

**BOARD OF SUPERVISORS OF  
THE TOWNSHIP OF MIDDLE SMITHFIELD  
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 250**

**AN ORDINANCE AMENDING THE MIDDLE SMITHFIELD TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AT CHAPTER 170 OF THE CODE OF ORDINANCES OF MIDDLE SMITHFIELD TOWNSHIP BY ADDING DEFINITIONS AND PROVIDING FOR THE REIMBURSEMENT OF REVIEW FEES INCURRED BY FIRE CHIEFS AS PART OF THEIR REVIEW OF SUBDIVISION AND LAND DEVELOPMENT APPLICATIONS AND REDUCING THE NUMBER OF COPIES OF PLANS REQUIRED TO BE SUBMITTED FOR REVIEW.**

**WHEREAS**, Middle Smithfield Township has previously ordained and enacted an ordinance entitled the Middle Smithfield Township Subdivision and Land Development Ordinance; and

**WHEREAS**, the Municipalities Planning Code permits a Subdivision and Land Development Ordinance to contain provisions for the charging of review fees that include reasonable and necessary charges by the municipality's professional consultants for reviews and reports thereon; and

**WHEREAS**, the Municipalities Planning Code defines professional consultants to include persons who provide expert or professional advice to a municipality; and

**WHEREAS**, the Board of Supervisors of Middle Smithfield Township believes that it is in the best interest of the Township that the Middle Smithfield Township Subdivision and Land Development Ordinance specifically provide that professionals trained in fire safety be permitted to review subdivision and land development applications for compliance with the Township's Code of Ordinances and other fire safety regulations where appropriate and be reimbursed by the applicant for reasonable and necessary charges incurred for such reviews and reports thereon; and

**WHEREAS**, the Board of Supervisors further believes that it is in the best interest of the Township to reduce the number of copies of plans required to be submitted to the Township as part of a subdivision or land development application.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, that Chapter 170, Subdivision and Land Development, of the Middle Smithfield Township Code of Ordinances is hereby amended as follows:

## ARTICLE I.

Chapter 170, Subdivision and Land Development, Article II, Terminology, Section 170-14, Definitions, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding the following definitions:

### §170-14. Definitions.

**FIRE CHIEF.** The chief, acting chief, or firefighter-in-charge of a fire department or fire company providing fire protection services to Middle Smithfield Township.

**PROFESSIONAL CONSULTANT.** Persons who provide expert or professional services and/or advice to Middle Smithfield Township, including, but not limited to, architects, attorneys, certified public accountants, engineers, Fire Chiefs, geologists, land surveyors, landscape architects, planners, and other similar professional consultants.

**PROFESSIONAL CONSULTING FEES or PROFESSIONAL REVIEW FEES.** Reasonable and necessary charges incurred by Professional Consultants during the course of their review of and reporting on applications submitted to the Township under this Chapter.

**TOWNSHIP STAFF.** Individuals employed by Middle Smithfield Township on a full-time, part-time, or contractual basis. This term shall include Professional Consultants as defined under this Chapter.

## ARTICLE II.

Chapter 170, Subdivision and Land Development, Article III, Subdivision Plan Submission and Review Procedures, Section 170-18, Submission of Preliminary Subdivision Plan, of the Middle Smithfield Township Code of Ordinances is hereby amended by amending Section 170-18.D to read as follows:

§ 170-18.D If the applicant presents proof at the time of submission of the application to the Township Secretary that the plan was accepted for review by the County Planning Commission, two copies of each item in Subsection C(1) through (8) may be deleted; however, if the proof is not submitted, the applicant shall include the appropriate County Planning Commission plan review fee, made payable to the County of Monroe. The applicant shall separate the foregoing submission into packets as set forth in Subsection F below and label each packet for distribution. In lieu of providing the number of copies of each item in Subsection C above, the applicant may submit six (6) hard copies of each item and one (1) electronic copy of each item to the Township Secretary, provided that such electronic

copy is of such a format and of sufficient resolution and detail deemed acceptable to the Township so as to allow a reader to clearly view all details depicted thereon.

### ARTICLE III.

Chapter 170, Subdivision and Land Development, Article III, Subdivision Plan Submission and Review Procedures, Section 170-22, Submission of Final Major Subdivision Plan, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 170-22.E(4) to read as follows:

#### § 170-22.E

- (4) In lieu of providing the number of copies of each item in this section 170-22.E, the applicant may submit six (6) hard copies of each item and one (1) electronic copy of each item to the Township Secretary, provided that such electronic copy is of such a format and of sufficient resolution and detail deemed acceptable to the Township so as to allow a reader to clearly view all details depicted thereon.

### ARTICLE IV.

Chapter 170, Subdivision and Land Development, Article III, Subdivision Plan Submission and Review Procedures, Section 170-29, Submission of Minor Subdivision Plan, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 170-29.C(4) to read as follows:

#### § 170-29.C

- (4) In lieu of providing the number of copies of each item in this section 170-29.C, the applicant may submit six (6) hard copies of each item and one (1) electronic copy of each item to the Township Secretary, provided that such electronic copy is of such a format and of sufficient resolution and detail deemed acceptable to the Township so as to allow a reader to clearly view all details depicted thereon.

### ARTICLE V.

Chapter 170, Subdivision and Land Development, Article V, Required Improvements, Section 170-90, Improvements Agreement, of the Middle Smithfield Township Code of Ordinances is hereby amended by amending Section 170-90.A(8) to read as follows:

#### § 170-90.A

- (8) Excess costs. The subdivider/developer shall be responsible for all reasonable professional consultant review fees, costs, and expenses for inspections, reviews, reports, consultations, and preparations of agreements, to the extent that such costs and expenses exceed the moneys paid by the subdivider/developer in accordance

with the standard fee schedule.

#### ARTICLE VI.

Chapter 170, Subdivision and Land Development, Article IX, Land Development Plans, Section 170-145, Official Submission of Development Plan, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 170-145.C(4) to read as follows:

- (4) In lieu of providing the number of copies of each item in this section 170-145.C, the applicant may submit six (6) hard copies of each item and one (1) electronic copy of each item to the Township Secretary, provided that such electronic copy is of such a format and of sufficient resolution and detail deemed acceptable to the Township so as to allow a reader to clearly view all details depicted thereon.

#### ARTICLE VII.

Chapter 170, Subdivision and Land Development, Article X, Site Alteration Plans, Section 170-157, Submission of Site Alteration Plan, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 170-157.C(4) to read as follows:

- (4) In lieu of providing the number of copies of each item in this section 170-157.C, the applicant may submit six (6) hard copies of each item and one (1) electronic copy of each item to the Township Secretary, provided that such electronic copy is of such a format and of sufficient resolution and detail deemed acceptable to the Township so as to allow a reader to clearly view all details depicted thereon.

#### ARTICLE VIII. SEVERABILITY.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

#### ARTICLE IX. REPEALER.


All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

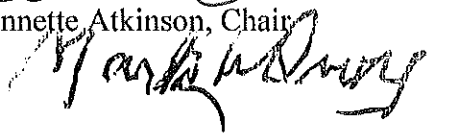
#### ARTICLE X. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days after enactment.

**DULY ENACTED AND ORDAINED** this 11 day of September 2025, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, in lawful session duly assembled.

Board of Supervisors of Middle Smithfield  
Township

By:   
Annette Atkinson, Chair

  
By: \_\_\_\_\_  
Mark Oney, Vice-Chair

By: \_\_\_\_\_  
Michael J. Dwyer, Supervisor

ATTEST:   
Township Secretary

[TOWNSHIP SEAL]