

**TOWNSHIP OF EAST COCALICO**

Lancaster County, Pennsylvania

---

**ORDINANCE NO. \_\_\_\_\_**

---

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWNSHIP OF EAST COCALICO, CHAPTER 194, SUBDIVISION AND LAND DEVELOPMENT, TO REVISE PLAN PROCESSING PROCEDURES.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of East Cocalico, Lancaster County, Pennsylvania, as follows:

Section 1. The Code of Ordinances of the Township of East Cocalico, Chapter 194, Subdivision and Land Development, §194-9, Preliminary Plan Application, Subsection I, Notification of Ruling, Paragraph (5), shall be amended to provide as follows:

- (5) Unconditional preliminary plan approval shall expire within one year after the date the applicant obtains unconditional preliminary approval unless the applicant has filed a final plan or unless applicant has requested and the Board of Supervisors has granted an extension of time. Applicant shall be required to submit a new preliminary plan in accordance with the §194-9 if Applicant desires to proceed after the expiration of the unconditional preliminary plan approval. An applicant shall request an extension of time of an unconditional preliminary plan approval not less than thirty-one (31) days before the date of expiration. The Township shall have no responsibility to inform the applicant of the expiration or pending expiration of unconditional preliminary plan approval.

Section 2. The Code of Ordinances of the Township of East Cocalico, Chapter 194, Subdivision and Land Development, §194-9, Preliminary Plan Application, Subsection J, Compliance with Conditions of Approval, Paragraph (3), shall be amended to provide as follows:

- (3) An applicant shall comply with all conditions on preliminary plan approval within one year of the date of the written decision of the Township granting conditional preliminary plan approval. If the applicant fails to comply with the conditions on preliminary plan approval within such one year period, the conditional preliminary

plan approval shall expire. Applicant shall be required to submit a new preliminary plan in accordance with the §194-9 if Applicant desires to proceed after the expiration of the conditional preliminary plan approval. The applicant may request that the Board of Supervisors grant an extension of the time within which to satisfy conditions on preliminary plan approval. The applicant shall submit a request for an extension of time to the Township not less than thirty-one (31) days prior to the date of expiration of conditional preliminary plan approval. The Township shall have no responsibility to inform the applicant of the expiration or pending expiration of conditional preliminary plan approval.

Section 3. The Code of Ordinances of the Township of East Cocalico, Chapter 194, Subdivision and Land Development, §194-10, Final Plan Application, Subsection C, Submission Procedure, Paragraph (1), shall be amended to provide as follows:

- (1) An applicant shall submit final plans to the Township Manager, or to the designee of the Township Manager, at the Township office, on any business day. Applicant shall submit the final plan no later than noon on the 31st day prior to a Township Planning Commission meeting in order to be placed on the Township Planning Commission agenda for that meeting. If the applicant has submitted and obtained unconditional approval of a preliminary plan, the applicant shall submit the application for final approval of the first phase of such development within one year of the date of unconditional preliminary plan approval. The applicant shall submit final plans for subsequent phases of the development in accordance with the phasing schedule approved by the Board of Supervisors as part of the preliminary plan approval. If applicant does not submit final plans in accordance with the phasing schedule or a modified phasing schedule approved by the Board of Supervisors, the preliminary plan approval shall expire, and applicant shall be required to file a new preliminary plan in accordance with §194-9.

Section 4. The Code of Ordinances of the Township of East Cocalico, Chapter 194, Subdivision and Land Development, §194-10, Final Plan Application, Subsection K, Compliance with Conditions of Approval, Paragraph (4), shall be amended to provide as follows:

- (4) The applicant shall satisfy all conditions on final plan approval and submit the final plan for certification within one year from the date of the written decision granting conditional final approval. If applicant does not satisfy all conditions imposed on final approval within such one year period, the final approval shall expire. Applicant shall then be required to submit a new final plan which shall be processed in accordance with this §194-10. The applicant may request an extension of the time period within which to satisfy conditions on final approval. The Applicant shall submit a request for an extension not less than thirty-one (31) days before the expiration of the one year period. The Township shall have no responsibility to inform the applicant of the expiration or potential expiration of the one-year period within

which to satisfy conditions on approval of the final plan.

Section 5. All other sections, parts and provisions of the Code of Ordinances of the Township of East Cocalico shall remain in full force and effect as previously enacted and amended.

Section 6. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 7. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of East Cocalico as provided by law.

ORDAINED AND ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

EAST COCALICO TOWNSHIP  
Lancaster County, Pennsylvania

\_\_\_\_\_  
Douglas B. Mackley

\_\_\_\_\_  
Noelle B. Fortna

\_\_\_\_\_  
Alan R. Fry