

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 3101

AN ORDINANCE OF UPPER DARBY TOWNSHIP ESTABLISHING A PLANNING COMMISSION UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE ACT 247 OF 1968, P.L. 805, AS REENACTED AND AMENDED, 53 P.S. § 10101, ET SEQ.

WHEREAS, Upper Darby Township relies solely on the Delaware County Planning Commission to assist with its planning; and

WHEREAS, Upper Darby Township Council has a desire to create and establish its own Planning Commission under the provisions of the Pennsylvania Municipalities Planning Code Act 247 of 1968, P.L. 805, as reenacted and amended, 53 P.S. § 10101, et seq.; and

NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Upper Darby Township Council as follows:

Section 1. That the Upper Darby Township Council of Delaware County hereby signifies its intention and desire to organize a Planning Commission under the provisions of Article III of the Pennsylvania Municipalities Planning Code ("MPC").

Section 2. The Planning Commission shall consist of five (5) with two (2) alternates, all of whom shall be residents of Upper Darby Township.

- A. Term of Office. The term of office of the members shall be four (4) years and should expire on December 31st or until a successor is appointed, except that the terms of the members first appointed shall be so fixed that no more than two (2) shall be reappointed during any future calendar year. In the event of vacancies, the Mayor shall appoint, with the approval of six (6) members of Council, a member to fill the unexpired term.
- B. Appointment of Members. The members of the Planning Commission shall be appointed by the Mayor with the approval of six (6) members of Council by resolution which shall also state the term to be filled by each planning commissioner.

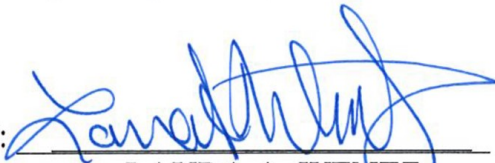
Section 3. Duties of the Planning Commission.

- A. The planning commission shall, at the request of the Mayor, have the power and shall be required to prepare the comprehensive plan for the development of the Township as set forth in the MPC and present it for the consideration of Council.
- B. The planning commission shall maintain and keep on file records of its actions. All records and files of the planning commission shall be in the possession of the Department of Licenses and Inspection.
- C. The planning commission at the request of the Mayor may:
 - 1. Make recommendations to the governing body concerning the adoption or amendment of an official map.
 - 2. Prepare and present to the Township Council a zoning ordinance, and make recommendations to the Township Council on proposed amendments to it.
 - 3. Prepare, recommend and administer subdivision and land development and planned residential development regulations.
 - 4. Prepare and present to the Township Council a building code and a housing code and make recommendations concerning proposed amendments thereto.
 - 5. Do such other acts or make studies as may be necessary to fulfill the duties and obligations imposed by the MPC.
 - 6. Prepare and present to the Township Council an environmental study.
 - 7. Submit to the Mayor or his or her designee recommendations for the Township's capital improvements program.
 - 8. Prepare and present to the Township 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.
 - 9. Promote public interest in, and understanding of, the comprehensive plan and planning.
 - 10. Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
 - 11. Hold public hearings and meetings.
 - 12. Present testimony before any board.
 - 13. Require from other departments and agencies of the Township such available information as relates to the work of the planning agency.
 - 14. In the performance of its functions, enter upon any land to make examinations and land surveys with the consent of the owner.
 - 15. Prepare and present to the governing body a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the Township.
 - 16. 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.

Section 4. The planning commission may, with the consent of the Mayor, accept and utilize any funds, personnel or other assistance made available by the county, the commonwealth, or the federal government, or any of their agencies, or from private sources. Mayor, or his or her designee, may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance in accordance with Township procedures.

Section 5. All other resolutions and ordinances or parts thereof, inconsistent herewith, are hereby repealed.

ENACTED and ORDAINED this 22nd day of September, 2021

BY: 

LAURA A. WENTZ
President of Council

ATTEST: 

MICHELLE BILLUPS
Secretary of Council

APPROVED this 22nd day of September, 2021

BY: 

BARBARANN KEFFER
Mayor

ATTEST: 

VINCENT A. RONGIONE, ESQ.
Chief Administrative Officer