

BOROUGH OF LIGONIER
COUNTY OF WESTMORELAND
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 561

AN ORDINANCE ABOLISHING THE PLANNING COMMISSION
AND ESTABLISHING A PLANNING COMMITTEE

WHEREAS, the Council of the Borough of Ligonier has concluded that planning and development in and for the Borough of Ligonier can best be served by abolishing the Planning Commission and establishing a Planning Committee; and

WHEREAS, under the provisions of 53 P.S. §10201, the Council of the Borough has the power to abolish, by ordinance, the Planning Commission of the Borough of Ligonier and to assign the powers and duties set forth in the Municipalities Planning Code to a Planning Committee comprised of members appointed from the Borough Council.

BE IT ORDAINED, and it is hereby enacted and ordained by the Council of the Borough of Ligonier in session lawfully assembled as follows:

SECTION I

The Code of Borough of Ligonier is hereby amended by deleting and repealing Chapter 21, titled "Planning Commission".

SECTION II

The Code of the Borough of Ligonier is hereby amended by adding thereto a new chapter to replace Chapter 21, hereinabove repealed, to be Chapter 21, titled "Planning Committee" to read as follows:

§21-1. Creation; Members; Engineering Advisor; Solicitor.

Under the authority of the Pennsylvania Municipalities Planning Code, 53 P.S. §10201, there is hereby created in the Borough of Ligonier a Planning Committee which shall be comprised of three members appointed from the Borough Council and which Planning Committee shall be the planning agency for the Borough. The engineer for the Borough or an engineer appointed by the Borough Council shall serve the Planning Committee as engineering advisor. The solicitor for the Borough of Ligonier, or an attorney appointed by the Borough Council, shall serve the Planning Committee as legal advisor.

§21-2. Powers and Duties.

The Council of the Borough of Ligonier hereby assigns to the Planning Committee all the powers and duties conferred on planning agencies by the Pennsylvania Municipalities Planning Code.

§21-3. Administrative and Technical Services.

The Borough Council may employ administrative and technical services to aid in carrying out the provisions of this chapter either as consultants on particular matters or as regular employees of the municipality.

§21-4. Use of Available Funds; Entrance into Agreements or Contracts.

The Borough Council may accept and utilize any funds, personnel or other assistance made available by the County, Commonwealth or the federal government or any of their agencies, or from private sources. The Council may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance in accordance with the governmental procedures of the municipality.

§21-5. Nomenclature.

Whenever in the Zoning Ordinance of the Borough of Ligonier or any other law or ordinance of the Borough of Ligonier, County of Westmoreland, Commonwealth of Pennsylvania, or the United States of America, the term "Planning Commission" is used, it shall from the date of this ordinance be deemed to mean "Planning Committee".

SECTION III

Any ordinance or part of an ordinance to the extent that it is inconsistent herewith is hereby repealed.

SECTION IV

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Council of the Borough of Ligonier that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION V

This Ordinance shall become effective upon enactment.

Enacted and ordained this 4th day of MARCH, 2014.



ATTEST:

Paul A. Fry, Jr.

Paul A. Fry, Jr., Secretary

BOROUGH OF LIGONIER

By: Robert E. Helterbran

Robert E. Helterbran, President of Council

Examined and approved this 7th day of MARCH, 2014.

Ormond Bellas

Ormond Bellas, Mayor