

CENTRE TOWNSHIP
BERKS COUNTY, PENNSYLVANIA

ORDINANCE No. 109-2003

AN ORDINANCE OF CENTRE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, REPEALING AND WITHDRAWING FROM THE CENTRE TOWNSHIP AND CENTERPORT BOROUGH JOINT ZONING ORDINANCE - 2001, AS AMENDED, WITHDRAWING FROM THE JOINT ZONING HEARING BOARD OF CENTRE TOWNSHIP AND CENTERPORT BOROUGH, REPEALING AND WITHDRAWING FROM THE JOINT PLANNING COMMISSION, ORDINANCE; PROVIDING FOR A REPEALER, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE

WHEREAS, Centre Township enacted the Zoning Ordinance of Centre Township and Centerport Borough - 2001, Ordinance No. 130-01, on October 8, 2001, effective October 18, 2001; and

WHEREAS, Centerport Borough enact the Zoning Ordinance of Centre Township and Centerport Borough - 2001, on August 27, 2001, effective September 6, 2001; and

WHEREAS, the Zoning Ordinance of Centre Township and Centerport Borough - 2001, as amended, (the "Joint Zoning Ordinance") established zoning regulations for both Centre Township and Centerport Borough; and

WHEREAS, the Joint Zoning Ordinance also established a joint zoning hearing board; and

WHEREAS, Ordinance No. 104-2002, enacted on November 11, 2002, as amended, created the Joint Planning Commission of Centre Township and the Borough of Centerport; and

WHEREAS, Centre Township desires to withdraw from and repeal the Joint Zoning Ordinance and to withdraw from the joint planning commission and joint zoning hearing board;

WHEREAS, Section 808-A(c) of the Municipalities Planning Code states that no municipality may withdraw from or repeal a joint municipal zoning ordinance during the first three years following the date of its enactment. If, at any time after the end of the second year following the enactment of a joint municipal zoning ordinance, a municipality wished to repeal and withdraw from a joint municipal zoning ordinance, it shall enact an ordinance, which shall be effective no sooner than one year after its enactment, repealing the joint municipal zoning ordinance and shall provide immediately and concurrently one

year's advance written notice of its repeal and withdrawal to the governing bodies of all municipalities party to the joint municipal zoning ordinance. The repeal and withdrawal may become effective within less than one year with the unanimous approval, by ordinance, of the governing bodies of all municipalities party to the joint municipal zoning ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Centre Township, Berks County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of the same, as follows:

SECTION 1. The Zoning Ordinance of Centre Township and Centerport Borough - 2001, Ordinance No. 130-01, enacted on October 8, 2001, as amended, is hereby repealed in its entirety and Centre Township hereby withdraws from the Zoning Ordinance of Centre Township and Centerport Borough - 2001. The Zoning Ordinance of Centre Township and Centerport Borough, Ordinance No. 130-01, as amended, shall remain in full force and effect until the effective date of this Ordinance.

SECTION 2. Centre Township hereby withdraws from the Joint Zoning Hearing Board created by the Zoning Ordinance of Centre Township and Centerport Borough - 2001.

SECTION 3. Ordinance No. 104-2002, enacted on November 11, 2002, as amended, is hereby repealed in its entirety and Centre Township hereby withdraws from the Joint Planning Commission of Centre Township and the Borough of Centerport.

SECTION 4. Severability. If any section, sentence, phrase, paragraph, clause, term, or provision hereof is determined to be invalid, illegal, or unconstitutional by any court of competent jurisdiction or by any state or federal agency or regulatory authority having jurisdiction thereof, such determination shall have no effect on the validity of any other section, sentence, phrase, paragraph, clause, term, or provision hereof, all of which shall remain in full force and effect.

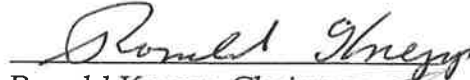
SECTION 5. Repealer. All other ordinances, or portions thereof, inconsistent herewith are hereby repealed.

SECTION 6. Effective Date. This Ordinance shall become effective on November 10, 2004, unless otherwise agreed upon by Centre Township and Centerport Borough.

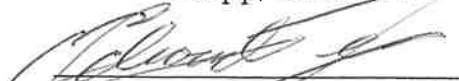
ENACTED AND ORDAINED by the Board of Supervisors of Centre Township,
Berks County, Pennsylvania, this 10 day of November, 2003.

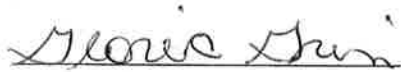
BOARD OF SUPERVISORS OF CENTRE TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA

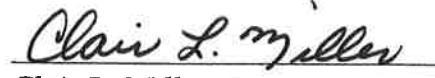
(SEAL)


Ronald Knepp, Chairman

Attest:


Edward Leh, Vice Chairman


Secretary


Clair L. Miller, Supervisor

MUNICIPAL CERTIFICATION

I, GLORIA GRIM, Secretary of the TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance 109-2003 was advertised in the Reading Eagle/Times, a daily newspaper of general circulation in the Township of Centre, on 11/1/03, and was duly enacted and approved as set forth at a Regular Meeting of the Board of Supervisors held on 11/10/03.

(SEAL)


Secretary

Date: 11/10, 2003