

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWNSHIP OF LOWER
MAKEFIELD, BUCKS COUNTY, PENNSYLVANIA
AMENDING CHAPTER 178 OF THE LOWER MAKEFIELD
TOWNSHIP CODE TO REPEAL ARTICLE XIII,
STORMWATER MANAGEMENT, EROSION AND
SEDIMENT CONTROL AND GRADING**

WHEREAS, the Second Class Township Code, 53 P.S. § 66601 *et seq.*, provides that the Board of Supervisors (“Board”) may adopt ordinances and, by the enactment of subsequent ordinances, the Board may amend, repeal, or revise existing ordinances; and

WHEREAS, Article V of the Municipalities Planning Code (“MPC”), 53 P.S. § 10501 *et seq.*, provides that Lower Makefield Township (“Township”) may regulate subdivisions and land development within the Township by enacting a subdivision and land development ordinance (“SALDO”); and

WHEREAS, Section 66516 of the Second Class Township Code states that the Board may plan for the development of the Township through zoning, subdivision, and land development regulations pursuant to the MPC; and

WHEREAS, Section 66506 of the Second Class Township Code also empowers the Board to enact regulations as may be necessary for the Township’s proper management and the maintenance of good government and general welfare of the Township and its citizens; and

WHEREAS, it is in the public interest of the residents of the Township that the SALDO is as concise as possible, and the Board has determined the SALDO should be updated for clarity; and

WHEREAS, in order to fulfill the Township’s obligation to protect the public health, safety and welfare of Township citizens, the Board has determined that it is in the best interest of the Township to amend the SALDO by removing Article XIII, Stormwater Management, Erosion and Sediment Control and Grading; and

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Municipalities Planning Code and the Second Class Township Code;

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Lower Makefield Township, Bucks County, Pennsylvania, as follows:

I. Chapter 178, Subdivision and Land Development, of the Lower Makefield Township Code of Ordinances, Article XIII, Stormwater Management, Erosion and

Sediment Control and Grading is hereby AMENDED by STRIKING Section 178-93, Stormwater management and surface runoff control, Section 178-94, Stormwater detention basin ownership and maintenance fund, and Section 178-95, Erosion and sediment controls; grading, in their entirety and REPLACING them with the following:

§ 178-93 (Reserved)

§ 178-94 (Reserved)

§ 178-95 (Reserved)

II. Partial Repealer

All other provisions of the Lower Makefield Township Code of Ordinances, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Township's Code of Ordinances inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

The provisions of this ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board of Supervisors that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this ordinance shall be in full force and effect five (5) days after the approval and adoption.

ENACTED AND ORDAINED this ____ day of _____, 2025.

ATTEST:

**LOWER MAKEFIELD TOWNSHIP
BOARD OF SUPERVISORS**

David W. Kratzer Jr., Township Manager

Daniel R. Grenier, Chair

John B. Lewis, Vice Chair

Matt Ross, Treasurer

James McCartney, Secretary

Suzanne S. Blundi, Supervisor