

**DOUGLASS TOWNSHIP
BERKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023- 1

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF DOUGLASS,
CHAPTER 27, ZONING; PART 10, ADMINISTRATION AND ENFORCEMENT;
SECTIONS 27-1004, ZONING HEARING BOARD; AND SECTION 27-1005,
FUNCTIONS OF THE ZONING HEARING BOARD.**

WHEREAS, Douglass Township, Berks County is a Township of the Second Class, organized and existing under the laws of the Commonwealth of Pennsylvania;

WHEREAS, the Board of Supervisors wish to amend the Code of the Township of Douglass as to Zoning Ordinance sections 27-1004.4.B, 27-1005.2.B. and 1005-3.C as to comments by the Planning Commission on zoning applications.

WHEREAS, the Board of Supervisors has met the procedural requirements of the Second Class Township Code and Pennsylvania Municipalities Planning Code for the adoption of the proposed ordinance, including holding a public hearing.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF DOUGLASS TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, UNDER AND BY VIRTUE OF AUTHORITY GRANTED BY THE SECOND CLASS TOWNSHIP CODE DOES HEREBY ENACT AND ORDAIN, AS FOLLOWS:

SECTION 1. Code Amendment. The Code of the Township of Douglass Township, Chapter 27, Zoning, is hereby amended as follows:

Section 27-1004.4.B. Procedures for Application, is amended to read as follows:

All appeals and applications made to the Board shall be in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provision of the ordinance involved and shall exactly set forth the interpretation that is claimed, the grounds for any challenges to validity of this chapter, the use for which a special permit is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be. In, all cases, the Board of Supervisors and Planning Commission shall have the right to review and comment on the application. The Planning Commission shall provide its comments to the Board of Supervisors. The Board of Supervisors shall determine what comments, if any, shall be

provided to the Board.

Section 27-1005.2.B. Variances, is amended to read as follows:

In all cases, the Board of Supervisors and Planning Commission shall have the right to review and comment on the application. The Planning Commission shall provide its comments to the Board of Supervisors. The Board of Supervisors shall determine what comments, if any, shall be provided to the Board.

Section 27-1005.3.C., Special Exceptions, is amended to read as follows:

In all cases, the Board of Supervisors and Planning Commission shall have the right to review and comment on the application. The Planning Commission shall provide its comments to the Board of Supervisors. The Board of Supervisors shall determine what comments, if any, shall be provided to the Board.

SECTION 2. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision herein shall be held illegal, invalid or unconstitutional, or otherwise illegal or unenforceable, by any Court of competent jurisdiction, such decision of the Court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of the Ordinance and said remaining provisions shall continue in full force and effect. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 3. Effective Date. This amendment shall become effective five (5) days after date of adoption.

SECTION 4. Repeal and Ratification. In the event that there is any conflict between the provisions of this Ordinance and any other duly enacted ordinance of the Township, the provisions in this Ordinance shall prevail. Any other tenants and provisions of the ordinance of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

ENACTED AND ORDAINED by the Board of Supervisors of Douglass Township, Berks County, Pennsylvania, this 14th day of August, 2023.

ATTEST:

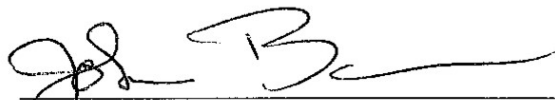
DOUGLASS TOWNSHIP



Kaleena Breitbarth
Township Manager/Secretary

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By:



John Bauman
Chairman, Board of Supervisors