

ORDINANCE NO. 2019 - 03

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, CHAPTER 110, ZONING, SECTION 1201.D(6), OR IN THE ALTERNATIVE TO AMEND SECTION 110-402.II, TO ENLARGE AND PROVIDE FOR EXTENSIONS OF THE PERIOD OF TIME FOR COMPLETION OF A SOLAR ENERGY SYSTEM CONDITIONAL USE

WHEREAS, the Township desires to amend the Zoning Ordinance of Mount Joy Township to enlarge and provide for extensions of the period of time for completion of a solar energy system project granted conditional use approval.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Mount Joy Township:

Section 1. Purpose

The purpose of this Ordinance is to amend the Zoning Ordinance to enlarge and provide for extensions of the period of time for completion of a solar energy system project granted conditional use approval.

Section 2. Enabling Authority

This Ordinance is enacted pursuant to the enabling authority of the Pennsylvania Municipalities Planning Code, Article VI, 53 P.S. § 10609.

Section 3. Proposed Amendments to Zoning Ordinance

The following amendment shows new text in italics; text to be deleted is shown as stricken. Where new text requires section renumbering, such renumbering shall be made upon adoption of the Ordinance.

Amend Section 110-402.II. to add a new subsections (2)(g) and (11), as follows:

(2)(g) If a conditional use applicant for a Solar Energy System believes the project will take more than one year to market and construct from the date of granting of the approval, the applicant may submit a schedule of milestones that it intends to complete, not to exceed a total of four years.


402(11) *If a conditional use is approved for a Solar Energy System that includes milestones to be completed beyond one year, the approval shall only expire if the applicant, or its assigns, has not completed the milestones submitted and approved with its application within the necessary time frames or the project is not established, erected or substantially completed within four years after the grant of the conditional use; provided, however, that the Board of Supervisors may grant no more than three extensions of six months beyond any of the expiration periods, upon finding that (i) the applicant has acted with due diligence and (ii) reasonable grounds exist for such extension.*

Section 4. Effective Date


This Ordinance shall become effective within five calendar days after the date of enactment of this Ordinance.


ENACTED this 1st day of August, 2019

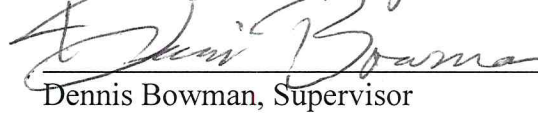
ATTEST:


Sheri Moyer, Secretary

MOUNT JOY TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA


John E. Gormont, Chairman


David R. Updyke, Vice-Chairman


Dennis Bowman, Supervisor


Jeffrey Patterson, Supervisor

Terry Scholle, Supervisor

SEAL

