

EAST LAMPETER TOWNSHIP

Lancaster County, Pennsylvania

RESOLUTION NO 2026-21

**A RESOLUTION INVOKING THE PROTECTION OF THE
MUNICIPAL CURATIVE AMENDMENT FOR DATA CENTER
USES.**

WHEREAS, East Lampeter Township is a Township of the Second Class in Lancaster County, within the Commonwealth of Pennsylvania governed by the Second Class Township Code; and

WHEREAS, the East Lampeter Township Board of Supervisors, in an abundance of caution, desires to address zoning provisions related to the regulation of data center uses in the Township without being required to entertain or consider any landowner's curative amendment filed under Section 609.1 of the Pennsylvania Municipalities Planning Code ("MPC"), 53 P.S. § 10609.1 and without the Zoning Hearing Board being required to give a report requested under Section 909.1 of the MPC, 53 P.S. § 10609.1, or Section 916.1 of the MPC, 53 P.S. § 10916.1; and

WHEREAS, the East Lampeter Township Board of Supervisors desires to seek the protection of Section 609.2 of the MPC, 53 P.S. § 10609.2, entitled "Procedure upon municipal curative amendments," in order to address its concerns related to the regulation of data center uses in the Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, as follows:

1. Pursuant to Section 609.2 of the MPC, 53 P.S. § 10609.2, the East Lampeter Township Board of Supervisors hereby declares by formal action that the Zoning Ordinance is substantively invalid in part as it relates to the regulation of data center uses.

2. Pursuant to Section 609.2 of the MPC, 53 P.S. § 10609.2, the East Lampeter Township Board of Supervisors proposes to prepare a curative amendment to overcome such partial invalidity.

3. The East Lampeter Township Board of Supervisors does hereby direct and authorize the East Lampeter Township Zoning Officer, Township Manager, Township Solicitor, and Township Engineer to prepare a curative amendment to the Zoning Ordinance proposing to cure the declared invalidity. With the participation of such other consultants as the Township may

provide, the curative amendment shall be presented to the Board of Supervisors within the timeframe provided by law.

4. The East Lampeter Township Board of Supervisors does hereby direct and authorize the East Lampeter Township Zoning Officer, Township Manager, Township Solicitor, and Township Engineer, and such other consultants as the Township may provide, to begin preparing a resolution for consideration of the Board of Supervisors within thirty (30) days following the date of this Resolution. Such resolution shall include specific findings setting forth the declared invalidity of the Zoning Ordinance as required by Section 609.2 of the MPC, 53 P.S. § 10609.2.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately, or as soon as legally permissible thereafter.

BE IT FURTHER RESOLVED, that if any provision, sentence, clause, section or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Resolution, and it is hereby declared to be the intent of the Board of Supervisors of the Township of East Lampeter that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been include herein.

BE IT FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

THIS RESOLUTION DULY ADOPTED the 14th day of September, 2026, by the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania in lawful session duly assembled.

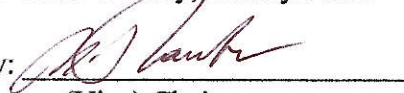
Attest


(Assistant) Secretary

[TOWNSHIP SEAL]

EAST LAMPETER TOWNSHIP
Lancaster County, Pennsylvania

By:


(Vice) Chairman
Board of Supervisors

