

**BOARD OF SUPERVISORS
EAST MARLBOROUGH TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2018 – 1

AN ORDINANCE TO ESTABLISH, SET MEMBERSHIP REQUIREMENTS FOR, ADVISORY FUNCTIONS AND LIMITATIONS FOR, AND DUTIES OF AN ENVIRONMENTAL ADVISORY COUNCIL FOR THE TOWNSHIP, IN ACCORDANCE WITH PENNSYLVANIA ACT 148 OF 1973, AS AMENDED, 53 PENNSYLVANIA CONSOLIDATED STATUTES, 2321, et. seq.

UNDER AND BY VIRTUE OF THE AUTHORITY SET FORTH IN 53 Pa.CSA 2321, et. seq., THE BOARD OF SUPERVISORS OF EAST MARLBOROUGH TOWNSHIP DOES HEREBY ENACT AND ORDAIN THE ESTABLISHMENT OF THE "EAST MARLBOROUGH TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL," AS SET FORTH HEREINBELOW.

WHEREAS, The Board of Supervisors of East Marlborough 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; 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. Section 66506, entitled "General Powers", authorizes the Board of Township 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, 53 Pa.CSA Section 2321, et. seq. 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 ORDAINED AND ENACTED, by the Board of Supervisors of East Marlborough Township, Chester County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

Section 1. An advisory council to be known as the "East Marlborough Township Environmental Advisory Council" is hereby created and shall continue to function until this Ordinance is revoked.

Section 2. The Environmental Advisory Council shall be composed of between three and seven residents of this Township.

Section 3. Council members shall be appointed in accordance with the following procedures:

(1) All council members shall be appointed by the Township Board of Supervisors.

(2) 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.

(3) Duly appointed Council members shall serve a term of three years, except that initial appointments shall be so staggered that the terms of the members as so appointed shall variously expire on an annual basis, 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.

(4) Whenever possible, one member shall also be a member of the Township Planning Commission.

Section 4. 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.

Section 5. The Environmental Advisory Council is to be advisory to and shall coordinate its activities with the Township Manager, Board of Supervisors and Planning Commission and such other Township staff and/or officials as shall be deemed advisable.

Section 6. The Board of Supervisors shall designate the chairman of the Council.

Section 7. The Environmental Advisory Council shall have the following powers:

(1) Identify environmental problems, issues or matters of concern.

(2) 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.

(3) Make recommendations as to the possible use of open land areas of the Township.

(4) Promote a community environmental program.

(5) 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.

(6) Advise the appropriate agencies of the Township in the acquisition of property, both real and personal.

(7) To undertake such environmental tasks as requested by the Township Board of Supervisors.

Section 8. The Environmental Advisory Council shall keep records of its meetings and activities and shall make an annual report which shall be printed in the annual Township report (if applicable) or otherwise made known and available. Minutes of each meeting shall be forwarded to the Board of Supervisors by way of the Township Manager.

Section 9. The Township Board of Supervisors may, from time to time, appropriate funds for the expenses incurred by the Council.

Section 10. All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this ordinance.

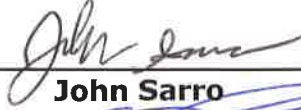
Section 11. This Ordinance shall be effective five (5) days after enactment as by law provided.

ENACTED AND ORDAINED this 9 day of July, 2018.

**BOARD OF SUPERVISORS
EAST MARLBOROUGH TOWNSHIP**



Richard P.S. Hannum



John Sarro



Christine Kimmel

Julia M. Lacy

Robert B. McKinstry, Jr.

Attest:


Laurie Prysock, Secretary