

ORDINANCE NO. 689

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF DERRY, DAUPHIN COUNTY, PENNSYLVANIA, BY ADDING CHAPTER 126 ENTITLED "OFFICIAL MAP"; PROVIDING FOR THE PURPOSE OF THE CHAPTER; AND INCORPORATION AND ADOPTION; PROVISIONS; TIME LIMITATIONS; RECORDING; AND REVISIONS OF THE OFFICIAL MAP

WHEREAS, the Township of Derry (the "Township") is a second class Township of the Commonwealth of Pennsylvania; and,

WHEREAS, by Resolution No. 1444, resolved on January 26, 2016, the Board of Supervisors of the Township of Derry (the "Board") adopted the 2015 Township Comprehensive Plan, dated December 2015, prepared by Derck and Edson Associates, LLP, Environmental Planning and Design, Inc., and Traffic Planning & Design, Inc.; and,

WHEREAS, pursuant to Article IV of Act 247 of 1968, the Pennsylvania Municipalities Planning Code (the "MPC"), as amended, the Township is authorized to establish and adopt an Official Map ("Official Map") and accompanying Ordinance, which map shows appropriate elements of the 2015 Township Comprehensive Plan and includes those elements described in Section 401 of the MPC; and,

WHEREAS, pursuant to Article IV, Section 402(a) of the MPC, a copy of the Official Map has been forwarded to the Township of Derry Planning Commission for review and comment at a public meeting held on May 2, 2017, and the Township Planning Commission issued its recommendations to the Board for their consideration; and,

WHEREAS, pursuant to Article IV, Section 408(b) of the MPC, a copy of the Official Map has been forwarded to the Dauphin County Planning Commission for review and comment on March 24, 2017, and the Dauphin County Planning Commission issued recommendations dated May 1, 2017, which have been provided to the Board for their consideration; and,

WHEREAS, pursuant to Article IV, Section 408(c) of the MPC, a copy of the Official Map has been forwarded to the contiguous municipalities on March 24, 2017 for their review and comment, with any and all received comments having been provided to the Board for their consideration; and,

WHEREAS, pursuant to Article IV, Section 402(b) of the MPC, the Board conducted a public hearing on May 9, 2017, where it considered the proposed Official Map, public comment, and the solicited reviews of the Township Planning Commission, Dauphin County Planning Commission, and contiguous municipalities; and,

WHEREAS, the Board finds that the Official Map is consistent with the overall goals of the 2015 Township Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Derry, Dauphin County, Pennsylvania, as follows:

SECTION 1: Chapter 126 is hereby added to the Code of the Township of Derry to read as follows:

**CHAPTER 126
OFFICIAL MAP**

§126-1. Purpose.

This Chapter is enacted for the purposes of serving and promoting public safety, health, and the general welfare of the Township and its current and future residents; facilitating adequate provisions for public streets and related facilities; providing for recreational and open space needs of the Township; and protecting and enhancing natural and cultural resources for the Township.

§126-2. Incorporation and adoption of the Official Map.

Pursuant to the authority granted by, and subject to the requirements of, Article IV of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, (the "MPC"), the Board of Supervisors (the "Board") hereby adopts the Official Map of the Township of Derry, which is attached hereto and titled, "The Township of Derry Official Map", dated June 2, 2017. The Official Map shall be identified by the signature of the Chairman of the Board and attested by the Secretary of the Board, using the following words "This map is certified as the original Official Map of the Township of Derry, Dauphin County, Pennsylvania, as adopted by the Township Board of Supervisors on June 27, 2017."

§126-3. Provisions of the Official Map.

The Official Map, as adopted herein, depicts and describes, in three components, the graphic representations and textual descriptions of proposed streetscape, roadway, and intersection improvements; the existing trail and bicycle network; future trailheads; future trail and bicycle network extensions; proposed roadways; existing and proposed parks and open spaces; existing floodplains; and proposed flood control areas and improvements.

§126-4. Time limitations on reservations for future land acquisition.

Pursuant to the requirements of Section 406 of the MPC, the ability of the Township to obtain or acquire lands for public use for those streets, trails, flood control areas, watercourses, and other public grounds or features noted and identified on the Official Map shall be perpetual and indefinite.

§126-5. Recording of the Official Map.

The Board directs that upon adoption of this Chapter, a copy of the Official Map, verified by the Board, shall be submitted to the Recorder of Deeds of the County of Dauphin to be recorded within sixty (60) days of the effective date of this Chapter.

§126-6. Updates to the Official Map.

In accordance with Section 406 of the MPC, the Official Map shall remain in effect indefinitely. The map shall be updated in accordance with the MPC to reflect current conditions and as future developments and additional studies become available.

SECTION 2: Severability. Should any section, subsection, or clause of this Ordinance be held to be unconstitutional or invalid, for any reason, such decision or decisions shall not affect the validity of the remaining sections, subsections, and clauses of this Ordinance.

SECTION 3: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

ORDAINED AND ENACTED into law this 27th day of June, 2017, to become effective five days from the date hereof.

BOARD OF SUPERVISORS
TOWNSHIP OF DERRY
DAUPHIN COUNTY, PENNSYLVANIA

ATTEST

BY:


Secretary

BY:


Chairman