

UPPER UWCHLAN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021 – 01

AN ORDINANCE AMENDING THE UPPER UWCHLAN TOWNSHIP CODE OF ORDINANCES TO ADD A NEW CHAPTER 28 IN ORDER TO ESTABLISH AN ENVIRONMENTAL ADVISORY COUNCIL TO SERVE AS AN ADVISORY BODY TO THE BOARD OF SUPERVISORS IN ORDER TO GATHER INFORMATION AND PROVIDE RECOMMENDATIONS REGARDING VARIOUS ENVIRONMENTAL ISSUES, INCLUDING THE USE OF OPEN SPACE, WAYS TO PROMOTE CONSERVATION OF NATURAL RESOURCES AND ENCOURAGING ENVIRONMENTAL PROGRAMS, ALL WITHIN THE TERRITORIAL LIMITS OF THE TOWNSHIP.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Upper Uwchlan Township the following:

SECTION 1. A new Chapter 28 is hereby adopted and included as part of the Upper Uwchlan Township Code which shall read as follows:

Chapter 28 – Environmental Advisory Council

§28-1: Creation; Authority.

The Board of Supervisors of Upper Uwchlan Township hereby establishes an ordinance creating an advisory council to be known as the “Upper Uwchlan Township Environmental Advisory Council” pursuant to Act 148, as amended (53 Pa. C.S. Sections 2321 – 2329). The Board of Supervisors of Upper Uwchlan Township may, at its discretion, disband the Environmental Advisory Council.

§28-2: Composition; Membership; Terms.

- A. Environmental Advisory Council members shall be appointed by the Board of Supervisors. The Board of Supervisors shall also fill any and all vacancies.
- B. The Environmental Advisory Council shall consist of five members who are residents of Upper Uwchlan Township. The Board of Supervisors shall designate the Chairperson of the Council. Other officers may be selected by the Council.
- C. Duly appointed Council members shall serve a term of three years, except that initial appointment shall be so staggered that the terms of approximately 1/3 of the membership shall expire each year. Council members' terms of office shall

expire at the reorganization meeting of the Board of Supervisors following the last year of their term of office.

- D. Members of the Council should have an interest in and/or experience in the areas of environmental science, ecology, preservation, recreation, or related fields, where feasible. When possible, one member of the Council shall also be a member of the Upper Uwchlan Township Planning Commission.

§28-3: Compensation.

Members of the Council shall receive no compensation for their services but may be reimbursed by the Township for certain expenses incurred in performing their duties provided such expenditures receive prior approval from the Township.

§28-4: Bylaws.

The Council may adopt bylaws with the approval of the Board of Supervisors.

§28-5: Authority of the Council.

- A. The Council shall have the power to:
 - 1) Identify environmental issues and recommend plans and programs to the appropriate municipal agencies for the promotion and conservation of natural resources and for the protection and improvement of the quality of the environment within its territorial limits.
 - 2) Make recommendations for the use of open land areas.
 - 3) Promote a community environmental program.
 - 4) Keep an index of all open space, publicly or privately owned, including flood prone areas, swamps and other unique natural areas, for the purpose of obtaining information on the proper use of those areas.
 - 5) Advise the appropriate local government agencies, including the planning commission, park and recreation board and the Board of Supervisors, on the acquisition of property, both real and personal.
- B. All recommendations of the Council shall be presented to the Township Manager who shall forward same to the Board of Supervisors.

§28-6: Minutes and Reports.

- A. The Council shall keep minutes of its meetings. A copy of the minutes shall be submitted to the Township Manager who shall forward same to the Board of Supervisors.
- B. The Council shall submit an annual report to the Board of Supervisors each calendar year as to their meetings and activities. Said report shall be made available to the public.

§28-7: Coordination of Activities

The Council is to be advisory and shall coordinate its activities with the Board of Supervisors and other boards and commissions as the Board may from time to time designate.

SECTION 2. Severability. 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 hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

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

SECTION 4. Effective Date. This Ordinance shall become effective in five days from the date of adoption.


ENACTED AND ORDAINED this 19th day of April, 2021.

ATTEST:



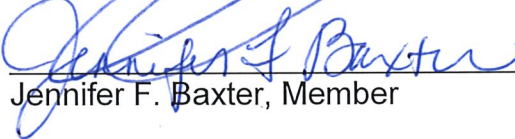
Gwen A. Jonik, Secretary

**UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS**



Sandra M. D'Amico, Chair

Jamie W. Goncharoff, Vice-Chair



Jennifer F. Baxter, Member

