

**UPPER SOUTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2024-479**

AN ORDINANCE OF THE TOWNSHIP OF UPPER SOUTHAMPTON, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 185, ZONING, ARTICLE X, SUBSECTION 82. HEARINGS. OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER SOUTHAMPTON TOWNSHIP RELATED TO WRITTEN NOTICE PROVISIONS FOR HEARINGS.

**WHEREAS**, the Upper Southampton Township Board of Supervisors adopted a Code of Ordinances in 1986; and

**WHEREAS**, the Municipalities Planning Code confers upon the Board of Supervisors of Upper Southampton Township the Authority to amend, change, or modify its Zoning Ordinance as set forth in Chapter 185, all of which shall be in accordance with the provisions of the Pennsylvania Municipalities Planning Code, pursuant to Act 168, P.S. 805, No. 245, as reenacted and amended; and

**WHEREAS**, the Board of Supervisors of Upper Southampton Township, after public hearing, has determined that it is in the best interests to amend the Upper Southampton Township Code of Ordinances Chapter 185, Article X, Subsection 185-82 related to the Hearing requirements.

**NOW THEREFORE**, the Board of Supervisors of the Township of Upper Southampton does hereby enact and ordain the following:

**Section 1.** The provisions of Chapter 185, Zoning, Article X, Subsection 185-82. Hearings. shall be amended as follows:

The Zoning Hearing Board and/or Board of Supervisors, as the case may be, shall conduct Hearings and make decisions in accordance with the following requirements:

- A. Public Notice shall be given by the Zoning Hearing Board and/or the Board of Supervisors as required by law.
- B. Written Notice for Dimensional Variance and/or Special Exception Applications. An Applicant for a dimensional variance and/or special exception shall 15 days prior to the hearing, provide written notice by First Class U.S. Mail, with a Certificate of Mailing PS Form 3817 to all adjacent property owners specifying:

- (1) The name and address of the applicant.

- (2) The name and address of the owner of the property
  - (3) The specific nature of the request contained within the application.
  - (4) A statement that a complete copy of the application and all plans submitted therewith are available for inspection by any interested individual at the Upper Southampton Township, Department of Licenses and Inspection.
  - (5) The date, time, and location of the hearing.
- C. Written Notice for Use Variance and/or any other Zoning Applications. An Applicant for a use variance and/or any other zoning application shall within 15 days of the filing of any application provide notice by certified mail to all property owners within 300 feet of all property lines specifying all information required in subsection 185-82. B. (1) through (5).
- D. No hearing on any request on any Zoning Application shall take place before the Upper Southampton Township Zoning Hearing Board or Board of Supervisors unless the applicant provides, either prior to or at the commencement of hearing on the application, a certification of service upon all property owners as specified in subsections 185-82. B. and/or C. The notice shall comply in all respects with the requirements of subsections 185-82. B. (1) through (5).
- E. The certification shall be accompanied by a copy of the notice and a listing containing the tax parcel number, street address, and name of the property owners so notified.
- F. The certification of notice shall verify the mailing by certified mail and/or First Class U.S. Mail, as the case may be, of the required notice, and shall be accompanied by proof of the certified and/or First Class mailing.
- G. Should any hearing be continued from a date originally set, the notice requirement contained herein shall be satisfied by the announcement on the public record of the date and location for the continued hearing.

**Section 2.** It is the intent of the Upper Southampton Board of Supervisors that the provisions of this Ordinance shall become and made a part of the Code of the Township of Upper Southampton, and the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Section" or "Article" or such other appropriate word or phrase in order to accomplish the intention of the Board.

**Section 3.** All other regulations, provisions, parts, paragraphs, sections, subsections, clauses, sentences, or portions thereof of Chapter 185 of the Code of Ordinances of the Township

of Upper Southampton not specifically amended by this Ordinance shall remain unchanged and in full force and effect.

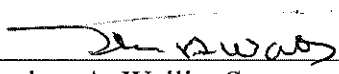
**Section 4.** The provisions of this Ordinance may be severed. Any section, clause, sentence, part, or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the Court shall not impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence or part of the provisions had not been included herein.

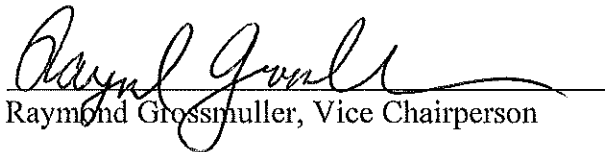
**Section 5.** This Ordinance shall be effective five (5) days after the adoption by the Board of Supervisors of Upper Southampton Township.

Duly enacted and ordained on this 22<sup>nd</sup> day of February, 2024, by the Board of Supervisors of Upper Southampton Township in a public session duly assembled.

**TOWNSHIP OF UPPER SOUTHAMPTON  
COUNTY OF BUCKS  
COMMONWEALTH OF PENNSYLVANIA**

ATTEST:

  
\_\_\_\_\_  
Stephen A. Wallin, Secretary/Treasurer

By:   
\_\_\_\_\_  
Raymond Grossmuller, Vice Chairperson