

**MOUNT JOY TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2024-2

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, AMENDING ARTICLE 4, "SPECIFIC REQUIREMENTS," OF CHAPTER 110, "ZONING," OF THE CODE OF MOUNT JOY TOWNSHIP TO REMOVE CERTAIN TIME EXTENSION PROVISIONS RELATING TO SOLAR ENERGY SYSTEMS

WHEREAS, Mount Joy Township (the "Township") is governed by Pennsylvania's Second Class Township Code, 53 P.S. § 65101, *et seq.*, and must comply with Pennsylvania's Municipalities Planning Code, 53 P.S. § 10101, *et seq.*; and

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code entitled "Zoning," 53 P.S. § 10601, *et seq.*, authorizes the Township to enact, amend and repeal Zoning Ordinances within the Township; and

WHEREAS, Section 609 of the MPC, 53 P.S. § 10609, sets forth the procedures for zoning ordinance amendments; and

WHEREAS, the Mount Joy Township Zoning Ordinance, codified as Chapter 110 of the Code of the Township of Mount Joy, was last amended on March 17, 2022 by Ordinance 2022-03; and

WHEREAS, the Board of Supervisors of Mount Joy Township desires to amend Article 4, Specific Requirements, of the Mount Joy Township Zoning Ordinance to remove the extension of period of time for completion of a Solar Energy System as a specific use; and

WHEREAS, the Board of Supervisors of Mount Joy Township deems it to be in the best interest and general welfare of the citizens and residents of the Township to update and amend certain provisions of the Zoning Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Mount Joy Township, Adams County, Pennsylvania, as follows:

SECTION 1. Recitals. The above recitals are incorporated herein.

SECTION 2. Amendment to the Mount Joy Township Zoning Ordinance. Chapter 110, Zoning, of the Code of Mount Joy Township is hereby amended by removing the following language from Article 4, Specific Requirements, Section 110-402(MM) Solar Energy System:

(21) Milestones

- a. ~~If a conditional use applicant for a Solar Energy System believes the project will take more than one year to market and construct from the date of granting of the approval, the applicant may submit a schedule of milestones that it intends to complete, not to exceed a total of four years.~~
- b. ~~If a conditional use is approved for a Solar Energy System that includes milestones to be completed beyond one year, the approval shall only expire if the applicant, or its assigns, has not completed the milestones submitted and approved with its application within the necessary timeframes or the project is not established, erected or substantially completed within four years after the grant of the conditional use; provided, however, that the Board of Supervisors may grant no more than three extensions of six months beyond any of the expiration periods, upon finding that the applicant has acted with due diligence and reasonable grounds exist for such extension.~~

SECTION 3. Repealer. All prior ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent they are inconsistent with this Ordinance.

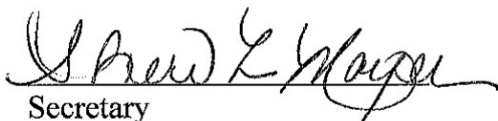
SECTION 4. Savings Clause. Except as expressly amended, nothing herein shall be deemed to affect or alter any other provision of the Mount Joy Township Code. In all other respects, the Township Ordinances shall remain as previously enacted and ordained.

SECTION 5. Severability. If any Section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be illegal or invalid by any court or administrative agency of competent jurisdiction, such illegal or invalid portion or provision shall be severable and shall not affect or impair any remaining portion of this Ordinance and Chapter, which shall remain in full force and effect.


SECTION 6. Effective Date. This Ordinance shall be effective immediately.

DULY ENACTED AND ORDAINED this 18th day of April, 2024 by the Board of Supervisors of the Township of Mount Joy, Adams County, Pennsylvania, in lawful session duly assembled.

ATTEST:


Secretary

MOUNT JOY TOWNSHIP


Christine Demas, Chair

