

ORDINANCE NO. 181,2007

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, CREATING AN ENVIRONMENTAL ADVISORY COUNCIL, PROVIDING OPERATING PROCEDURES, AND STATING THE POWERS OF THE COUNCIL.

WHEREAS, the Board of Supervisors ("Board") of the Township of Tilden, Berks County, Pennsylvania ("Township"), deems it to be in the best interest and to benefit the general welfare of the citizens and residents of the Township to be advised as to: environmental issues within the Township; protection and preservation of natural resources within the Township; possible uses of open land in the Township; and establishing inventories of natural areas with unique features within the Township; and

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103 No. 69, as amended by the Act of Nov. 9, 1995, P.L. 350, No. 60, found at 53 P.S. Section 66506, entitled "General Powers", authorizes the Board to make and adopt ordinances necessary for the proper management, care, and control of the Township and the maintenance of peace, good government, health and welfare of the Township; and

WHEREAS, Section 11501 of the Act of Dec. 21, 1973, P.L. 425, No. 148, Chapter 30C - Environmental Advisory Councils - authorizes the governing body of any township to establish, by ordinance, an Environmental Advisory Council to advise other local government agencies, including, but no limited to, the planning commission, park and recreation board, and elected officials, on matters dealing with protection, conservation, management, promotion, and use of natural resources, including air, land and water resources, located within its territorial limits.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1. Part 3, entitled "Administration and Government" of the Township of Tilden Code of Ordinances is hereby amended by adding thereto the following new Subpart:

"Subpart C. Tilden Township Environmental Advisory Council.

Section 320. Creation of Environmental Advisory Council. An advisory council to be known as the Tilden Township Environmental

Advisory Council ("Council") is hereby created and shall continue to function until this ordinance is repealed.

Section 321. Number of Council Members. The Council shall be composed of five members at least three of whom shall be residents and the other two of whom shall own property in the Township. The Council may consist of five residents but may contain two property owners.

Section 322. Appointment of Members. Council members shall be appointed in accordance with the following procedures:

- (a) All Council members shall be appointed by the Board.
- (b) Council members' terms of office shall expire on the first Monday in (January) following the last year of their term of office.
- (c) Duly appointed Council members shall serve a term of three years, except that initial appointments shall be so staggered that the terms of approximately one-third of the Council members shall expire each year.
- (d) Whenever possible, one Council member shall also be a member of the Township planning commission.

Section 323. Members Compliance. All members are to comply with the Pennsylvania Ethics Law, Act 170 of 1978, as amended, and the conflicts of interest policies under the Bylaws of the Berks County EAC.

Section 324. Compensation. Council members shall receive no compensation for their services, but may be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties, with the approval of the Board.

Section 325. Advisory Authority. The Council shall be advisory to, and shall coordinate its activities with, the Board, the Township Planning Commission, the Township Park and Recreation Board, and other local governmental boards and agencies.

Section 326. Officers. The members of the Council shall designate the chairman, vice chairman and secretary of the Council.

Section 327. Powers of Council. The Council shall have the following powers:

(a) Identify environmental issues affecting the Township, the areas surrounding the Township, and the Township's residents.

(b) Recommend plans and programs to the appropriate agencies for promotion and conservation of natural resources and for the protection and improvement of the quality of the environment within the Township and the areas surrounding the Township.

(c) Make recommendations as to the possible use of open land areas within the Township.

(d) Promote a community environmental program.

(e) Keep an index of all open areas, publicly or privately owned, including, but not limited to, flood prone areas, swamps, and unique natural areas.

(f) Advise the appropriate local governmental agencies in the acquisition of real property within the Township.

(g) To undertake such environmental tasks as requested by the Board, and/or to propose environmental issues that the Council considers to be significant to be undertaken within the community.

(h) The Council shall operate in accordance with the Bylaws of the Council as approved and amended from time to time by the Board.

Section 328. Council Records. The Council shall keep records of its meetings and activities and shall make an annual report to the Board which shall be made publicly available. Minutes of each meeting of the Council shall be forwarded to the Board.

Section 329. Expenses. The Board may, from time to time, appropriate funds for expenses to be incurred by the Council."

SECTION 2. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed, but only to the extent of such inconsistency. In all other respects the existing ordinances of the Township shall remain in full force and effect.

SECTION 3. If any section, subsection, sentence or clause of this Ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall become effective five (5) days after enactment as provided by law.

SECTION 5. The Code of Ordinances, as amended, of the Township of Tilden, Berks County, Pennsylvania, shall be and remain unchanged and in full effect except as amended, supplemented and/or modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances, as amended, of the Township of Tilden, Berks County, Pennsylvania, upon adoption.

ORDAINED and ENACTED this 10th day of November, 2007.

TILDEN TOWNSHIP  
BOARD OF SUPERVISORS

Troy R. Watt  
Burnell Hill  
Judy E. Romig

11/10 Certified to be a true and correct copy of Ordinance No. 181,2002 adopted  
\_\_\_\_\_, 2007.

Cheryl A. Haus  
Secretary

SEAL