

# WHITPAIN TOWNSHIP

ORDINANCE #375

---

AN ORDINANCE AMENDING THE TOWNSHIP'S CODE, CHAPTER 53 [SHADE TREE COMMISSION] TO ADD A NEW SECTION 53-4.1 [ALTERNATE MEMBERS] MAKING PROVISION FOR ALTERNATE MEMBER APPOINTMENT BY RESOLUTION; PROHIBITION FOR ALTERNATE MEMBERS SERVING ON THE TOWNSHIP'S ZONING HEARING BOARD OR AS THE TOWNSHIP'S ZONING OFFICER; TERM OF OFFICE; BASIS FOR APPOINTMENT; CONTINUATION OF APPOINTMENT UNTIL DECISION; AND CASE-DESIGNATION OF APPOINTED ALTERNATE MEMBERS

---

## CERTIFICATION

I, ROMAN M. PRONCZAK, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER OF WHITPAIN TOWNSHIP IN MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE #375

  
\_\_\_\_\_  
Roman M. Pronczak, P.E., Township Manager

June 18, 2019

ENACTED: 6-18-19

# WHITPAIN TOWNSHIP

ORDINANCE #375

---

AN ORDINANCE AMENDING THE TOWNSHIP'S CODE, CHAPTER 53 [SHADE TREE COMMISSION] TO ADD A NEW SECTION 53-4.1 [ALTERNATE MEMBERS] MAKING PROVISION FOR ALTERNATE MEMBER APPOINTMENT BY RESOLUTION; PROHIBITION FOR ALTERNATE MEMBERS SERVING ON THE TOWNSHIP'S ZONING HEARING BOARD OR AS THE TOWNSHIP'S ZONING OFFICER; TERM OF OFFICE; BASIS FOR APPOINTMENT; CONTINUATION OF APPOINTMENT UNTIL DECISION; AND CASE-DESIGNATION OF APPOINTED ALTERNATE MEMBERS

---

**IT IS HEREBY ENACTED AND ORDAINED** by the Whitpain Township Board of Supervisors as follows:

**SECTION 1. AMENDMENT TO THE TOWNSHIP'S CODE, CHAPTER 53 [SHADE TREE COMMISSION].**

The Township's Code, Chapter 53 [Shade Tree Commission] shall be amended to add a new Section 53-4.1 [Alternate Members], and shall read as follows:

**§ 53-4.1 Alternate Members.**

1. The Township Board of Supervisors may appoint, by resolution, up to 3 Township residents to serve as alternate Shade Tree Commission members. Such alternate member appointments are subject to the following:
  - A. The term of office of an alternate member is designated as 4 years.
  - B. Alternate members may be appointed to substitute for any absent, recused, or disqualified Shade Tree Commission member.
  - C. Alternate members may be designated to cases as needed on a rotating basis according to declining seniority among the alternates.
  - D. Alternate members are entitled to participate in all proceedings and discussions of the Shade Tree Commission to the same and full extent as provided by

law for Shade Tree Commission members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties as otherwise provided by law.

- E. Any alternate member may participate in any proceeding or discussion of the Shade Tree Commission but shall not be entitled to vote as a member of the Shade Tree Commission unless designated as a voting alternate member in accord with applicable law.
- F. Alternate members will continue to serve on the Shade Tree Commission for any proceeding in which they were originally appointed until the Shade Tree Commission reaches a decision on the matter.
- G. Alternate members may not serve as members of the Township's zoning hearing board or as a Township's zoning officer.

**SECTION 2. REPEAL AND RATIFICATION.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

**SECTION 3. SEVERABILITY.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

**SECTION 4. EFFECTIVE DATE.**

This Ordinance shall become effective 5 days after enactment.

\*\*\*

[SIGNATURES ON NEXT PAGE]

**ORDAINED AND ENACTED** this 18th day of June 2019, by the  
Whitpain Township Board of Supervisors.

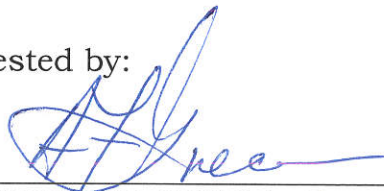
**WHITPAIN TOWNSHIP  
BOARD OF SUPERVISORS**



\_\_\_\_\_  
FREDERICK R. CONNER JR., *Chair*

[Seal]

Attested by:



\_\_\_\_\_  
ANTHONY F. GRECO, *Secretary*