

WEST VINCENT TOWNSHIP ORDINANCE

**AN ORDINANCE AMENDING WEST VINCENT TOWNSHIP
ORDINANCE 168-2016, SECTION 1, TO REDUCE THE PARK AND
RECREATION BOARD TO SEVEN MEMBERS**

I attest that the attached ordinance, is a true and correct copy of a proposed West Vincent Township Ordinance that is to be considered for enactment on December 18, 2017 and is the subject matter of a public hearing before the West Vincent Township Board of Supervisors.



ROBERT M. SEBIA, ESQUIRE
Office of the Solicitor
West Vincent Township, Chester County

**ORDINANCE NO. ___-2017
WEST VINCENT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING WEST VINCENT TOWNSHIP
ORDINANCE 168-2016, SECTION 1, TO REDUCE THE PARK AND
RECREATION BOARD TO SEVEN MEMBERS**

WHEREAS, the Board of Supervisors has met the procedural requirements of the Second Class Township Code, 53 P.S. § 65101, *et seq.*, for the adoption of the proposed ordinance;

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens;

WHEREAS, Section 67204 of Second Class Township Code authorizes the Board of Supervisors to create a recreation board to supervise, regulate, equip, and maintain township-funded recreation programs and facilities, with such board consisting of five, seven or nine members;

WHEREAS, pursuant to West Vincent Township Ordinance 146-2009, Section 2, enacted January 26, 2009, the Board of Supervisors established a Park and Recreation Committee consisting of seven (7) members;

WHEREAS, pursuant to West Vincent Township Ordinance 168-2016, Section 1, enacted February 16, 2016, the Board of Supervisors amended Ordinance 146-2009, Section 2 to increase the Park and Recreation Board to nine (9) members;

WHEREAS, the Board of Supervisors, 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 the Township will be served by an amendment of West Vincent Township Ordinance 168-2016, Section 1, to reduce the number of members of the Park and Recreation Committee to seven (7).

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

SECTION 1. ORDINANCE AMENDMENT. THE WEST VINCENT TOWNSHIP ORDINANCE 168-2016, SECTION 1, "ORDINANCE AMENDMENT" IS HEREBY AMENDED AS FOLLOWS:

The Commission shall consist of seven (7) members, appointed by the Board of Supervisors for a term of five (5) years or until their successors are appointed, except that the initial members of the Commission shall be appointed for terms of length such that not more than two (2) members' terms expire on the same year. The members of the Commission shall serve without compensation. The Chairman of the Commission shall promptly notify the Board of Supervisors of any vacancies on the Commission, and such vacancy shall be filled for the unexpired term by said Board of Supervisors.

SECTION 2. 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 3. REVISIONS. The West Vincent 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 4. 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 5. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.

SECTION 6. FAILURE TO ENFORCE NOT A WAIVER. The failure of West Vincent 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 West Vincent Township, Chester County, Pennsylvania, this ___th day of December, 2017.

ATTEST:

Tammy Swavely, Secretary

**WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS**

John Jacobs, Chairman

David Brown, Vice Chairperson

Mike Schneider, Member