

Chapter 26

PLANNING COMMISSION

[HISTORY: Adopted by the Borough Council of the Borough of Chester Heights 11-4-1974 by Ord. No. 71-C. Amendments noted where applicable.]

GENERAL REFERENCES

Adult uses — See Ch. 48.

Subdivision and land development — See Ch. 162.

Zoning — See Ch. 185.

§ 26-1. Creation; powers and duties.

The creation of a Borough Planning Commission, which body shall be assigned the powers and duties conferred on planning agencies by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 93 of 1972,¹ and at the option of Borough Council, may exercise additional powers, duties and advisory functions not inconsistent with Act 247. The Council of the Borough of Chester Heights ordains the following.

§ 26-2. Appointment of members; compensation.

A Planning Commission consisting of nine members be appointed by Council. Members shall serve without compensation but may be reimbursed for necessary and reasonable expenses. However, elected or appointed officers or employees of the Borough shall not, by reason of membership, forfeit the right to exercise the powers, perform the duties or receive the compensation of the Borough offices held by them during such membership.

§ 26-3. Terms of office; vacancies; changes in membership.

The term of each of the members of the Commission shall be for four years, or until his or her successor is appointed and qualified, except that the terms of members first appointed shall be so fixed that not more than three shall be reappointed or replaced during any future calendar year. The Chairman of the Planning Commission shall promptly notify Council concerning vacancies in the commission, and such vacancies shall be filled for the unexpired term. Members of any existing Planning Commission established under former laws shall continue in office until the end of the term for which they were appointed; their successors shall be appointed as herein provided. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term. Should Council determine to increase the number of members of an already existing Planning Commission, the additional members shall be appointed as herein provided. Should Council determine to reduce the number of members on any existing Planning Commission, such reduction shall be effectuated by allowing the terms to expire and by making no new appointments to fill the vacancy. Any reduction or increase shall

1. Editor's Note: See 53 P.S. § 10101.

be by ordinance.

§ 26-4. Membership qualifications; removal from office.

All members of the Planning Commission shall be residents of the Borough and at least six shall be "citizen members," that is, not officers or employees of the Borough. Any member may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of Council, taken after the member has received 15 days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

§ 26-5. Powers and duties.

A. The Planning Commission shall, at the request of Council, have the power and shall be required to:

- (1) Prepare the Comprehensive Plan for the development of the Borough as set forth in Act 247, and present it for the consideration of Council.
- (2) Maintain and keep on file records of its action. All records and files of the Planning Commission shall be in the possession of Council.

B. The Planning Commission at the request of Council may:

- (1) Make recommendations concerning the adoption or amendment of an Official Map.
- (2) Prepare and present to Council a zoning ordinance and make recommendations to Council on proposed amendments to it.
- (3) Prepare, recommend and administer subdivision and land development, and/or planned residential development regulations.
- (4) Prepare and present a building code and a housing code and make recommendations concerning proposed amendments thereto.
- (5) Do such other act or make such studies as may be necessary to fulfill the duties and obligations imposed by Act 247.
- (6) Prepare and present to Council an environmental study.
- (7) Submit to Council a recommended capital improvements program.
- (8) Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
- (9) Promote public interest in and understanding of the Comprehensive Plan and planning.
- (10) Hold public hearings and meetings.
- (11) Require from other departments and agencies of the Borough such available information as relates to the work of the Planning Commission.

(12) In the performance of its functions, enter upon any land to make examination land surveys with the consent of the owner.

- C. In the performance of its powers and duties, any act or recommendation of the Planning Commission which involves engineering consideration shall be subject to review and comments of the engineer, which shall be incorporated and separately set forth in any report, written act or recommendation of the Planning Commission.

§ 26-6. Use of funds; assistance from governmental and private sources.

The Planning Commission may, with the consent of Council, accept and utilize any funds, personnel or other assistance made available by the county, the commonwealth or the federal government or any of their agencies, or from private sources. 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 Borough.