

**BERNVILLE BOROUGH, BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2019- 345**

**AN ORDINANCE OF THE BOROUGH OF BERNVILLE, BERKS COUNTY, PENNSYLVANIA, REPEALING ORDINANCE NUMBER 139 DISSOLVING THE PLANNING COMMISSION OF THE BOROUGH OF BERNVILLE**

**WHEREAS**, by Ordinance Number 139 enacted on December 3, 1963, the Council of the Borough of Bernville created the Bernville Borough Planning Commission; and

**WHEREAS**, Council for the Borough of Bernville desires to repeal Ordinance Number 139 and abolish the Planning Commission of the Borough; and

**WHEREAS**, pursuant to Section 202 of the Pennsylvania Municipalities Planning Code ("MPC"), 53P.S. §10202, the governing body of the municipality shall perform the duties of a planning commission under the MPC in the absence of a planning commission.

**NOW THEREFORE, BE IT ENACTED and ORDAINED** by the Bernville Borough Council of Bernville Borough, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Borough of Bernville Ordinance Number 139 establishing the Bernville Borough Planning Commission is hereby repealed in its entirety.

SECTION 2. In repealing Ordinance Number 139 Council for the Borough of Bernville hereby dissolves and abolishes the Bernville Borough Planning Commission.

SECTION 3. All powers and authority granted a municipal planning commission by the MPC shall be undertaken and performed by Council for the Borough of Bernville.

SECTION 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

SECTION 5. If any sentence, clause, section or part of this Ordinance for any reason is 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 of this Ordinance. It is hereby declared to be the legislative intent of the Bernville Borough Council that this Ordinance would have been adopted had such provisions not been included herein.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SECTION 6. Effective Date.


This Ordinance shall become effective five (5) days after enactment, as provided by law.

DULY ENACTED AND ORDAINED as an Ordinance of Bernville Borough, Berks County, Pennsylvania, this 5 day of February, 2019.

ATTEST:

BOROUGH COUNCIL OF THE  
BOROUGH OF BERNVILLE

  
\_\_\_\_\_  
Borough of Bernville Secretary

By:   
\_\_\_\_\_  
Borough Council President

APPROVED, this 5<sup>th</sup> day of February, 2019, by the Mayor of the Borough of Bernville.

ATTEST:

  
\_\_\_\_\_  
Borough of Bernville Secretary

  
\_\_\_\_\_  
Mayor

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2019 - 345 adopted by the Borough Council of Bernville Borough, Berks County, Pennsylvania at a regular meeting held on February 5, 2019, pursuant to notice as required by law.

Dated: 2/5/19

  
Borough of Bernville Secretary