

**TOWNSHIP OF LOWER NAZARETH**  
**NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 235-17-20**

**AN ORDINANCE**

**ADOPTING THE LOWER NAZARETH TOWNSHIP RECREATION, PARKS, AND OPEN SPACE MASTER PLAN, NOVEMBER 2020, ESTABLISHING MUNICIPAL OPEN SPACE AND FARMLAND DEVELOPMENT POLICIES, SETTING GOALS AND OBJECTIVES, IDENTIFYING POTENTIALLY VULNERABLE RESOURCES, ESTABLISHING PRESERVATION RECOMMENDATIONS, PROVIDING IMPLEMENTATION PROCEDURES, AND ESTABLISHING RESPONSIBILITIES OF THE LOWER NAZARETH TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL.**

WHEREAS, the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania, deems it to be in the best interest and general welfare of the citizens and residents of the Township to work towards the preservation of natural resources, determination of possible uses of open space in the Township, and creating inventories of natural areas with unique features; and

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103 No. 69, as amended, (53 P.S. 66506), authorizes the Board of Supervisors to make and adopt Ordinances necessary for the proper management, care and control of the Township and the maintenance of peace, good government, health and welfare of the Township; and

WHEREAS, the Act of January 19, 1968, P.L. (1967) 992, as amended (32 P.S. 5001, et seq.), grants the Township the authority to establish by Ordinance procedures for reviewing open space property, interest considered for acquisition by the local government unit, for rating the relative desirability of interest in particular parcels of real estate and for establishing the price the local government unit will pay as well as other rights and responsibilities in connection with the preservation of land for open space; and

WHEREAS, the Board of Supervisors of Lower Nazareth Township by Ordinance established the Environmental Advisory Council; and

WHEREAS, the Board of Supervisors enacted an Ordinance providing for a question to be placed before the voters of Lower Nazareth Township by referendum at the election of May 21, 2019, asking whether the electors of Lower Nazareth Township favor the imposition of an additional earned income tax at the rate of 0.25% by Lower Nazareth Township to be used for financing the acquisition of open space, for the purpose of acquiring agricultural conservation easements, for the purpose of acquiring property development rights, and for related fees and expenses as authorized by law; and

WHEREAS, the electors of Lower Nazareth Township, on May 21, 2019, adopted a referendum favoring the imposition of the aforesaid additional earned income tax, which was then, pursuant to said authorization, duly enacted on August 14, 2019, by the Board of Supervisors of Lower Nazareth Township, Ordinance No. 234-08-19, and imposed effective 2020; and

WHEREAS, the Board of Supervisors of Lower Nazareth Township have, by Resolution bearing even date herewith, adopted the Lower Nazareth Township Recreation, Parks, and Open Space Master Plan, November 2020.

NOW, THEREFORE, be it enacted and ordained by the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania, and the same is hereby ordained and enacted as follows, to wit:

**SECTION 1:** The Lower Nazareth Township Recreation, Parks, and Open Space Master Plan, November 2020, attached hereto, made a part hereof, and incorporated herein, is hereby adopted, providing community background, municipal open space land development policies, goals and objectives, identifying potentially vulnerable resources, establishing preservation recommendations, providing for implementation and establishing open space criteria evaluation for farmland preservation and natural areas preservation.

**SECTION 2:** The Environmental Advisory Council, in addition to such authority as had been previously granted to them pursuant to the Second Class Township Code, shall have the administrative authority to recommend to the Board of Supervisors implementation initiatives as set forth in the Open Space Plan.

**SECTION 3:** The Board of Supervisors shall implement the Lower Nazareth Township Recreation, Parks, and Open Space Master Plan, November 2020, in accordance with the provisions of the Act of January 19, 1968, P.L. (1967) 992, as shall be from time to time amended by the Legislature (32 P.S. 5001, et seq).

**SECTION 4:** In the event any provision of this Ordinance is declared unconstitutional, unlawful, or unenforceable by a Court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance or of this Ordinance as a whole, but shall continue in full force and effect as though the unconstitutional, unlawful, or unenforceable provision has never been a part hereof.

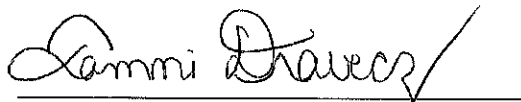
**SECTION 5:** All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

**SECTION 6:** This Ordinance shall be effective immediately.

DULY ENACTED AND ORDAINED by the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania, this 9 day of DECEMBER, 2020.

**LOWER NAZARETH TOWNSHIP**

**ATTEST:**

  
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**TAMMI DRAVECZ, Secretary**

By:   
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**JAMES PENNINGTON, Chairman**