

**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, March 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/84528989568?pwd=VjFjQ3gxTjVPSW9TVENuRVFnUXIMQT09>

Meeting ID: 845 2898 9568

Passcode: 983067

Call In #: 1-646 876 9923

Copies of the complete text of the proposed ordinance are available at the Lower Gwynedd Township Municipal Building (located at 1130 N. Bethlehem Pike, 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 ESTABLISHING TERM LIMITS FOR 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 601 of the Second Class Township Code provides that townships of the second class shall be governed and supervised by boards of supervisors (53 P.S. § 65601);

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 1506 of the Second Class Township Code specifically confers upon board of supervisors, the authority to adopt ordinances, not inconsistent with or restrained by the Constitution and laws of this Commonwealth, as may be necessary for the “...maintenance of ... good government...” (53 P.S. Section 66506);

WHEREAS, although the Legislature did establish a term of office, the governing body’s authority to promulgate an ordinance limiting the number of times a Supervisor can stand for reelection was not addressed by the Legislature, and is not expressly prohibited by statute, judicial precedent 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. Except as otherwise provided for in C. and D. below, 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, either by appointment or election, for a minimum of two (2) years after expiration of his or her term.

C. A Supervisor appointed to fill the 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, shall be limited to serving the balance of the unexpired term and two (2) additional consecutive full terms.

D. A Supervisor appointed to fill the 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, shall be limited to serving the balance of the unexpired term and one (1) additional consecutive full 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, MANAGER

By: _____
DANIELLE A. DUCKETT, CHAIRPERSON