

**PUBLIC NOTICE IS HEREBY GIVEN - NOTICE OF INTENT TO ADOPT ORDINANCE  
LOWER GWYNEDD TOWNSHIP**

**NOTICE IS HEREBY GIVEN** that the Lower Gwynedd Township Board of Supervisors, Montgomery County, Pennsylvania, at its regular meeting to be held on Monday, February 28, 2022 at 7:00 PM, will consider the adoption of the following proposed Ordinance which is summarized below:

**AN ORDINANCE OF THE TOWNSHIP OF LOWER GWYNEDD,  
MONTGOMERY COUNTY, PENNSYLVANIA AMENDING TITLE  
FOUR, CHAPTER 220 OF THE CODIFIED ORDINANCES OF  
LOWER GWYNEDD TOWNSHIP, BY IMPOSING TERM LIMITS  
FOR THE MEMBERS OF THE BOARD OF SUPERVISORS.**

This meeting will be conducted in-person at the Lower Gwynedd Township Building, 1130 N. Bethlehem Pike, Spring House, Pennsylvania as well as via the Zoom telecommunication device platform (call-in information is provided in this public notice). The Zoom information is below:

<https://us02web.zoom.us/j/81818451599?pwd=S2VWNmk3RitlVEQ1dHZlVjEwZVpYZz09>

Meeting ID: 818 1845 1599

Passcode: 309315

Call In #: 646 876 9923

Copies of the complete text of the Ordinance are available at the Lower Gwynedd Township Municipal Building (located at 1130 N Bethlehem Pike, PO Box 625, Spring House, PA 19477, Telephone: (215) 646-5302 and may be examined by appointment only from Monday through Friday between the hours of 8:00AM and 4:30 PM (excepting holidays). All interested persons and parties are invited to attend the meeting and offer any public comment prior to the Board of Supervisors taking any official action on the adoption of the proposed ordinance.

Craig T. McAnally, Township Manager Lower Gwynedd Township

Publish:

Proof of Publication Required

**BOARD OF SUPERVISORS**  
**LOWER GWYNEDD TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

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

**AN ORDINANCE OF THE TOWNSHIP OF LOWER GWYNEDD, MONTGOMERY COUNTY,  
PENNSYLVANIA AMENDING TITLE FOUR, CHAPTER 220 OF THE CODIFIED ORDINANCES OF  
LOWER GWYNEDD TOWNSHIP, BY IMPOSING TERM LIMITS FOR THE MEMBERS OF THE  
BOARD OF SUPERVISORS.**

**WHEREAS**, the Township of Lower Gwynedd is a municipality organized and existing under the Second Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. § 6501, et. seq. ("**Second Class Township Code**");

**WHEREAS**, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing ordinances (53 P.S. Section 66601);

**WHEREAS**, Section 601 of the Second Class Township Code provides that townships of the second class shall be governed and supervised by boards of supervisors;

**WHEREAS**, the Pennsylvania Supreme Court's opinion in *City Council of Bethlehem v. Marcincin*, 512 Pa. 1, 515 A.2d 1320 (1986), affirmed the governing body's authority to promulgate an ordinance limiting the number of times a municipal officer can stand for reelection where such authority was not precluded by statute or otherwise;

**WHEREAS**, the Pennsylvania Supreme Court's opinion in *City Council of Bethlehem v. Marcincin*, 512 Pa. 1, 515 A.2d 1320 (1986), affirmed the governing body's authority to promulgate an ordinance limiting the number of times a municipal officer can stand for reelection where such authority was not precluded by statute or otherwise; and

**WHEREAS**, the Lower Gwynedd Township Board of Supervisors believes it would be in the best interests of the Township to impose term limits on the office of Township Supervisor.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Lower Gwynedd Township Board of Supervisors, and it is hereby ordained and enacted by the authority of the same, to wit:

**SECTION 1. AMENDMENT.**

Title Four of the Code is hereby amended by the addition of a new Chapter 223, to read as follows:

Chapter 223. Limits Established.

A. Current and future members of the Board of Supervisors, whether elected or appointed, shall be limited to hold the office of Supervisor for no more than two (2) consecutive terms. Notwithstanding the foregoing, a Supervisor serving as of the effective date of this Ordinance, who has already served at least two (2) terms, may seek election or appointment for a third (3rd) consecutive term.

B. In the event that a Supervisor was appointed to fill an unexpired term of another Supervisor who, for whatever reason, did not complete his or her term with less than three (3) years remaining on said term, the appointed Supervisor shall be limited to serving the balance of the unexpired term and two (2) additional consecutive full terms.

C. In the event that a Supervisor was appointed to fill an unexpired term of another Supervisor who, for whatever reason, did not complete his or her term with three (3) years or more remaining on said term, the appointed Supervisor shall be limited to serving the balance of the unexpired term and one (1) additional consecutive full term.

D. Any Supervisor who no longer holds office as a result of the term limit requirements of this Chapter shall not seek reelection to the office of Supervisor for a minimum of three (3) years after expiration of his or her term, nor may he or she be appointed to complete the term of a sitting Supervisor.

E. Any Supervisor who no longer holds office as a result of the term limit requirements of this Chapter shall not fill a vacancy on the Board of Supervisors for a minimum of two (2) years after expiration of his term.

**SECTION 2. SAVINGS CLAUSE.**

The provisions of the Township Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of this Ordinance, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of this Ordinance shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations except as otherwise provided by law.

**SECTION 3. SEVERABILITY OF PART OF ORDINANCE.**

It is hereby declared to be the intention of the Board of Supervisors that the chapters, parts, sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any section, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional, illegal, or otherwise invalid by judgment or decree of a court with competent jurisdiction, that invalidity shall not affect any of the remaining chapters, parts, sections, paragraphs, sentences, clauses, or phrases of this codification.

**ORDAINED AND ENACTED** by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, this \_\_\_\_ day of \_\_\_\_\_, 2022.

***ATTEST:***

**LOWER GWYNEDD TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
**CRAIG T. MCANALLY, SECRETARY**

By:\_\_\_\_\_  
**DANIELLE A. DUCKETT,  
CHAIRPERSON**