TOWNSHIP OF TILDEN  
BOARD OF SUPERVISORS

Attest: Anna M. Shallenburger

Secretary

MUNICIPAL CERTIFICATION

I, Anna M. Shollenberger, Secretary of TILDEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance 140, 2002 was advertised in the Reading Eagle/Times, a daily newspaper of general circulation in the Township of Tilden, on July 22 and 29, 2002, and was duly enacted and approved as set forth at a Regular Meeting of the Board of Supervisors held on August 17, 2002.

(SEAL)

Anna M. Shollenberger

Secretary

Date: August 17, 2002