

**ORDINANCE NO.
HAMPDEN TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA**

**AN ORDINANCE ESTABLISHING AND ADOPTING AN OFFICIAL MAP FOR
HAMPDEN TOWNSHIP**

WHEREAS, the Board of Commissioners for the Township of Hampden deems it to be in the best interest and the general welfare of the citizens and residents of the Township to adopt an Official Map of Hampden Township; and

WHEREAS, the Board of Commissioners has met the procedural requirements of 53 P.S. §10101, *et. seq.* of the Pennsylvania Municipalities Planning Code, for the adoption of this Ordinance, including proper notice and the holding of a public hearing; and

WHEREAS, the First Class Township Code authorizes the Board of Commissioners 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, care and control of the Township and the maintenance of peace, good government, health and welfare of the Township and its citizens; and

WHEREAS, pursuant to Article IV of the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as reenacted and amended, Hampden Township is authorized to establish and adopt an "Official Map" for all or a portion of the Township, which map may show appropriate elements of the Township Comprehensive Plan including, but not limited to, existing and proposed public streets, including widenings, narrowings, extensions, diminutions, openings or closing of same, existing support facilities, and easements of said streets. Additionally, trails, sidewalks, park and open space areas, and stormwater management areas may also be shown on the Official Map.

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

§1. LEGISLATIVE INTENT. Article IV of the Pennsylvania Municipalities Planning Code ("MPC") authorizes the Hampden Township Board of Commissioners to adopt an Official Map of Hampden Township designating and reserving areas for future streets, and other municipal facilities.

§2. ADOPTION OF OFFICIAL MAP. The Board of Commissioners of Hampden Township hereby adopts the Official Map prepared by Simone Collins Inc., attached hereto as Exhibit "A" and incorporated herein, along with Exhibits 1 through 15, indicating, *inter alia*, future street locations/intersection improvements within the Township, as the Official Map of Hampden Township.

§ 3. RECORDING OF OFFICIAL MAP. Hampden Township officials are authorized to take all steps necessary to record the Official Map in the Office of the Recorder of Deeds in and for

Cumberland County, Pennsylvania, as required by Section 402(c) of the Municipalities Planning Code. The proper officials of Hampden Township are further authorized to transmit certified copies of the Official Map to those entities required to be provided with such copies by the MPC.

§ 4. AMENDMENTS TO OFFICIAL MAP. Any amendments to the Official Map shall be made in a manner consistent with Article IV of the MPC, as amended.

§ 5. INCORPORATION OF GOVERNING LAW. The provisions of Article IV of the MPC, as amended, are hereby incorporated by reference to govern the effect of the adoption of the Official Map, issuance of permits and approvals for land reserved on the Official Map, and all other matters relating to the Official Map.

§6. TIME LIMIT ON ACQUISITIONS. The ability of the Township of Hampden to acquire for public use those streets, facilities, public lands or other features noted and identified or to be noted or identified on the Official Map from time to time shall be perpetual and indefinite.

§7. PRELIMINARY PLAN REQUIREMENTS. The Code of Ordinances of the Township of Hampden, Chapter 22, Part 4, Plan Requirements, Section 402, Preliminary Plan, Paragraph 2, is hereby amended to include the following additional provision:

II. The identity and location of all stormwater facilities, streets and other features identified for future public use as depicted on the Official Map.

§8. 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 invalidate, prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance or the Code of Ordinances of the Township of Hampden.

§9. EFFECTIVE DATE. This Ordinance shall become effective five (5) days after adoption.

§10. FAILURE TO ENFORCE NOT A WAIVER. The failure of Hampden Township to enforce any provision of this Ordinance shall not constitute a waiver by Hampden Township of its rights of future enforcement hereunder.

ENACTED and ORDAINED by the Board of Commissioners of Hampden Township, Cumberland County, Pennsylvania, this 2nd day of June, 2016.

TOWNSHIP OF HAMPDEN

By: _____
President, Board of Commissioners

ATTEST:

Township Secretary

(Township Seal)