

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

ORDINANCE NO. 232

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 AMENDING ARTICLE IV AT SECTIONS 170-36 AND 170-39 TO INCORPORATE REFERENCES TO THE COMPREHENSIVE PLAN.

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

WHEREAS, the Board of Supervisors of Middle Smithfield Township believes that it is in the best interest of the Township and the residents of the Township to amend the Middle Smithfield Township Subdivision and Land Development Ordinance by amending and adding references to the Middle Smithfield Township Comprehensive Plan Update 2022 in Sections 170-36 and 170-39.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, that Article IV in Chapter 170 of the Middle Smithfield Township Code of Ordinances is hereby amended as follows:

ARTICLE I.

Chapter 170, Subdivision and Land Development, Section 170-36, Intent, of the Middle Smithfield Township Code of Ordinances is hereby amended to read as follows:

§170-36. Intent.

The standards, regulations and requirements contained in this Article are intended as a minimum for the preservation of the environment, the promotion of the public health, safety and general welfare, and the consistency with the Middle Smithfield Township Comprehensive Plan and shall be applied as such by the Planning Commission and the Board of Supervisors in reviewing and evaluating plans for all proposed subdivisions and/or land developments.

ARTICLE II.

Chapter 170, Subdivision and Land Development, Section 170-39, Zoning Compliance, of the Middle Smithfield Township Code of Ordinances is hereby amended to read as follows:

§170-39. Zoning Compliance.

- A. A proposed subdivision and/or land development shall conform to the Zoning Ordinance.
- B. A proposed subdivision and/or land development shall be consistent with the Middle Smithfield Township Comprehensive Plan, and in particular Chapter 3, Considerations for Future Land Use and Development Practices, of the Comprehensive Plan.

ARTICLE III. 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 IV. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

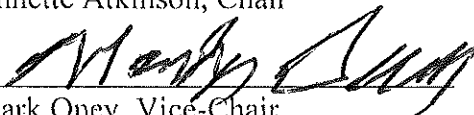
ARTICLE V. EFFECTIVE DATE.

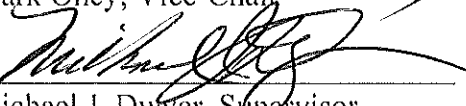
This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED this 9 day of June 2021, 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]