

TOWNSHIP OF WHITPAIN

ORDINANCE NO. 423

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WHITPAIN AT PART I [ADMINISTRATIVE LEGISLATION], BY AMENDING AND RESTATING CHAPTER 39 [ART AND CULTURE COMMISSION], ARTICLE XXXIX [ARTS AND CULTURE COMMISSION] TO PROVIDE FOR A POSITION THAT MAY BE OCCUPIED BY AN INDIVIDUAL WITH EXPERTISE IN THE VISUAL OR PERFORMING ARTS FROM THE MONTGOMERY COUNTY COMMUNITY COLLEGE

CERTIFICATION

I, ERIC TRAUB, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN WHITPAIN TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. 423.



Eric Traub, Township Manager

Jan. 22, 2025

ENACTED: 1/21/2025

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WHEREAS, The Board of Supervisors of Whitpain Township is duly empowered by the Second Class Township Code, 53 P.S. § 65101, *et seq.*, to enact certain regulations relating to the public health, safety and welfare of the residents of Whitpain Township;

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make, amend and adopt amendments to the Whitpain Code of Ordinances, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents;

WHEREAS, the Board of Supervisors of Whitpain Township has determined that certain amendments to the Whitpain Township Code of Ordinances, as amended, are required for the orderly administration of the laws of Whitpain Township; and

WHEREAS, the Board of Supervisors has determined that the Code of Ordinances of the Township of Whitpain should be amended to provide for certain expertise in positions on the Art and Culture Commission for the proper management, care and control of the Township and its finances and the maintenance of peace, good government, health and welfare of the Township and its residents.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Whitpain Township Board of Supervisors that the Township's Code is amended as follows:

SECTION 1. **Amendment to Chapter 39 [Art and Culture Commission], Article XXXIX [Art and Culture Commission] Section 3 [Composition; Terms; Vacancies] to add certain qualifications for membership on the Commission.**

The Code of the Township of Whitpain, Part I [Administrative Legislation], Chapter 39 [Art and Culture Commission], Article XXXIX [Art and Culture Commission] Section 3

[Composition; Terms; Vacancies] is hereby restated and amended to delete the struck-through language (example) and add the underlined language (example), as follows:

§ 39-3 Composition; Terms; Vacancies.

- A. All Art and Culture Commission members shall be residents of Whitpain Township appointed by the Board of Supervisors of Whitpain Township. At the discretion of the Board of Supervisors, one (1) member need not be a resident of the Township provided the member holds a position in the visual or performing arts with the Montgomery County Community College.
- B. Art and Culture Commission members' terms of office shall expire on the first Monday in January following the last year of their term of office.
- C. The Art and Culture Commission shall consist of five members serving overlapping three-year terms. Initial appointments shall be staggered so that the terms of approximately 1/3 of the environmental Advisory Council shall expire each year, as follows;
 - (1) One member shall be initially appointed to a one-year term;
 - (2) Two members shall be initially appointed to a two-year term;
 - (3) Two members shall be initially appointed to a three-year term.
- D. Should a vacancy occur, the Board of Supervisors shall appoint a member to fill the vacancy only for the unexpired portion of the term.

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.

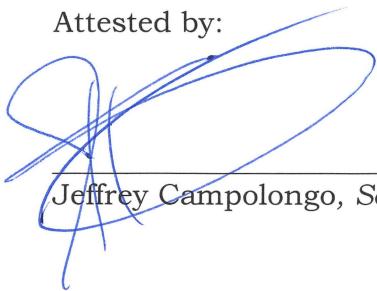
This Ordinance shall become effective 5 days after enactment.

ORDAINED AND ENACTED this 1st day of January 2025, by the Whitpain Township Board of Supervisors.

**WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS**

[Seal]

Attested by:



Jeffrey Campolongo, Secretary



Scott M. Badami, Chair