

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 1087

AN ORDINANCE AMENDING THE BOROUGH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, CLARIFYING THAT AN APPROVED PLAN DOES NOT EXPIRE AFTER FIVE YEARS; THAT A PLAN IS PROTECTED FROM SUBSEQUENT ZONING CHANGES FOR FIVE YEARS; LEAVING THE REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT; EFFECTIVE UPON ADOPTION

WHEREAS, the Borough has adopted by ordinance a procedure through which subdivision and land development plans are processed and approved, and

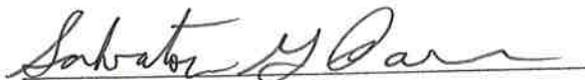
WHEREAS, as a matter of state law, approved subdivision and land development plans do not expire no matter the length of time that passes after they approved, although they are only protected from subsequent changes in zoning for a period of five years, and

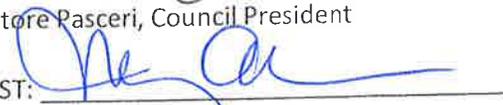
WHEREAS, the Borough ordinances, and in particular at Title 22, Section 308 ("Plan Processing Procedures") creates confusion and is incorrectly worded because it states that the plan expires after a period of five years, such language being contrary to state law,

NOW THEREFORE, Ambler Borough Council does ORDAIN as follows. Ordinance 895, Section 307, codified in the Borough Codified Ordinances at 22-308(l)(9), is amended as follows:
The existing language is DELETED entirely and replaced with the following:

"When an applicant commences work on an approved plan within five years of the date on which the plan was approved, neither the plan nor the work carried out in furtherance of the plan is required to comply with any changes to the Borough zoning or subdivision/land development ordinances adopted after the date on which the plan was approved. Work commenced more than five years from the date of approval must comply with intervening ordinance changes, although the plan does not terminate or expire under any circumstance. When final approval is preceded by preliminary approval, the five years shall be measured from the date of preliminary approval."

The remainder of the Ordinance remains in full force and effect, unaffected by this ordinance. This ordinance is effective upon adoption. SO ORDAINED this 18 day of August, 2015.


Salvatore Pasceri, Council President

ATTEST: 
Mary Aversa, Borough Secretary