

ORDINANCE NO. \_\_\_\_\_

East Lampeter Township

Lancaster County, Pennsylvania

AN ORDINANCE OF THE TOWNSHIP OF EAST LAMPETER, LANCASTER COUNTY, PENNSYLVANIA, ADOPTING AN OFFICIAL MAP TO AMEND AND RE-ENACT IN ITS ENTIRETY THE EAST LAMPETER TOWNSHIP OFFICIAL MAP ADOPTED BY ORDINANCE NO. 311.

WHEREAS, Article IV of the Pennsylvania Municipalities Planning Code, Act 247 of 1968 (PA MPC), as reenacted and amended, authorizes the Board of Supervisors of East Lampeter Township to prepare and adopt an Official Map of the Township showing existing and proposed public streets, pedestrian ways, public grounds, public parks, playgrounds, open space reservations, and other public lands and facilities;

WHEREAS, in accordance with the PA MPC, on April 20, 2015, the Board of Supervisors enacted Ordinance No. 311 adopting an Official Map for East Lampeter Township; and

WHEREAS, pursuant to Section 401 of the PA MPC, the Township desires to amend and reenact in its entirety the Official Map to add pollution reduction plan and stormwater projects, add existing and proposed trails, provide for expansion of road improvements, note proposed flood control projects per the County Hazard Mitigation Plan, include proposed water line extension projects for urban and village growth areas, add mobility hubs per the County Active Transportation Plan, note proposed bike and pedestrian improvements, add proposed transportation, pedestrian, bike and transit enhancements for the Bridgeport area, and add existing and proposed trailheads for the Lancaster Heritage Pathway.

NOW, THEREFORE, be it ordained and enacted as follows:

1. The Township hereby amends and adopts as the "OFFICIAL MAP" for East Lampeter Township all that certain Map thereto designated as "Official Map for East Lampeter Township, Lancaster County, Pennsylvania", prepared by Lancaster County GIS, last revised September 30, 2022. A true and correct copy of the Official Map is attached hereto and incorporated herein as Exhibit A.
2. The aforesaid Official Map depicts and describes existing and proposed public
  - a. Existing and proposed public streets, watercourse and public grounds, including widening, narrowings, extensions, diminutions, openings or closing of the same.
  - b. Existing and proposed public parks, playgrounds and open space reservations.
  - c. Bicycle and Pedestrian and trail ways, easements and improvements.
  - d. Railroad and transit rights-of-way and easements.
  - e. Flood control basins, floodways and flood plains, storm water management project areas and drainage easements.
  - f. Support facilities, easements and other properties held by public bodies undertaking elements described in Section 301 of the PA MPC.

3. The Township may initiate surveys, maps, studies of property locations for the purposes of taking possible action.
4. Whenever lands and/or rights-of-way and/or easements are to be acquired pursuant to the Official Map, boundary descriptions by metes and bounds descriptions shall be made by a licensed surveyor.
5. As per Section 402(c) of the PA MPC, the Township directs that upon adoption of this Ordinance, a copy of the Official Map, shall be submitted to the Recorder of Deeds of Lancaster County to be recorded within sixty (60) days of the effective date hereof.
6. After adoption of the Official Map, or part thereof, all streets, watercourses, and public grounds and the elements listed in Section 401 of the PA MPC, on final, recorded plats which have been approved as provided by this Act shall be deemed amendments to the Official Map. Notwithstanding any of the other terms of this Article, no public hearing needs to be held or public notice given if the amendment of the Official Map is the result of the addition of a plat which has been approved as provided by this Ordinance.
7. The adoption of any street, street lines or other public lands pursuant to Article IV of the PA MPC as part of the official map shall not, in and of itself, constitute or be deemed to constitute the opening or establishment of any street nor the taking or acceptance of any land, nor shall it obligate East Lampeter Township to improve or maintain any such street or land. The adoption of proposed watercourses or public grounds as part of the official map shall not, in and of itself, constitute or be deemed to constitute a taking or acceptance of any land by East Lampeter Township.
8. For the purposes of preserving the integrity of the Official Map of East Lampeter Township, no permit shall be issued for any building within the lines of any street, watercourse or public ground shown or laid out on the Official Map. No person shall recover any damages for the taking for public use of any building or improvement constructed within the lines of any street, watercourse or public ground after the same shall have been included in the Official Map, and any such building or improvement shall be removed at the expense of the owner.
9. However, when the property of which the reserved location forms a part, cannot yield a reasonable return to the owner unless a permit shall be granted, the owner may apply to the governing body for the grant of a Special Encroachment Permit to build. Before granting a Special Encroachment Permit authorized in this section, the governing body may submit the application for Special Encroachment Permit to the local planning agency and allow the planning agency 30 days for review and comment and shall give public notice and hold a public hearing at which all parties in interest shall have an opportunity to be heard.
10. The Board of Supervisors may fix the time for which streets, watercourses and public grounds on the Official Map shall be deemed reserved for future taking or acquisition for public use. However, the reservation for public grounds shall lapse and become void one (1) year after an owner of such property has submitted a written notice to the Board of Supervisors announcing his intentions to build, subdivide or otherwise develop the land covered by the reservation, or has made formal application for an official permit to build a structure for private use, unless the Board of Supervisors shall have acquired the property or begun condemnation proceedings to acquire such property before the end of the year.

11. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of this Ordinance shall be and shall remain in full force and effect.
12. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of East Lampeter Township as provided by law.

DULY ORDAINED AND ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania in lawful session duly assembled.

EAST LAMPETER TOWNSHIP  
LANCASTER COUNTY, PENNSYLVANIA

Attest: \_\_\_\_\_  
(Assistant) Secretary

By: \_\_\_\_\_  
(Vice) Chairman  
Board of Supervisors

[SEAL]

I, Ralph M. Hutchison, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on \_\_\_\_\_, 2023, at which meeting a quorum was present and voted in favor thereof.

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Ralph M. Hutchison, Secretary