

ORDINANCE NO. 2021-02

**WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE TOWNSHIP OF WESTTOWN, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF WESTTOWN, SPECIFICALLY, PART I, ADMINISTRATION LEGISLATION, ESTABLISHING NEW CHAPTER 8, ENVIRONMENTAL ADVISORY COUNCIL, §8-1, CREATION; §8-2, MEMBERSHIP; §8-3, APPOINTMENT, LENGTH OF TERM; §8-4, COMPENSATION; §8-5, SCOPE; §8-6, FUNCTIONS; §8-7, RECORDS TO BE KEPT, ANNUAL REPORT; AND §8-8, SOURCES OF FUNDING.

WHEREAS, The Board of Supervisors of Westtown Township, Chester County, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of Township to be advised as to: environmental issues within the Township; the protection and preservation of natural resources within the Township; possible uses of open land in the Township; and creating inventories of natural areas with unique feature within the Township; and

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103 No. 69, as amended by the Act of Nov. 9, 1995, P.L. 350, No. 60, found at 53 P.S. §66506, entitled "General powers," authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care, and control of the Township and the maintenance of peace, good government, health, and welfare of the Township; and

WHEREAS, Section 2321 *et. seq.*, of the General Local Government Code authorizes the governing body of any Township to establish, by ordinance, an Environmental Advisory Council to advise other local government agencies, including, but not limited to, the planning commission, park and recreation boards, and elected officials, on matters dealing with protection, conservation, management, promotion, and use of natural resources including air, land, and water resources, located within its territorial limits.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that Part I, Administrative Legislation, of the Code of Westtown Township, as amended, shall be amended to establish new Chapter 8, Environmental Advisory Council, to read as follows:

SECTION 1. Part I, Administrative Legislation, of the Code of Westtown Township shall be amended to add new Chapter 8, Environmental Advisory Council, to read as follows:

§ 8-1. Creation.

An advisory council to be known as the "Westtown Township Environmental Advisory Council" is hereby created and shall continue to function until this Ordinance is revoked.

§ 8-2. Membership.

The Environmental Advisory Council shall be composed of seven residents of this Township.

§ 8-3. Appointment; length of term.

Council members shall be appointed in accordance with the following procedures:

- A. All council members shall be appointed by the Township Board of Supervisors.
- B. Council members' terms of office shall expire on the first Monday in January following the last year of their term of office. Members shall be eligible for reappointment at the end of their respective terms.
- C. Duly appointed Council members shall serve a term of three years, except that initial appointments shall be so staggered that the terms of approximately one-third of the membership shall expire each year, pursuant to a Resolution which will (i) establish the initial number of Council members, (ii) appoint the initial members and (iii) designate the various terms for each initial member.
- D. Whenever possible, one member shall also be a member of the Township Planning Commission.
- E. The Board of Supervisors shall designate the chairman of the council.

§ 8-4. Compensation.

Council members shall receive no compensation for their services, but may be reimbursed for authorized expenses actually and necessarily incurred by them in the performance of their duties.

§ 8-5. Scope.

The Environmental Advisory Council is to be advisory to the Board of Supervisors and shall coordinate its activities with the Township Manager or his/her designee.

§ 8-6. Functions.

The Environmental Advisory Council shall have the following powers:

- A. Identify environmental problems, issues, or matters of concern.
- B. Recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within the area of the Township.
- C. Make recommendations as to the possible use of open land areas of the Township.

- D. Promote a community environmental program.
- E. Keep an index of all open areas, publicly or privately owned, including, but not limited to, flood prone areas, wetlands, swamps, and other unique natural areas, including but not limited to areas of steep slope and wooded areas.
- F. Advise the appropriate agencies of the Township in the acquisition of property, both real and personal.
- G. To undertake such environmental tasks as requested by the Township Board of Supervisors.

§ 8-7. Records to be kept; annual report.

The Environmental Advisory Council shall keep records of its meetings and activities and shall prepare an annual report of its activities.

§ 8-8. Sources of funding.

The Township Board of Supervisors may, from time to time, appropriate funds for the expenses incurred by the Council.

SECTION 2. If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

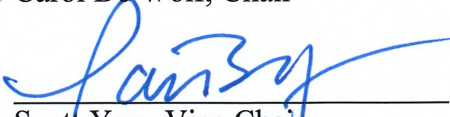
SECTION 3. All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this ordinance.

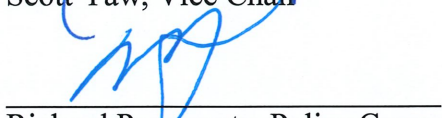
SECTION 4. This Ordinance shall take effect and be in full force and effect five (5) days from and after the date of its final passage and adoption.

ENACTED AND ORDAINED this 16TH day of FEBRUARY, 2021.

**WESTTOWN TOWNSHIP
BOARD OF SUPERVISORS**

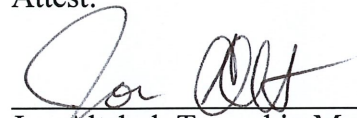


Carol De Wolf, Chair

Scott Yaw, Vice Chair

Richard Pomerantz, Police Commissioner

Attest:



Jon Altshul, Township Manager