

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 7 - 2006

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MIDDLESEX
TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING
THE MIDDLESEX TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE TO PROVIDE FOR THE SUBMISSION OF LAND DEVELOPMENT
PLANS AND REVIEW FEES TO THE LETORT REGIONAL AUTHORITY

WHEREAS, the Letort Spring Run is a nationally recognized historic and natural resource, and

WHEREAS, the Pennsylvania Fish and Boat Commission approved and designated a three-mile portion of the Letort Spring Run located in Middlesex Township as a Class A Wild Trout Stream containing a self-sustaining wild trout population recognized as a renewable natural resource; and

WHEREAS, the Pennsylvania Department of Environmental Protection has designated the portion of the Letort Spring Run in Middlesex Township on the Existing Use Classification as a High Quality-Cold Water Fishery based on the presence of the wild brown trout population, thereby providing additional protection to this natural resource; and

WHEREAS, Middlesex Township recognized that land development within the watershed and tributaries of the Letort Spring Run has the potential to impact adversely water quality, aquatic life and the self-sustaining wild trout population; and

WHEREAS, the Letort Regional Authority provides consulting services to and for municipalities for purposes of ensuring protection of the Letort Spring Run from the impacts associated with land development, which services Middlesex Township recognizes as essential to the preservation of the Letort Spring Run as a historic and natural resource.

BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted by the Board of Township Supervisors in and for the Township of Middlesex as follows:

SECTION 1: The preamble set forth above is incorporated by reference herein as a statement of the legislative intent and purpose of this Ordinance.

SECTION 2: Article III, Section 303 of the Middlesex Township Subdivision and Land

Development Ordinance is hereby amended to include the following additional provisions at the end thereof :

In the case of any land development proposed within the designated watershed or any tributary of Letort Spring Run, the subdivider or land developer shall, concurrently with the submission to the Township Secretary, submit to the Letort Regional Authority ("Authority") a copy of the Application For Subdivision and Land Development and a copy of the proposed Preliminary Plan together with a review fee payable directly to the Authority in such amount as shall be established by Resolution by the Board of Supervisors in accordance with Section 308. Upon approval of the Preliminary Plan, the subdivider or land developer shall submit to the Authority a copy of the Final Plan concurrently with its submission to the Township Secretary. For purposes of this Section, the Authority shall be considered a professional consultant of the Township providing advisory services relating to the impact and effect of proposed development on the watershed and tributaries of the Letort Spring Run.

SECTION 3: Article V, Section 503.a of the Middlesex Township Subdivision and Land

Development Ordinance is hereby amended by deleting therefrom the following provision:

The Letort Regional Authority shall receive written notice and a copy of any plan or application for the development of land within the designated watershed or any tributary of Letort Spring Run.

SECTION 4: If any section, provision, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this or the

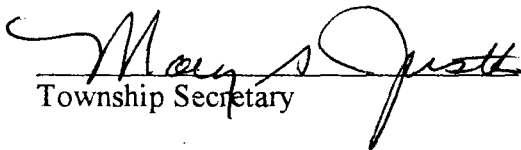
Middlesex Township Subdivision and Land Development Ordinance as a whole, or any other section, provision, sentence, clause, phrase, word or remaining portion of this Ordinance or the Middlesex Township Subdivision and Land Development Ordinance. The Board of Township Supervisors hereby declares that it would have adopted this Ordinance and each section, provision, sentence, clause, phrase and word thereof, irrespective of the fact that same may be declared illegal, unconstitutional or invalid.

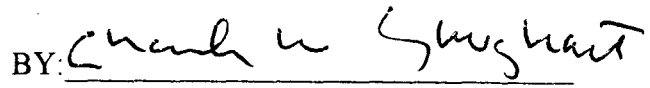
SECTION 5: This Ordinance shall become effective in accordance with applicable law.

ORDAINED AND ENACTED this 29th day of December, 2006.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

BY: 
Chairman, Board of Township
Supervisors

(SEAL)