

OFFICIAL**BOROUGH OF FOREST HILLS
ORDINANCE NO. 1120**

AN ORDINANCE OF THE BOROUGH OF FOREST HILLS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 1, PART 6, OF THE FOREST HILLS BOROUGH CODE OF ORDINANCES, ADMINISTRATION AND GOVERNMENT, AS AMENDED, TO REPEAL AND RESTATE SECTIONS 1-601 – 1-605, PLANNING COMMISSION, IN ITS ENTIRETY TO REESTABLISH THE PLANNING COMMISSION OF THE BOROUGH, ITS POWERS, AND DUTIES.

WHEREAS, Section 10201 of the Pennsylvania Municipalities Planning Code, 53 P.S. §§ 10101 *et seq.* (“MPC”) authorizes the Borough of Forest Hills (the “Borough”) to establish a Planning Commission; and

WHEREAS, the Borough on January 16, 2008, by Ordinance Number 976, codified as Sections 1-601 – 1-605 of the Borough of Forest Hills Code of Ordinances, as amended, did establish a Planning Commission for the Borough; and

WHEREAS, Borough Council, in consultation with the Borough Solicitor has reviewed the provisions, Sections 1-601 – 1-605, regarding the Planning Commission, and has determined it is in the best interest of the Borough to revise the same in accordance with the MPC.

NOW, THEREFORE, the Council of the Borough of Forest Hills hereby ordains and enacts as follows:

SECTION 1. Sections 1-601 – 1-605, Chapter 1 of the Forest Hills Borough Code of Ordinances, Administration and Government, is repealed in its entirety and restated with the following:

§ 1-601 Composition; Terms; Vacancy; Qualification; Compensation.

There is hereby created a Borough Planning Commission consisting of five (5) persons to be appointed by Council. Each member of the Commission shall be appointed for a term of four (4) years. An appointment to fill a vacancy shall be only for the unexpired portion of the term. All members of the Commission shall reside within the Borough, and no more than two (2) members may be officers or employees of the Borough. All members shall serve without compensation.

§ 1-602 Conduct of Business; Annual Report.

The Commission shall elect a chair and vice-chair and such other officers as it determines necessary. Officers shall serve annual terms and may succeed themselves. The Commission may make and alter rules and regulations for its own organization and procedure, consistent with the ordinances of the Borough and the laws of the Commonwealth. The Commission shall make a report by March 1st of each year to the Council of its activities and transactions.

§ 1-603 Powers to Employ and Contract.

The Commission may employ persons whose salaries and wages and other necessary expenses of the Commission are approved by Council. They may contract for professional services, the costs and expenses of which, when approved by Council, shall be provided for through proper appropriation by Council.

§ 1-604 Jurisdiction and Powers.

The Borough Planning Commission shall have the powers and duties as provided by the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101 *et seq.*, as amended (hereinafter, the "MPC"), as if fully set forth herein, this Code, or other ordinances adopted by the Borough.

- (1) The Borough Planning Commission shall, at the request of the Borough Council, have the power and shall be required to:
 - a. Prepare the comprehensive plan for the development of the municipality as set forth in the MPC and present it for the consideration of Borough Council.
 - b. Maintain and keep on file records of its action. All records and files of the planning agency shall be in the possession of the Borough Council.
- (2) The Borough Planning Commission at the request of Borough Council may:
 - a. Make recommendations to Borough Council concerning the adoption or amendment of an official map.
 - b. Prepare and present to Borough Council a zoning ordinance and make recommendations to Borough Council on proposed amendments to it, as set forth in the MPC.
 - c. Prepare, recommend and administer subdivision and land development and planned residential development regulations, as set forth in the MPC.
 - d. Prepare and present to Borough Council a building code and a housing code and make recommendations concerning proposed amendments thereto.
 - e. Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by the MPC.
 - f. Prepare and present to the Borough Council an environmental study.
 - g. Submit to Borough Council a recommended capital improvements program.
 - h. Prepare and present to Borough Council a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
 - i. Promote public interest in, and understanding of, the comprehensive plan and planning.
 - j. Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
 - k. Hold public hearings and meetings.
 - l. Present testimony before any board.
 - m. Require from other departments and agencies of the Borough such available information as relates to the work of the planning agency.
 - n. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.
 - o. Prepare and present to Borough Council a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the Borough.

- p. Review the zoning ordinance, subdivision, and land development ordinance, official map, provisions for planned residential development, and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan or every five (5) years.

§ 1-605 Assignment of Additional Duties and Responsibilities.

The Borough Planning Commission shall have such other duties and responsibilities as may be assigned to it from time to time by appropriate action of the General Assembly of the Commonwealth of Pennsylvania and/or Council of Forest Hills Borough.

- (1) Borough Council assigns the Borough Planning Commission the following additional duties and responsibilities:
 - a. The Borough Planning Commission shall work with other borough committees and groups and its members shall be aware of and respect the powers and duties granted to other boards and committees established by Borough Council to avoid duplication of effort.
 - b. The Borough Planning Commission's advice and recommendation will be taken into consideration by Borough Council prior to motions or actions taken involving matters under the scope of the Planning Commission's responsibilities when such advice is available to Council.
 - c. Borough Planning Commission Members are encouraged to attend Borough Council meetings and shall receive via email the agendas of Borough Planning Commission and Borough Council meetings that require their input.
 - d. If by reason of absence, recusal, or disqualification of a member or members, a quorum or a full complement of members is not reached, the Chairperson of the Planning Commission shall designate as many alternate members to sit on the Planning Commission as may be needed to provide a quorum or a full complement of members. Any alternate member shall continue to serve on the Planning Commission only so long as deemed necessary by the Chairperson. When seated pursuant to the provisions of this section, an alternate shall be entitled to participate in all proceedings and discussions of the Planning Commission to the same and full extent as provided by law for Planning Commission members, including specifically the right to cast a vote as a voting member and shall have all the powers and duties set forth in this section and as otherwise provided by law. Any alternate may participate in any proceeding or discussion of the Planning Commission but shall not be entitled to vote as a member unless designated as a voting alternate member by the Chairperson pursuant to this section.

§ 1-606 Removal.

Any member of the Borough 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 Borough Council 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 requests it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

SECTION 2. All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

SECTION 3. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and **ENACTED** this 19th day of June, 2024, by the Council of the Borough of Forest Hills in lawful session duly assembled.

SIGNATURE PAGE TO FOLLOW

ATTEST:

BOROUGH OF FOREST HILLS



Seth Abrams
Borough Manager
(SEAL)

By: *Barbara Martin*

Barbara Martin
President, Borough Council

EXAMINED and APPROVED this 14th day of August, 2024.



Frank Porco, Jr.
Mayor