

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

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**AN ORDINANCE AMENDING ARTICLE XVI OF THE TOWNSHIP ZONING ORDINANCE, FPC FLOODPLAIN CONSERVATION OVERLAY DISTRICT, REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE WEST VINCENT TOWNSHIP WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE; AND TO PROVIDE FOR NEW DEFINITIONS**

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**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**, The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry

**WHEREAS**, the Board of Supervisors desires to amend Article XVI of the Township Zoning Code, FPC Floodplain Conservation Overlay District in order to comply with all federal and Commonwealth floodplain management requirements;

**WHEREAS**, the Board of Supervisors of West Vincent Township has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and

**WHEREAS**, the Township, 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 West Vincent Township will be served by this amendment of the West Vincent Township Zoning Ordinance.

**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 ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS:**

**A. The West Vincent Township Zoning Ordinance is amended to reflect the additions and deletions as set forth in Exhibit “A”, attached hereto and incorporated herein.**

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**ATTEST:**

\_\_\_\_\_  
Tammy Swavely, Secretary

**WEST VINCENT TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
John Jacobs, Chairman

\_\_\_\_\_  
David Brown, Vice Chairperson

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Mike Schneider, Member

**Exhibit “A”**

**The West Vincent Township Zoning Ordinance  
Indicating Changes, Additions and Deletions Enacted**