

SOUTH MIDDLETON TOWNSHIP  
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 2024-05

AN ORDINANCE CREATING A  
TOWNSHIP PLANNING DEPARTMENT;  
PROVIDING FOR APPOINTMENT OF A PLANNING DEPARTMENT DIRECTOR;  
AND SETTING FORTH THE GENERAL POWERS AND DUTIES OF EACH

It is hereby enacted that the Township of South Middleton creates and appoints a Planning Department for the purpose of exercising the general powers and duties in accordance with the provisions of the Second Class Township Code, (53 P.S. § 65101, et seq.), its supplements and amendments, and Section 209.1 of the Pennsylvania Municipalities Code (Act of 1968, P.L. 805, No.247, as amended), and shall be made up of members of the Township staff.

It also is hereby enacted that the Township of South Middleton creates a Director of the Planning Department, who shall be appointed by the Board of Supervisors. The Director of Planning shall be in charge of the administration of the Department and the powers and duties that are specifically conferred upon the Planning Department by this Ordinance.

The Planning Department shall serve as the primary planning agency of the Township in accordance with the Pennsylvania Municipalities Planning Code and have the authority and responsibility to do the following:

1. Prepare, and make recommendations concerning the Comprehensive Plan for the development of the Township as set forth in Article III of the Pennsylvania Municipalities Code, and present it for the consideration of the Board of Supervisors as well as prepare and present amendments thereto.
2. Maintain and keep on file records of its reports and actions as well as those of the Planning Commission. All records and files of the Planning Department shall be in the possession of the Board of Supervisors.
3. Prepare and present to the Board of Supervisors an Official Map and related amendments; make recommendations to the governing body as set forth in Article IV of the Pennsylvania Municipalities Code.
4. Prepare and present to the Board of Supervisors a zoning ordinance and related amendments; make recommendations to the Board of Supervisors on proposed amendments to it as set forth in Article VI of the Pennsylvania Municipalities Code. Conduct various zoning and land use reviews as required or needed.
5. Prepare, recommend, and administer subdivision and land development and

- planned residential development ordinances, and related amendments, as set forth in Article V of the Pennsylvania Municipalities Code. Conducting subdivision and land development plan review in accordance with Township Plan Review Policy.
6. Prepare and present to the Board of Supervisors a building code, housing code, and related amendments; Make recommendations thereto..
  7. Where amendments to ordinances are recommended by the Planning Department, Planning Commission, or Board of Supervisors, the Planning Department may initiate draft ordinances for approval by the Board of Supervisors.
  8. Do such other acts or make such studies as may be necessary to fulfill the duties and obligations imposed by this act.
  9. Prepare and present to the Board of Supervisors an environmental study, as needed or requested by the governing body.
  10. Submit to the Board of Supervisors a recommended capital improvements program, as needed or requested by the governing body.
  11. Prepare and present to the Board of Supervisors a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission, as needed or requested by the Board of Supervisors. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed at the request of the Board of Supervisors.
  12. Promote public interest in, and understanding of, the Comprehensive Plan and planning.
  13. Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals at the request of the Board of Supervisors.
  14. Present testimony before any body, as directed.
  15. Require, with the approval of the Board of Supervisors, from other departments and agencies of the Township such available information as it relates to the work of the Planning Department.
  16. In the performance of its functions, enter upon any land to make examinations and surveys with the consent of the owner.
  17. Charge reasonable fees to cover cost of review of plans and permits in accordance with the Municipalities Planning Code and other applicable codes.
  18. Prepare and present to the Board of Supervisors a study regarding feasibility and

practicability of using renewable energy sources in specific areas within the Township, as needed or requested by the Board of Supervisors.

The above Ordinance was unanimously adopted at a regular meeting of the Board of Supervisors held on this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

BOARD OF SUPERVISORS  
SOUTH MIDDLETON TOWNSHIP

\_\_\_\_\_  
JARRETT A. SWEENEY, Secretary

\_\_\_\_\_  
WALTER G. REIGHARD, Chairperson

\_\_\_\_\_  
SHELLY L. CAPOZZI, Vice Chairperson

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R. DUFF MANWEILER

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BRYAN A. GEMBUSIA

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RONALD P. HAMILTON

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Date