

HALFMOON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2023- 01

AN ORDINANCE OF HALFMOON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA,
AMENDING CHAPTER 48 OF THE CODE OF THE TOWNSHIP OF HALFMOON
ESTABLISHING THE NUMBER OF PLANNING COMMISSION MEMBERS FOR
HALFMOON TOWNSHIP IN ACCORDANCE WITH THE PENNSYLVANIA
MUNICIPALITIES PLANNING CODE

WHEREAS, the Pennsylvania Municipalities Planning Code (“MPC”) provides that if the governing body of any municipality shall elect to create a planning commission, such commission shall have not less than three nor more than nine members, 53 P.S. § 10202; and

WHEREAS, the governing body may appoint at least one but no more than three residents of the municipality to serve as alternate members of the planning commission, 53 P.S. § 10203; and

WHEREAS, the Township of Halfmoon has established a Planning Commission which operates in accordance with the MPC; and

WHEREAS, Chapter 48, Section 3 of the Code of the Township of Halfmoon (the “Code”) provides that there shall be no less than five and no more than seven regular members of the Planning Commission appointed by the Board of Supervisors of Halfmoon Township; and

WHEREAS, the Board of Supervisors of the Township of Halfmoon deems it to be in the best interest and general welfare of the citizens and residents of the Township to amend Chapter 48, Section 3 of the Code to establish the composition of its Planning Commission at five (5) member plus two (2) alternate members.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Halfmoon Township, Centre County, Pennsylvania, and it is enacted and ordained as follows:

SECTION 1. The above recitals are incorporated herein by reference.

SECTION 2. Chapter 48, Section 3 of the Code, entitled “Membership,” is hereby amended by replacing Section 3 in its entirety with the following:

§48-3. Membership.

The Planning Commission shall be composed of five (5) members, appointed by the Board of Supervisors of Halfmoon Township in accordance with Section 202 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10202. In addition to

regular members, the Board of Supervisors is authorized to appoint up to two (2) alternate members. Alternates may attend meetings and take part in all discussions but shall only vote due to a regular member's absence, in accordance with the relevant provisions of the MPC.

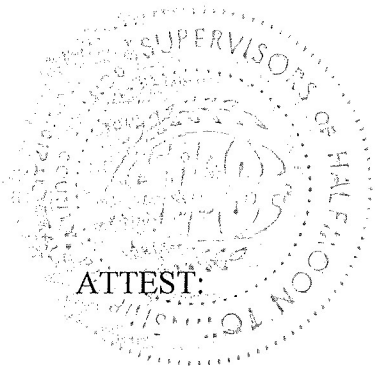
SECTION 3. Repealer. All provisions of previous ordinances of the Code, which are contrary to this Ordinance, are expressly repealed.

SECTION 4. Savings Clause. In all other respects, the Code shall remain as previously enacted and ordained.

SECTION 5. Severability. If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 6. Effective Date. This Ordinance shall take effect in accordance with law.

ENACTED, ORDAINED and APPROVED this 23 day of February, 2023.



Amym Smith
Township Secretary

**HALFMOON TOWNSHIP
BOARD OF SUPERVISORS**

Paul C. [Signature]