

**LOWER SAUCON TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2009-03

AMENDMENTS TO THE CODE OF THE TOWNSHIP OF LOWER SAUCON

AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING AND REVISING THE CODE OF THE TOWNSHIP OF LOWER SAUCON BY REVISING CHAPTER 5 TO INSERT A TERM OF 3 YEARS FOR PENSION ADVISORY COMMITTEE MEMBERS, CHAPTER 65 TO CLARIFY THE EFFECTIVE DATE OF THE UNIFORM CONSTRUCTION CODE AND OTHER BUILDING CODE PROVISIONS, CHAPTER 77 TO REVISE AN ERRONEOUS REFERENCES TO THE BOCA CODE, CHAPTER 90 TO DELETE THE DEFINITION OF ONE HUNDRED YEAR FLOOD, CHAPTER 137 TO REVISE AN ERRONEOUS REFERENCE TO A CODE SECTION, AND BY MAKING CERTAIN EDITORIAL AND LANGUAGE REVISIONS THROUGHOUT THE CODE; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN

WHEREAS, Lower Saucon Township is a Township of the Second Class, Optional Plan, located in Northampton County, Commonwealth of Pennsylvania; and

WHEREAS, the Township of Lower Saucon adopted Ordinance # 98-17 on May 20, 1998, enacting the Code of the Township of Lower Saucon (hereinafter referred to as the "Code"); and

WHEREAS, the Council of Lower Saucon Township desires to amend the Code of the Township of Lower Saucon to update the same to bring certain chapters into compliance with Commonwealth of Pennsylvania Statutes, and to make certain editorial and administrative changes to the provisions of the Code.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the Township of Lower Saucon, Northampton County, Commonwealth of Pennsylvania, that the provisions of the Code of the Township of Lower Saucon are hereby amended as follows:

SECTION 1. AMENDMENT TO CHAPTER 1 (GENERAL PROVISIONS), SECTION 1-6(C)(6) (NOMENCLATURE CHANGES)

Chapter 1, Section 1-6(C)(6) of the Code is amended to replace the term "Department of Community and Economic Development" with the term "Zoning Department".

SECTION 2. AMENDMENT TO CHAPTER 5 (ADMINISTRATION OF GOVERNMENT), SECTION 5-22(C)(1) AND (2) (DISBURSEMENT OF TOWNSHIP FUNDS)

Chapter 5, Sections 5-22(c)(1) and (2) of the Code are amended to replace the term “Mayor” with the term “Council President”; and to delete subsection (2) and replace it with the following “In the absence of the Council President, the Council Vice-President.”

SECTION 3. AMENDMENT TO CHAPTER 5 (ADMINISTRATION OF GOVERNMENT), SECTION 5-12(J)(2) (PENSION ADVISORY COMMITTEE)

Chapter 5, Section 5-12(J)(2) of the Code is amended to replace the second sentence with the following; “All persons designated to serve on the Committee shall serve at the pleasure of Council for a term of three (3) years.”

SECTION 4. AMENDMENT TO CHAPTER 38 (PENSIONS), SECTION 38-13(E)(4) (RETIREMENT REQUIREMENTS AND BENEFITS)

Chapter 38, Section 38-13(E)(4) of the Code is amended to replace the term “Township Supervisors” with the term “Township Council” in all three instances.

SECTION 5. AMENDMENT TO CHAPTER 65 (BUILDING CONSTRUCTION), SECTION 65-5 (EFFECT ON EXISTING BUILDING PROVISIONS)

Chapter 65, Section 65-5 of the Code is hereby deleted and replaced in its entirety with the following; “All building code ordinances and regulations in effect on July 1, 1999 which contain provisions which equal or exceed the specific requirements of the Uniform Construction Code shall remain in effect until such time as any such provisions fail to equal or exceed the minimum requirements of the regulations of the Uniform Construction Code, as amended, at which time the provisions of such ordinances and regulations shall be amended to provide for the minimum requirements of the regulations promulgated pursuant to the Uniform Construction Code, as amended.

SECTION 6. AMENDMENT TO CHAPTER 77 (EARTH DISTURBANCES), SECTION 77-(F) (APPLICATION FOR PERMIT; FEES)

Chapter 77, Section 77-5(F) of the Code is amended by replacing the introductory paragraph with the following: “The site plans required herein shall also be prepared in accordance with the site plan requirements of Chapter 65 of this Code, specifically Section 106.2 of the International Building Code, as made a part of the Uniform Construction Code, as amended, and/or other specific requirements of other ordinances and regulations of the Township that include, but are not limited to:”

SECTION 7. AMENDMENT TO CHAPTER 90 (FLOODPLAIN MANAGEMENT)

Chapter 90 is amended by deleting the definition of “One-Hundred Year Flood” in its entirety.

SECTION 8. AMENDMENT TO CHAPTER 90 (FLOODPLAIN MANAGEMENT), SECTION 90-26(H)(1) (EXISTING STRUCTURES IN FLOOD HAZARD DISTRICTS)

Chapter 90, Section 90-26(H)(1) of the Code is amended to replace the term “ordinances” with the term “contractors”.

SECTION 9. AMENDMENT TO CHAPTER 137 (STORMWATER MANAGEMENT), SECTION 137-10 (DEFINITIONS)

Chapter 137, Section 137-10 of the Code shall be amended by revising the definition of “Hot Spot Land Uses” to delete the reference to “Section 304P” and replacing it with “Section 137-15(K)”.

SECTION 10. AMENDMENT TO CHAPTER 180 (ZONING), SECTION 180-137(A)(7) (ACCESSORY RELATIVE APARTMENTS)

Chapter 180, Section 180-137(A)(7) of the Code is amended to replace the first sentence with the following, “Except for an exterior stairway, the architectural character of the principal dwelling shall not be altered in a manner ... “.

SECTION 11. VIOLATIONS AND PENALTIES

The Violation and Penalty provisions of the Code, where not revised herein, shall remain unchanged.

SECTION 12. SEVERABILITY

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, illegal, or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council of Lower Saucon Township hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, illegal, or otherwise invalid.

SECTION 13. REPEALER

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 14. EFFECTIVE DATE

The provisions of this Ordinance shall become effective five (5) days after adoption.

ENACTED and **ORDAINED** this 3rd day of June, 2009.

ATTEST:

LOWER SAUCON TOWNSHIP

Jack Cahalan
Township Manager

Glenn C. Kern
Council President