

**HONEY BROOK TOWNSHIP  
CHESTER COUNTY, PA  
ORDINANCE # ~~192~~2018**

**AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE CODE OF ORDINANCES OF HONEY BROOK TOWNSHIP, CHAPTER 1 ENTITLED "ADMINISTRATION AND GOVERNMENT", TO ESTABLISH A PART 6 ENTITLED "INTERGOVERNMENTAL COOPERATION FOR COMPREHENSIVE PLANNING", AUTHORIZING THE TOWNSHIP TO ENTER INTO AN INTERGOVERNMENTAL COOPERATIVE IMPLEMENTATION AGREEMENT WITH HONEY BROOK BOROUGH TO SUPPORT AND IMPLEMENT A JOINT COMPREHENSIVE PLAN FOR THE BOROUGH AND TOWNSHIP.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Honey Brook Township, Chester County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

**SECTION 1. AMENDMENT.**

The Code of the Township of Honey Brook, Chapter 1 entitled "Administration and Government" is amended and supplemented to add a new Part 6, "Intergovernmental Cooperation for Comprehensive Planning", to read as follows:

**PART 6**

**An Intergovernmental Cooperative Implementation Agreement for Honey Brook Township and Honey Brook Borough**

**§601. Grant of Power.**

This Ordinance is enacted pursuant to authority granted in the Pennsylvania Intergovernmental Cooperation Act, Act 177 of 1996 (53 Pa.C.S.A. §2301 et seq.), as amended, and the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended (53 P.S. Section 10101 et seq.).

**§602. Agreement.**

By enactment hereof, the Board of Supervisors of the Township of Honey Brook (the "Township") hereby approves entering into the Intergovernmental Cooperative Implementation Agreement for Honey Brook Township and Honey Brook Borough (the "Borough") (said agreement referred to herein as the "Agreement"), in substantially the

form attached to this Ordinance, and authorizes and directs the Chairman of the Board of Supervisors to execute, and the Secretary of the Township to attest, such Agreement.

**§603. Duration of Agreement.**

The term of the Agreement is undefined, and can be terminated by either municipality with two years notice to the other municipality.

**§604. Purpose and Objectives.**

The purpose of this Intergovernmental Cooperative Implementation Agreement is as follows:

A. To support the goals and action items as described and adopted in the Honey Brook Township and Borough Multi-Municipal Comprehensive Plan (“Comprehensive Plan”). These goals and action items are intended to guide and shape new growth, development, and resource conservation within the Borough and Township for the twenty year planning period and are incorporated here by reference.

B. To establish a process for the two municipalities to follow in implementing the Comprehensive Plan through ordinance amendments, review of developments of regional significance and impact, review of other developments in close proximity, and Comprehensive Plan amendments; and

C. To establish a process for the two municipalities when considering actions that may not be generally consistent with the Comprehensive Plan.

**§605. Financing.**

The Township shall have no direct financial obligations under the Agreement. The only costs incurred by the Township shall be its contribution of administrative resources necessary to administer the terms of the Agreement and other permitting processes required therein. Rather, any additional review fees required pursuant to this Agreement or any ordinance enacted hereunder shall be collected by the Township or the Borough, as appropriate, to cover the other municipality’s review costs.

**§606. Organizational Structure.**

No collaborative entity with separate organizational structure is proposed. Each party to the Agreement shall act in its own individual capacity as provided for in the Agreement.

**§607. Real and/or Personal Property.**

No acquisition, management, or disposal of real property or real estate by the Township is authorized.

**§608. Employees.**

No new entity has been created by the Agreement, and therefore no employees are required. The utilization of municipal consultants to be compensated directly by their respective municipalities is contemplated in the Agreement.

**SECTION 2. FULL FORCE AND EFFECT.** All other articles, sections, parts and provisions of the Ordinances of the Township of Honey Brook shall remain in full force and effect as previously enacted and amended.

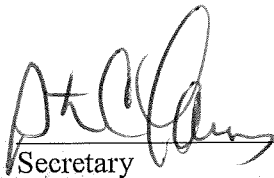
**SECTION 3. SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 4. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

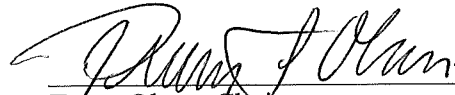
**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective five days after enactment as provided by law.

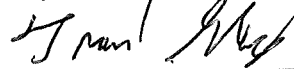
SO IT IS ENACTED AND ORDAINED this 11th day of April, 2018.

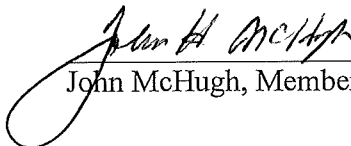
ATTEST:

  
Secretary

HONEY BROOK TOWNSHIP  
BOARD OF SUPERVISORS

  
Tracy Olsen, Chairperson

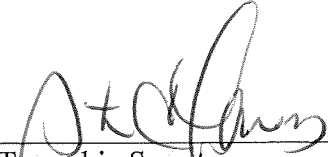
  
Travis Stacey, Vice-Chairperson

  
John McHugh, Member

**CERTIFICATE OF ENACTMENT**

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 193-2018 enacted by the Board of Supervisors of Honey Brook Township, Chester County, Pennsylvania at a regular meeting held on April 11, 2018, pursuant to notice as required by law.

Dated: 4-11-18

  
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Township Secretary