

**LOWER MACUNGIE TOWNSHIP  
Lehigh County, Pennsylvania**

**ORDINANCE NO. 2023-01  
(Duly Adopted February 16, 2023)**

**AN ORDINANCE AMENDING LOWER MACUNGIE  
TOWNSHIP CODE CHAPTER 1, ADMINISTRATION AND  
GOVERNMENT, PART 2, BOARDS, COMMISSIONS AND  
COUNCILS, SECTION 1-212, PLANNING COMMISSION,  
TO REDUCE THE NUMBER OF PLANNING  
COMMISSION MEMBERS FROM SEVEN TO FIVE, TO  
REVISE THE RESTRICTIONS ON MEMBERSHIP ON THE  
COMMISSION, AND TO REVISE THE REQUIREMENTS  
FOR THE COMMISSION'S RULES OF PROCEDURE.**

NOW, THEREFORE, it is hereby ENACTED and ORDAINED by the Lower Macungie Township Board of Commissioners as follows:

**Section 1.** The Code of Lower Macungie Township, Chapter 1, "Administration and Government," Part 2, "Boards, Commissions and Councils," Section 1-212, "Planning Commission," shall be amended to reduce the number of Planning Commission members from seven (7) to five (5), and to revise subpart 3, subpart 6, and subpart 7 to read as follows:

§ 1-212. Planning Commission.

\* \* \*

3. Membership; Terms of Office.

A. The Planning Commission shall consist of five members who shall be appointed by the Board of Commissioners for a term of office of four years or until their successors are appointed and qualified.

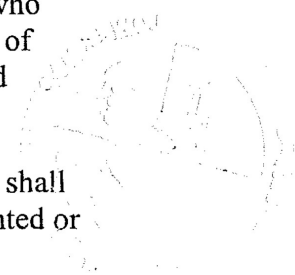
B. The terms of office of the Planning Commission members shall be so fixed that not more than two members shall be reappointed or replaced during any future calendar year.

C. Present members of the Planning Commission shall continue in office until the end of the term for which they were appointed and, thereafter, shall be reappointed or replaced as hereinbefore provided.

\* \* \*

6. Restrictions. No member of the Planning Commission shall be a current officer or employee of the Township.

LMT00005



LMT00005

7. Rules of Procedure. The Planning Commission shall elect its own chairman and create and fill such other offices as it may deem necessary. The Commission may make and alter rules for its procedures consistent with the ordinances of the Township and the laws of the Commonwealth of Pennsylvania. It shall keep a record of its transactions, findings and determinations, which record shall be a public document. The Commission shall incur only such expenditures as shall be necessary and proper, and all such expenditures shall be authorized by the Board of Commissioners and shall be within amounts appropriated by the Board of Commissioners or made available to the Commission by the Board of Commissioners from other sources.

**Section 2.** Nothing in this Ordinance or in Chapter 1 of the Code of the Lower Macungie Township, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 1 prior to the adoption of this amendment.


**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

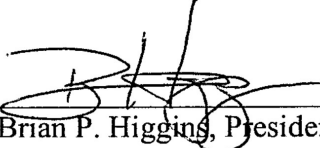
**Section 4.** This Ordinance is effective immediately upon enactment.

**ENACTED and ORDAINED** this 16<sup>th</sup> day of February, 2023.

LOWER MACUNGIE TOWNSHIP  
BOARD OF COMMISSIONERS

ATTEST:

  
\_\_\_\_\_  
Bruce R. Beitel, Manager

  
\_\_\_\_\_  
Brian P. Higgins, President

	Motion	2nd	Yes	No	Abstain
R. Beitler		✓	✓		
B. Higgins			✓		
M. Robert	✓		✓		
B. Shoemaker			✓		
R. Ward	-	-	-	-	-