

ORDINANCE 2026-08

AN ORDINANCE OF HEIDELBERG TOWNSHIP, YORK COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 5, AN ORDINANCE ESTABLISHING A TOWNSHIP PLANNING COMMISSION

WHEREAS, Heidelberg Township, York County, Pennsylvania is a township of the second class, organized and existing pursuant to Pennsylvania's Second Class Township Code, 53 P.S. § 65101, *et seq.*; and

WHEREAS, on January 6, 1964, the Board of Supervisors of Heidelberg Township, York County, Pennsylvania, enacted Ordinance No. 5, which established the Township's Planning Commission; and

WHEREAS, the Board of Supervisors wish to amend Ordinance No. 5, to more specifically update the responsibilities of the Township's Planning Commission, establish alternate members, and provide for compensation; and

NOW THEREFORE, the Board of Supervisors of Heidelberg Township, York County, Pennsylvania, enacts and ordains as follows:

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

SECTION 2: Enactment.

A. The Heidelberg Planning Commission shall consist of five (5) members, all of whom shall be residents of Heidelberg Township. Three (3) of such members shall be citizen members that do not serve as officers or employees of Heidelberg Township. The term of office of Planning Commission members shall be four (4) years and should expire on December 31 or until a successor is appointed. In the event of vacancies, the Township Board of Supervisors shall appoint a member to fill the unexpired term. The members of the Heidelberg Planning Commission shall be appointed by Resolution of the Board of Supervisors, which shall also state the term to be filled by each Planning Commission member.

B. The Board of Supervisors may appoint by resolution at least one (1), but no more than three (3) residents of Heidelberg Township to serve as alternate members of the Heidelberg Planning Commission. The term of office of an alternate member shall be four (4) years. Alternates shall not serve as a member of the zoning hearing board or as a zoning officer. Any alternate may participate in any proceeding or discussion of the Planning Commission but shall not be entitled to vote as a member of the Planning Commission nor be reimbursed unless designated as a voting alternate member in accordance with the Municipalities Planning Code, 53 P.S. § 10101, *et seq.*

C. Except for elected or appointed officers or employees of Heidelberg Township, members of the Heidelberg Planning Commission may receive compensation in an amount fixed by the Township Board of Supervisors. Compensation shall not exceed the rate of compensation

authorized to be paid to members of the Board of Supervisors. Without exception, members of the Township Planning Commission may be reimbursed for necessary and reasonable expenses. However, elected or appointed officers or employees of Heidelberg Township shall not, by reason of membership thereon, forfeit the right to exercise the powers, perform the duties or receive the compensations of the municipal offices held by them during such membership.

D. The Heidelberg Planning Commission at the request of the Board of Supervisors may:

1. Make recommendations to the governing body concerning the adoption or amendment of an official map.
2. Prepare and present to the governing body of the municipality a zoning ordinance, and make recommendations to the governing body 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 governing body of the municipality 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 governing body of the municipality an environmental study.
7. Submit to the governing body of a municipality a recommended capital improvements program.
8. Prepare and present to the governing body of the municipality 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 municipality 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 municipality.
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.

E. Any member of the Heidelberg Planning Commission once qualified and appointed may be removed from office for malfeasance, misfeasance, or nonfeasance in office or for other just cause by a majority vote of the Township Board of Supervisors taken after the Planning Commission member has received fifteen (15) days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

F. The Heidelberg Planning Commission shall elect its own Chair and Vice-Chair and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves. The Planning Commission may make and alter bylaws and rules and regulations to govern its procedures consistent with the ordinances of Heidelberg Township and the laws of the Commonwealth of Pennsylvania. The Planning Commission shall keep a full record of its business and shall annually make a written report of its activities to the Township Board of Supervisors, who may additionally request interim reports be made as often as necessary or requested.

G. The Chair of the Heidelberg Planning Commission may designate alternate members of the Planning Commission to substitute for any absent member or member who has recused himself or has been disqualified by the Board of Supervisors, and if, by reason of absence, recusal or disqualification of a member, a quorum is not reached, the Chair of the Planning Commission shall designate as many alternate members of the Planning Commission to site on the Planning Commission as may be needed to reach a quorum. Any alternate member of the Planning Commission shall continue to serve on the Planning Commission in all proceedings involving the matter or case for which the alternate was initially appointed until the Planning Commission has made a final decision on the matter or case. Designation of an alternate shall be made on a case-by-case basis in rotation according to declining seniority among all alternate members.

SECTION 3: Repealer. The provisions of Ordinance No. 5, which are inconsistent with this Ordinance are expressly repealed to the extent of any inconsistency.

SECTION 4: Savings Clause. In all other respects, Ordinance 5, as amended and supplemented, shall remain as enacted and ordained.

SECTION 5: Severability. The provisions of this Ordinance are severable, and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provision shall not affect or impair any remaining sections, clauses, or sentences of the same.

SECTION 6: Effective Date. This Ordinance shall become effective in accordance with law.

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Heidelberg Township this ____ day of _____, 2026 at a meeting duly and legally held at which a quorum was present.

ATTEST:

**HEIDELBERG TOWNSHIP
BOARD OF SUPERVISORS:**

Secretary

Timothy Hansen, Chairman

(SEAL)

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