

SHREWSBURY TOWNSHIP  
YORK COUNTY, PENNSYLVANIA

ORDINANCE 2004-07

AN ORDINANCE OF THE TOWNSHIP OF SHREWSBURY  
YORK COUNTY PENNSYLVANIA, ESTABLISHING AND ADOPTING  
THE “OFFICIAL MAP” and “OFFICIAL MAP PROJECT NARRATIVE” OF THE  
TOWNSHIP

WHEREAS, the Township of Shrewsbury is a second class Township of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to Article IV of the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as reenacted and amended, the Township is authorized to establish and adopt an “OFFICIAL MAP” for all or a portion of the Township which map may show appropriate elements of the Shrewsbury Township Comprehensive Plan including but not limited to existing proposed public streets, water courses and public grounds including widening, narrowing, extensions, diminutions, openings or closing of same, existing and proposed public parks, playgrounds and open space reservations, and support facilities, easements and other properties held by public bodies as described in Section 301 of the MPC, including historic and resources, other unique natural areas; and

WHEREAS, pursuant to Article IV of the Pennsylvania Municipalities Planning Code, the Township desires to reserve for future taking or acquisition for public use certain proposed public grounds including but not limited to; roadway improvement and transportation corridors and open space and parkland including greenways, trails and bicycle/pedestrian links; historic sites and resources and natural areas; and

WHEREAS, the Board of Supervisors of Shrewsbury Township has directed the Township Engineer to prepare an “OFFICIAL MAP” for the Township depicting and describing the foregoing elements and desires to adopt same as the “OFFICIAL MAP” and “OFFICIAL MAP PROJECT NARRATIVE” of the Township of Shrewsbury.

NOW, THEREFORE, be it ordained and enacted as follows:

1. The Township hereby adopts as the “OFFICIAL MAP” and “OFFICIAL MAP NARRATIVE” of the Township of Shrewsbury all that certain Map thereto designated as “Official Shrewsbury Township York County, Pennsylvania Official Map” dated June 9, 2004 prepared by C.S. Davidson, Inc., Consulting Engineers.

2. The aforesaid Official Map and Official Map Project Narrative depicts and describes Township property and property rights, both present and proposed, including, but not limited to roadway improvement and transportation corridors and open space and parkland including greenways, trails and bicycle/pedestrian links; historic sites and resources and natural areas.

3. The property depicted as proposed Township property, including ground, roadway improvement and transportation corridors and open space and parkland including greenways, trails and bicycle/pedestrian links; historic sites and resources and natural areas; shall be reserved for future taking or acquisition for public use.

4. The Township may initiate surveys of property locations for the purposes of taking action.

5. Whenever lands and/or right-of-way and/or easements are to be acquired pursuant to the OFFICIAL MAP and OFFICIAL MAP NARRATIVE PROJECT, boundary descriptions by metes and bounds descriptions shall be made by a licensed surveyor.

6. The Township directs that upon adoption of this Ordinance, a copy of the "OFFICIAL MAP" and "OFFICIAL MAP PROJECT NARRATIVE" verified by the Board of Supervisors, shall be submitted to the Recorder of Deeds of the County of York to be recorded within sixty (60) days of the effective date hereof.

7. After adoption of the "OFFICIAL MAP" and "OFFICIAL MAP PROJECT NARRATIVE" , or part thereof, all streets, watercourses, and public grounds and the elements listed in Section 401 of the Pennsylvania Municipalities Planning Code on final, recorded plats which have been approved as provided by this Act shall be deemed amendments to the "OFFICIAL MAP" and "OFFICIAL MAP PROJECT NARRATIVE". Notwithstanding any of the other terms of this article, no public hearing needs to be held or public notice given if the amendment of the "OFFICIAL MAP" and "OFFICIAL MAP PROJECT NARRATIVE" is the result of the addition of a plat which has been approved as provided by this Ordinance.

8. For the purposes of preserving the integrity of the Shrewsbury Township Official Map, no permit shall be issued for any building within the lines of any street or public ground shown or laid out on the OFFICIAL MAP and OFFICIAL MAP PROJECT NARRATIVE, except as noted below. No person shall recover any damages for the taking for public use of any building or improvements constructed within the lines of any street or public ground after the same shall have been included in the "OFFICIAL MAP" and "OFFICIAL MAP PROJECT NARRATIVE", and any such building or improvement shall be removed at the expense of the owner.

9. When the property of which the reserved location forms a part, cannot yield a reasonable return to the owner unless a permit shall be granted, the owner may apply to the Board of Supervisors for the grant of a special encroachment permit to so build. Before granted any special encroachment permit authorized in this section, the Board of Supervisors may submit the application for a special encroachment permit to the Shrewsbury Township Planning Commission and allow the Planning Commission thirty (30) days to review and comment on the special encroachment permit and shall give

public notice and hold a public hearing at which all parties in interest shall have an opportunity to be heard.

A refusal by the Board of Supervisors to grant the special encroachment permit may be appealed by the applicant before the Zoning Hearing Board in the same manner, and within the same time limitations as is provided in the Article IX of the Pennsylvania Municipalities Planning Code.

10. The Board of Supervisors may fix the time for which streets, watercourses and public grounds on the OFFICIAL MAP and OFFICIAL MAP PROJECT shall be deemed reserved for future taking or acquisition for public use. However, the reservation for public grounds shall lapse and become void one (1) year after an owner of such property has submitted a written notice to the Board of Supervisors announcing his intentions to build, subdivide or otherwise develop the land covered by the reservation, or has made formal application for an official permit to build a structure for private use, unless the Board of Supervisors shall have acquired the property or begun condemnation proceedings to acquire such property before the end of the year.

11. All Ordinances and parts inconsistent herewith are hereby repealed.

12. This ordinance shall become effective in accordance with the provisions of the Second Class Township Code of the Commonwealth of Pennsylvania.

ENACTED AND ORDAINED this 1st day of September, 2004

Attest:

Board of Supervisors  
Shrewsbury Township

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Secretary

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Chairman