

ORDINANCE NO. 205

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AN ORDINANCE FURTHER ESTABLISHING DUTIES AND RESPONSIBILITIES OF THE WEST VINCENT TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL AND DEFINING ITS FUNCTIONS AND POWERS

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WHEREAS, THE TOWNSHIP OF WEST VINCENT DESIRES TO ESTABLISH AN ENVIRONMENTAL ADVISORY COUNCIL PURSUANT TO AND AS AUTHORIZED BY THE ACT OF DECEMBER 21, 1973, NO 148, 53 PS, SECTION 11501, et. seq.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF WEST VINCENT TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA:

**SECTION 1. CREATION** - There is hereby created and established a West Vincent Environmental Advisory Council (hereinafter referred to as the "Council").

**SECTION 2. ADVISORY RESPONSIBILITY** - The Council shall advise the Board of Supervisors, and at the request of the Board of Supervisors, the Planning Commission, other committees, commissions, officials, and employees of West Vincent Township on matters dealing with protection, conservation, management, and natural resources located within the Township of West Vincent.

**SECTION 3. POWERS** - The Council shall have the power to:

- A. Recommend plans and educational programs, including proposed amendments to the ordinances of West Vincent Township, for the promotion, conservation, protection and improvement of the natural and open space resources of the Township. The Council shall, at the request of the Board of Supervisors, review, evaluate, and comment on any such programs or regulations proposed or recommended by other persons or agencies.
- B. Compile an inventory of all open space areas, publicly owned land, including, but not limited to, flood prone areas, lakes and ponds, wetlands, woodlands, aquifer recharge areas, significant visual resources, unique geological features and other unique natural areas.
- C. Identify important environmental or open space issues requiring analysis or regulatory action and provide review and comment to the Board of Supervisors on such issues.
- D. Provide review and comment to the Board of Supervisors on natural resources impacts of subdivision and land development plans, zoning amendment and conditional use applications, special exception and variance applications, where appropriate. Specific attention should be given to environmentally sensitive areas, including but not limited to flood hazard areas as defined in the Township Zoning Ordinance; wetlands, groundwater, steep slopes, woodlands, streams, as defined by the Township. Written notice of the Council's findings and recommendations shall be sent to the Township Manager, who will forward comments/recommendations to the Township Planning Commission. If written notice is not submitted to the Township Manager within or less than the review periods established for the Township under the appropriate ordinance and the Municipalities Planning Code (Act 247 as amended), it shall be deemed no review.

**SECTION 4. COMPOSITION / TERMS OF OFFICE** - The Council shall be composed of seven (7) residents of West Vincent Township, who shall be appointed by the Board of Supervisors, which shall also fill all vacancies. Preferably, members of the Council should have experience in the areas of environmental science, ecology. Duly appointed Council members shall serve for a term of three (3) years, except that initial appointments shall be so staggered that no more than three (3) of the appointments shall expire each year. One member may be a member of the Planning Commission to act as a liaison between the organizations. A member of the Board of Supervisors may serve as a liaison between the Council, but shall not be considered an official member of the Council. A Chairperson, Vice Chairperson, and Secretary shall be elected by the Council for terms to expire at the end of the

calendar year.

**SECTION 5. COMPENSATION** - Members shall receive no compensation for their services, but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties.

**SECTION 6. RECORDS & ANNUAL REPORT** - The Council shall keep records of its meetings and activities which shall be submitted monthly to the Township Secretary and shall make an annual report to the Board of Supervisors. The Council shall be required to hold public meetings, set and advertise agendas, and record and publish meeting minutes. All public meetings shall be advertised in accordance with the requirements of the Second Class Code.

**SECTION 7. REMOVAL OF MEMBERS** - The Board of Supervisors may at a public hearing, remove any members of the Council from office for reasons such as: inefficiency, neglect of duty, change of residence, absence, malfeasance in office or conflict of interest.

**SECTION 8. FUNDS FOR EXPENSES INCURRED** - The Board of Supervisors may appropriate funds on an annual basis to support activities of the Council. Expenses incurred by the Council shall be approved in advance by the Township Manager. Expenses may include administrative, clerical, printing, professional consulting, and legal services as may from time to time be required. The Council submit a detailed written itemized budget proposal to the Board of Supervisors at least sixty (60) days prior to adoption of the Township's final budget.

**SECTION 9. PROGRAMS OF ASSISTANCE** - The Council shall endeavor to take advantage of such programs of assistance to Environmental Advisory Councils, including educational services, exchange of information, assignment of technical personnel for natural resources planning assistance and coordination of state and local conservation activities.

**SECTION 10. EFFECT ON EXISTING AGENCIES / REPEALER** - Nothing herein contained shall be construed as abolishing or limiting any existing municipal agency, board, authority, or commission even though such agency, board, authority, or commission may have a responsibility related to the responsibilities delegated to the Environmental Advisory Council hereunder, but otherwise all other ordinances and parts of ordinances are repealed insofar as they are inconsistent herewith.

**SECTION 11. EFFECTIVE DATE** - This Ordinance shall become effective five (5) days after its adoption.

Adopted and enacted this 19 day of June, 2023.

TOWNSHIP OF WEST VINCENT  
BOARD OF SUPERVISORS:

Bernie Couris  
Bernie Couris, Chairperson

Sara W Shick  
Sara Shick, Vice-Chairperson

Dana Alan  
Dana Alan, Member

Attest: Christina Casey  
Christina Casey,  
Assistant Township Secretary