

**ORDINANCE NO. 2014-824**  
**UPPER MERION TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

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**AN ORDINANCE AMENDING THE UPPER MERION TOWNSHIP ZONING ORDINANCE, ARTICLE XXXVI, § 165-259, "PUBLIC HEARING AND NOTICE" PURSUANT TO THE REQUIREMENTS OF THE MUNICIPALITIES PLANNING CODE**

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**WHEREAS**, pursuant to the Second Class Township Code, 53 P.S. § 65101, *et seq.*, Upper Merion Township (the "Township") is authorized to make and adopt Ordinances it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens that are consistent with the Constitution and the laws of the Commonwealth;

**WHEREAS**, the Board of Supervisors of Upper Merion Township has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and

**WHEREAS**, the Township, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of Upper Merion Township will be served by this amendment of the Upper Merion Township Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors for Upper Merion Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

**SECTION I. CODE AMENDMENT.**

**A. THE UPPER MERION TOWNSHIP ZONING ORDINANCE, ARTICLE XXXVI, § 165-259, "PUBLIC HEARING AND NOTICE" IS HEREBY AMENDED TO READ AS FOLLOWS:**

- A. For the preparation of any amendment to the Upper Merion Township Zoning Ordinance, including amendments involving a change to the Official Zoning Map of Upper Merion Township, the Township shall comply with the requirements set forth in Article VI, Section 609, "Enactment of Zoning Ordinance Amendments," of the Municipalities Planning Code, 53 P.S. § 10609, relating to public hearings and notice thereof.

**SECTION II. REPEALER.**

All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**SECTION III. REVISIONS.**

The Upper Merion Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

**SECTION IV. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

**SECTION V. EFFECTIVE DATE.**


This amendment shall become effective five (5) days after date of adoption.

**SECTION VI. FAILURE TO ENFORCE NOT A WAIVER.**

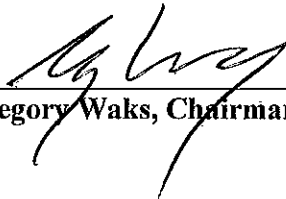
The failure of Upper Merion Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**ORDAINED AND ENACTED** by the Board of Supervisors for Upper Merion Township, Montgomery County, Pennsylvania, this 26<sup>th</sup> day of June, 2014.

**ATTEST:**

  
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David Kraynik, Township Manager

**UPPER MERION TOWNSHIP  
BOARD OF SUPERVISORS:**

By:   
\_\_\_\_\_  
Gregory Waks, Chairman

Advertised Proposed Ordinance in Times Herald on June 17, 2014  
Proof of Publication dated June 24, 2014  
Hearing held: June 26, 2014  
Ordinance Adopted: June 26, 2014  
Ordinance Entered: June 26, 2014 as Township Ordinance 2014-824'