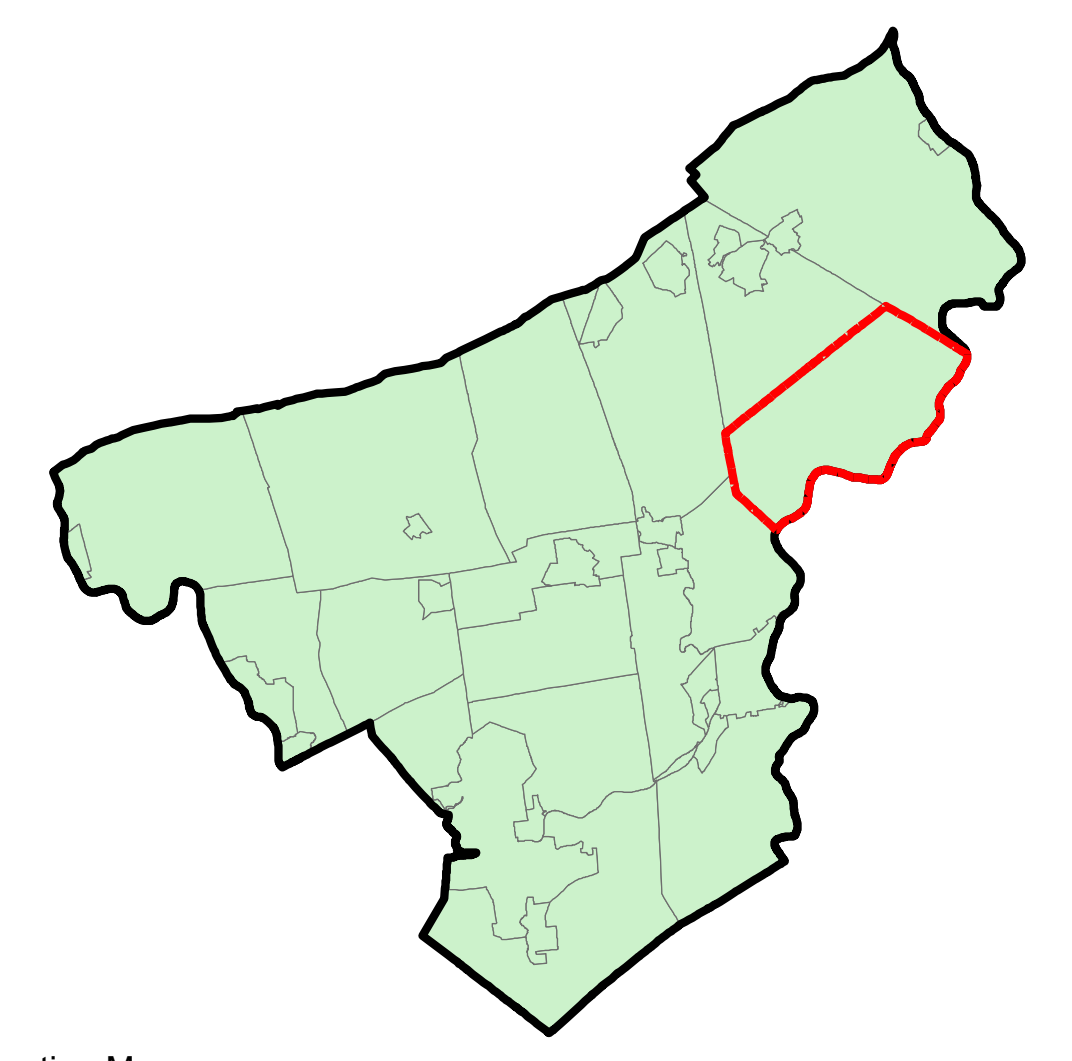
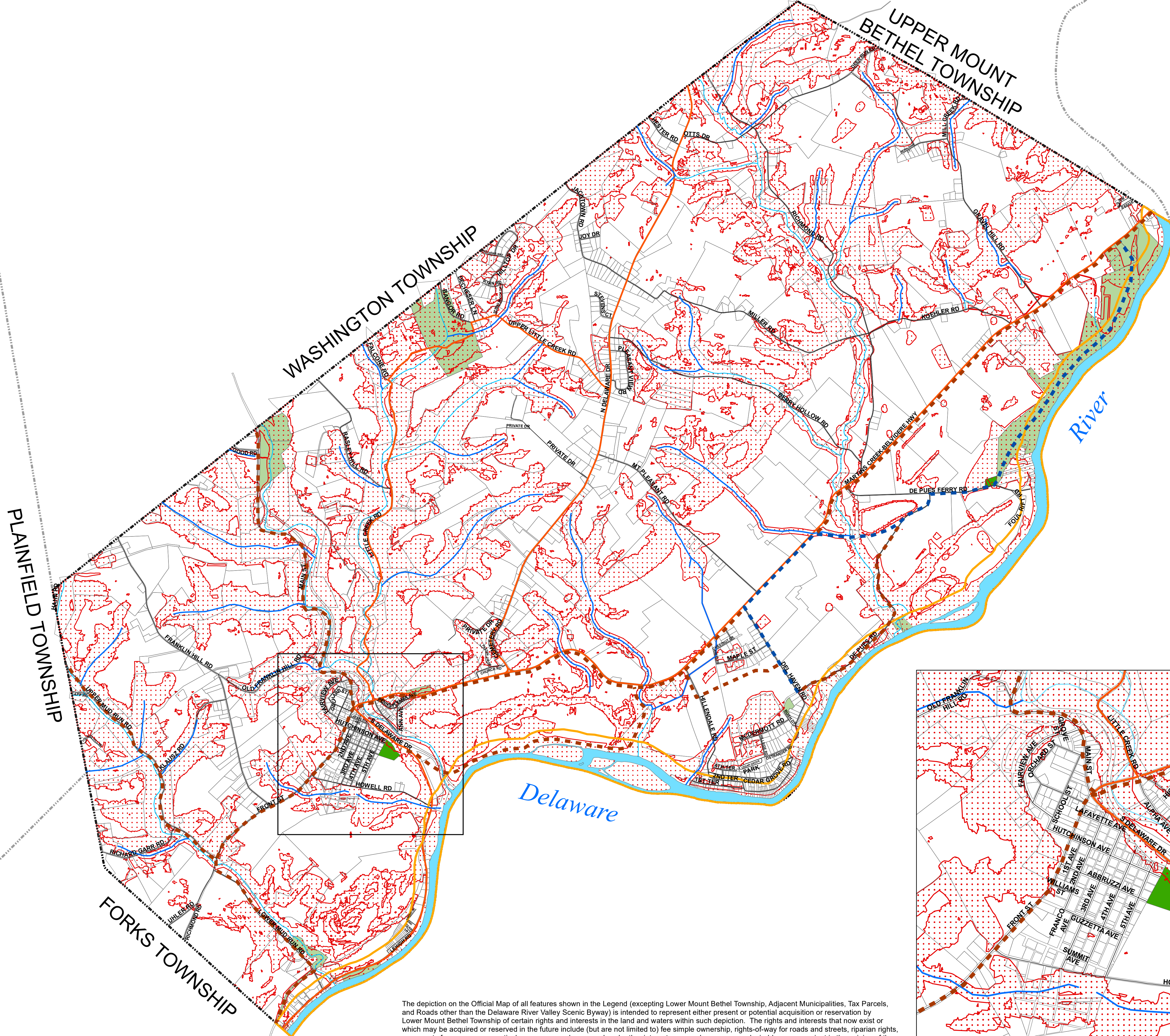


Lower Mount Bethel Township Official Map



Location Map



Legend

- Lower Mount Bethel Township
- Adjacent Municipalities
- Tax Parcels
- Roads¹
- Headwaters Streams²
- Streams²
- Existing parks and conserved open space
- Existing Trail
- Future Trail
- Natural Features Worthy of Conservation
- Lower Delaware Scenic and Recreational River³
- Delaware River Valley Scenic Byway⁴
- Future public parkland

Notes:

1. The widths and locations of road rights-of-way shall correspond to the width and location of the Right-Of-Way for each road as set forth in §22-506 – Road Standards, subsection 1, of the Township Code.
2. Streams and Headwaters Streams shall include all land and water between the ordinary low water marks of such streams. The names of all streams shown on the Official Map shall be as shown in the Lower Mount Bethel Township Comprehensive Plan.
3. The Lower Delaware Scenic & Recreational River is indicated as a generalized corridor. The intent is to focus on conservation of the scenic and natural resources along the River which may extend beyond the generalized corridor as shown.
4. The Delaware River Valley Scenic Byway is indicated by the locations of the designated roadway segments. The reservation area shall be as defined by any applicable dimensional setbacks in the Zoning Ordinance of 2022, including yard area setbacks, that about the designated roadway, impacts on the watershed of the Scenic Byway – even if outside of the reservation area - shall be mitigated to the maximum extent feasible.

The depiction on the Official Map of all features shown in the Legend (excepting Lower Mount Bethel Township, Adjacent Municipalities, Tax Parcels, and Roads other than the Delaware River Valley Scenic Byway) is intended to represent either present or potential acquisition or reservation by Lower Mount Bethel Township of certain rights and interests in the land and waters within such depiction. The rights and interests that now exist or which may be acquired or reserved in the future include (but are not limited to) fee simple ownership, rights-of-way for roads and streets, riparian rights, easements for one or more particular purposes and uses, and such other interests as may be necessary, desirable, or convenient in the opinion of the Township. Pursuant to MPC Section 404 – Effect of Official Map on Mapped Streets, Watercourses and Public Grounds, the adoption of this Official Map and the depiction of the aforesaid features shall not constitute or be deemed to be an acquisition, taking, acceptance, or reservation of any land or water or rights or interests in land or water, nor shall such a depiction obligate the Township to acquire, take, accept, or reserve any land or water or rights or interests in land or water.



Data source: Base data from Lehigh Valley Planning Commission, 2005
Tax parcels from Northampton County, 2022.

Map created: September 29, 2022
Last revised: December 5, 2022

**LOWER MOUNT BETHEL TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2022-03
“OFFICIAL MAP OF 2022”
(Duly Adopted December 12, 2022)**

AN ORDINANCE TO APPROVE, ADOPT, ENACT, AND ESTABLISH AN OFFICIAL MAP FOR LOWER MOUNT BETHEL TOWNSHIP, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, SHOWING BOUNDARIES OF LOWER MOUNT BETHEL TOWNSHIP AND ADJACENT MUNICIPALITIES, TAX PARCELS, ROADS, STREAMS, HEADWATERS STREAMS, BODIES OF WATER, LOWER DELAWARE SCENIC AND RECREATIONAL RIVER, DELAWARE RIVER VALLEY SCENIC BYWAY, NEW ENTERPRISE BASEBALL FIELD, HYDRIC SOILS, SLOPES 15-25%, SLOPES >25%, RIPARIAN BUFFER (100' FROM EACH BANK AND 60' FROM WETLANDS), WETLANDS, WOODLANDS, AND PRESERVED OR PROTECTED LAND (WHETHER BY AGRICULTURAL CONSERVATION EASEMENTS OVER FARMLAND, TOWNSHIP PARKS AND OPEN SPACE, OR OTHERWISE) CONTAINING A SHORT TITLE AND CITATION AS THE “OFFICIAL MAP OF 2022”; TO PROVIDE FOR THE EFFECTIVENESS OF THE OFFICIAL MAP OF 2022; TO PROVIDE FOR THE REPEAL OF ANY PREVIOUS OFFICIAL MAPS; TO REQUIRE FILING AND RECORDING OF A COPY OF THE OFFICIAL MAP OF 2022 AND KEEPING THE OFFICIAL MAP OF 2022 AND THE CODE OF ORDINANCES UP TO DATE; AND TO PROVIDE FOR AN EFFECTIVE DATE.

PREAMBLE

WHEREAS, Lower Mount Bethel Township (“Township”) is a political subdivision, municipal corporation, and Township of the Second Class of the Commonwealth of Pennsylvania, being a body both corporate and politic, situated in Northampton County, duly established and lawfully existing under and pursuant to the General Municipal Laws, 53 P.S. §§ 101 *et seq.*, and Second Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §§ 65101 *et seq.*, as amended; and

WHEREAS, the Board of Supervisors of Lower Mount Bethel Township, in order to provide the legal provisions and regulations for an efficient, orderly, and practical means of authorizing and controlling the uses, dimensions, locations, and other characteristics of land within the Township including (but not limited to) roads and streets, watercourses, public grounds and parks, and certain natural features, and also accessing an official map, has determined to create and adopt an official zoning map to achieve that purpose, and to also repeal inconsistent prior legislation through the adoption process; and

WHEREAS, the Township is authorized and empowered to create, approve, adopt, enact, and establish such an official map as hereinafter provided by virtue of the Pennsylvania Municipalities Planning Code (“MPC”), the same being codified at 53 P.S. §§ 10101 *et seq.*, and specifically (but not limited to) Article IV – Official Map thereof; and

WHEREAS, the Township officials and staff convened and requested an informal group of Township officials, interested citizens, and representatives of local businesses within the Township, known as the “Ad Hoc Comprehensive Plan Committee” (hereinafter “Committee”) to discuss and prepare a draft official map; and

WHEREAS, at its March 7, 2022 meeting, the Board of Supervisors formally appointed the members to the Committee; and

WHEREAS, commencing in March 2022 the Township engaged a planning consultant, John Snook, to prepare the draft official map; and

WHEREAS, since March 2022 the Committee has diligently worked with said planning consultant to create the draft official map, holding advertised public meetings as documented in the Township’s records; and

WHEREAS, at the Board of Supervisors meeting of October 3, 2022, the Committee presented and recommended the proposed official map to the Board of Supervisors; and

WHEREAS, on October 14, 2022 the proposed official map was delivered to and submitted to the Lehigh Valley Planning Commission (“LVPC”), the Lower Mount Bethel Township Planning Commission (“PC”), the adjacent Townships of Forks, Plainfield, Washington, and Upper Mount Bethel, all in Northampton County (“Adjacent Townships”), and the Bangor Area and Easton Area School Districts (“School Districts”), for their respective reviews and comments as provided by the MPC; and

WHEREAS, the PC reviewed the draft official map at the PC’s meeting of November 15, 2022, and tabled the draft official map pending receipt and review by the individual PC members of the LVPC’s comments; and

WHEREAS, on or about November 21, 2022 the LVPC issued a comment and recommendation letter dated November 8, 2022 on the proposed official map, and said letter is in the Township’s records; and,

WHEREAS, public notices of the public hearing on December 12, 2022 for consideration and possible enactment of an ordinance adopting the proposed official map and adopting the proposed official map itself, were published in the Express Times newspaper on November 29, 2022 and December 4, 2022, being not less than 7 days prior to the public hearing on the proposed official map, and said public notice was also posted at the Township office not later than November 29, 2022; and

WHEREAS, copies of the proposed ordinance and the proposed official map were delivered to the Express Times newspaper and Northampton County Law Library, and available at the

Township office for public inspection and review, on or before November 29, 2022, said date being the first public notice of the aforesaid public hearing; and

WHEREAS, the Board of Supervisors has reviewed and considered the LVPC's comments and recommendations as contained in LVPC's letter dated November 8, 2022, and such other comments and recommendations as received from the Township's PC, the individual members of the PC, the Adjacent Townships, and the School Districts; and

WHEREAS, this proposed ordinance and the proposed official map are therefore in a procedural position to be considered and possibly enacted and adopted, respectively, by the Board of Supervisors of the Township at the Board's December 12, 2022 regular public meeting; and

WHEREAS, the Board of Supervisors has considered and determined that the health, safety and general welfare of the citizens will be promoted and served by, and it is in the best interest of the Township and its residents and citizens, that the proposed ordinance and official map be adopted as an ordinance and enactment of the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Lower Mount Bethel Township, Northampton County, Pennsylvania, as follows:

OFFICIAL MAP OF 2022

Section 1. Addition to the Code of Ordinances.

Add the following to the Township of Lower Mount Bethel Code of Ordinances under "MUNICIPAL CODE" as indicated:

Chapter __ **Official Map of 2022** (§ __-101 - § __-104)

§ __ - 101. **Adoption of the Official Map of 2022, Short Title, and Citation**

The new official map, entitled "Official Map-draft - Lower Mount Bethel Township Comprehensive Plan", "Map created: September 29, 2022 - Last revised: October 13, 2022", bearing the logotype of the Brandywine Conservancy, consisting of one (1) sheet, in color, 24" x 36" size, a true, complete and correct original of which is attached to this Ordinance, included by reference, and made a part hereof, as prepared for the Township by the Brandywine Conservancy and John Snook, is hereby adopted in accordance with Section 402. – Adoption of the Official Map and Amendments Thereto of the MPC. Said Official Map shall be known and cited officially as the "Official Map of 2022", and all future ordinances shall refer thereto as such.

§ __ - 102. **Contents.**

The Official Map depicts by mapping and textual notes:

- A. Lower Mount Bethel Township boundaries
- B. Adjacent Municipalities boundaries
- C. Tax Parcels

- D. Roads
- E. Headwaters Streams
- F. Streams
- G. Existing parks and conserved open space
- H. Existing Trail
- I. Future Trail
- J. Natural Features Worthy of Conservation
- K. Lower Delaware Scenic and Recreational River
- L. Delaware River Valley Scenic Byway, and
- M. Future public parkland

§ ___ - 103. **Time Limit for Reservations for Future Acquisitions or Takings**

The time limitation referred to in MPC Section 406 – Time Limitations on Reservations for Future Taking (53 P.S. § 10406) on reservations for the future takings or acquisitions for public use shall be in effect until December 31, 2032.

§ ___ - 104. **Intent of Depiction for Present of Future Acquisition, Rights and Interests in Features Depicted, and Effect of Depiction not an Acquisition**

The depiction on the Official Map of all features shown in the “**Legend**” (excepting “Lower Mount Bethel Township”, “Adjacent Municipalities”, and “Tax Parcels”) is intended to represent either present or potential future acquisition or reservation by Lower Mount Bethel Township of certain rights and interests in the land and waters within such depiction. The rights and interests that now exist or which may be acquired or reserved in the future include (but are not limited to) fee simple ownership, rights-of-way for roads and streets, riparian rights, easements for one or more particular purposes and uses, and such other interests as may be necessary, desirable, or convenient in the opinion of the Township. Pursuant to MPC Section 404. – Effect of Official Map on Mapped Streets, Watercourses and Public Grounds, the adoption of this Official Map and the depiction of the aforesaid features as shown in the **Legend** (excepting “Lower Mount Bethel Township”, “Adjacent Municipalities”, and “Tax Parcels”) shall not constitute or be deemed to be an acquisition, taking, acceptance, or reservation of any land or water or rights or interests in land or water, not shall such a depiction obligate the Township to acquire, take, accept, or reserve any land or water or rights or interests in land or water.

Section 2. Effect of Official Map of 2022 on Prior Ordinances and Prior Maps,

The depictions of the Official Map of 2022, insofar as they are substantively the same as those provisions of ordinances and depictions of maps, respectively, in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such previous ordinances and maps and not as new enactments, and the effectiveness of such provisions

and depictions shall date from the date of adoption of the prior ordinances and maps, respectively. All such provisions and maps are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Supervisors of the Township, and it is the intention of said Board of Supervisors that each such provision and map contained within the Official Map of 2022 is hereby reenacted and reaffirmed as it appears in said Official Map of 2022. And further, it is expressly declared that neither the Zoning Ordinance of 2022 nor the Zoning Map of 2022 shall be repealed, abrogated, or modified by this adoption of the Official Map of 2022, and said Zoning Ordinance of 2022 and Zoning Map of 2022 are hereby reaffirmed. Only such provisions of former ordinances and maps as are omitted from the Official Map of 2022 shall be deemed repealed or abrogated by the provisions of Section 3 below, and only new or changed provisions, as described in Section 5 below, shall be deemed to be enacted from the effective date of this Ordinance, as provided in Section 13 below.

Section 3. Inconsistent Legislation Repealed

Except as provided in Section 4 below, all ordinances, resolutions, and/ or other regulations and maps or parts of same inconsistent with the depiction on the Official Map of 2022 adopted by this Ordinance are hereby repealed as of the effective date given in Section 13; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Township which is not in conflict with the provisions of the Official Map of 2022 shall be deemed to remain in full force and effect. Provided, it is expressly declared that neither the Zoning Ordinance of 2022 nor the Zoning Map of 2022 shall be repealed, abrogated, or modified by this adoption of the Official Map of 2022, and said Zoning Ordinance of 2022 and Zoning Map of 2022 are hereby reaffirmed,

Section 4. Legislation Saved from Repeal; Matters Not Affected by Repeal

The adoption of the Official Map of 2022 and the repeal of ordinances and maps provided for in Section 3 of this Ordinance shall not affect the following ordinances, maps, rights, and obligations in effect as of the effective date of this Ordinance which are hereby expressly saved from repeal; provided, however, that the repeal of ordinances and maps pursuant to Section 3 or the saving from repeal of ordinances and maps pursuant to this Section shall not be construed so as to revive any ordinance or map previously repealed, superseded or no longer of any effect:

- A. Any ordinance or map adopted subsequent to the date that the Official Map of 2022 was adopted by the Township (*i.e.*, December 12, 2022). Provided, that any ordinance or map adopted after said date shall not affect the Official Map of 2022 unless that effect is expressly stated to be the intent of such ordinance or map.
- B. Any right or liability established, accrued, or incurred under any legislative provision of the Township prior to the effective date of this Ordinance, or any action or proceeding brought for the enforcement of such right or liability, or any cause of action acquired or existing.

- C. Any offense or act committed or done before the effective date of this Ordinance in violation of any legislative provision of the Township or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered prior to the effective date of this Ordinance, brought pursuant to any legislative provision of the Township.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Township or any lawful contract, obligation or agreement.
- F. Any ordinance authorizing the purchase, sale, lease or transfer of property or acquiring property by acceptance of deed, condemnation or exercise of eminent domain.
- G. Any ordinance or part of an ordinance providing for laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, sidewalk, park or other public place or property or designating various streets as public highways.
- H. Any ordinance establishing water, sewer or other special purpose districts and designating the boundaries thereof; providing for a system of sewers or water supply lines; or providing for the construction, extension, dedication, acceptance or abandonment of any part of a system of sewers or water supply lines.
- I. Any ordinance providing for public improvements.

Section 5. Inclusion of Legislation After Adoption of the Official Map of 2022

All ordinances and maps of a general and permanent nature adopted subsequent to the date of adoption of this Ordinance, and which are expressly declared to be amendments to the Official Map of 2022, are hereby deemed to be a part of the Official Map of 2022 and shall, upon being printed, be included therein. Attested copies of all such ordinances and maps shall be temporarily placed in and attached to the Official Map of 2022 until printed supplements of the Official Map of 2022 which contain the said ordinances and maps are included.

Section 6. Interpretation of Provisions

In interpreting and applying the provisions of the Official Map of 2022, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the provisions of the Official Map of 2022 impose greater restrictions or requirements than those of any statute, other ordinance, resolution or regulation, the provisions of the Official Map of 2022 shall control. Where the provisions of any statute, other ordinance, resolution or regulation impose greater restrictions or requirements than the Official Map of 2022, the provisions of such statute, other ordinance, resolution, regulation or requirements shall control.

Section 7. Titles and Headings

Article titles, headings and titles of sections and other divisions in this Ordinance, or in supplements made to this Ordinance, are inserted in this Ordinance, and may be inserted in supplements to Ordinance, solely for the convenience of persons using this Ordinance and shall not be deemed to be part of the substantive provisions of this Ordinance.

Section 8. Filing of Copy of Official Map of 2022

At least one copy of this Ordinance and the Official Map of 2022 in a post-bound volume shall be filed with the Ordinance Book in the office of the Township Secretary and shall remain there for use and examination by the public. Upon adoption, such copy or copies of this Ordinance and the Official Map of 2022 shall be certified to by the Township Secretary, as provided by law, and such certified copy or copies shall remain on file in the office of the Township Secretary, available to persons desiring to examine the same during all times while this Ordinance and said Official Map of 2022 are in effect.

Section 9. Amending the Official Map of 2022

Any and all additions, deletions, amendments or supplements to the Official Map of 2022, when passed and adopted in such form as to indicate the intention of the Board of Supervisors to be a part thereof, shall be deemed to be incorporated into the Official Map of 2022 so that reference to the Official Map of 2022 shall be understood and intended to include such changes. Whenever such additions, deletions, amendments or supplements to the Official Map of 2022 shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the post-bound book containing said Official Map of 2022 as amendments and supplements thereto. The procedure for amending the Official Map of 2022 shall include the citation of the Article, Section, subsection, or portion to be amended, revised, repealed or added substantially as follows:

- A. Amendment or Revision. "Article _____, Section _____, Subsection _____ or the following portion of the Official Map is hereby amended [revised] to read as follows . . ."
- B. Additions. "Article _____, Section _____, Subsection _____ or the following portion of the Official Map is hereby amended by the addition of the following . . ."
- C. Repeal. "Article _____, Section _____, Subsection _____ or the following portion of the Official Map is hereby repealed in its entirety . . ."

Section 10. Responsibility for Official Map of 2022

- A. Official Map of 2022: It shall be the duty of the Township Secretary, or a person authorized and directed by the Township Secretary, to keep up-to-date the certified copy or copies of the book containing the Official Map of 2022 required to be filed in the office of the Township Secretary for the use of the public. All changes in said Official Map of 2022 and all legislation adopted by the Board of Supervisors subsequent to the effective date of this Ordinance, which the Board of

Supervisors shall adopt specifically as part of the Official Map of 2022, shall, when finally adopted, be included therein by reference until such changes or new legislation are printed as supplements to said Official Map of 2022, at which time such supplements shall be inserted therein.

- B. Code of Ordinances: It shall be the duty of the Township Secretary, or a person authorized and directed by the Township Secretary, to place this Ordinance and the Official Map of 2022 in the "New Laws" portion of the Township of Lower Mount Bethel Code of Ordinances and in the certified copy or copies of the book containing the Code of Ordinances required to be filed in the office of the Township Secretary for the use of the public. Thereafter, this Ordinance and the Official Map of 2022 shall be included in the Township of Lower Mount Bethel Code of Ordinances at the earliest opportunity when administratively convenient and when sufficient funds are available and have been appropriated for that purpose.

Section 11. Penalties and Enforcement

- A. General: It shall be unlawful for anyone to change, alter or tamper with this Ordinance or the Official Map of 2022 in any manner which will intentionally misrepresent the laws of the Township. Whosoever shall violate this Section shall be guilty of an offense under § 4911, "Tampering with Public Records or Information" of the Crimes Code, 18 Pa.C.S. § 4911, and shall be prosecuted under that Section of the law.
- B. Municipalities Planning Code: The Township, all persons aggrieved by violations or alleged violations under the Pennsylvania Municipalities Planning Code, and all persons charged with alleged violations, or the recipient of an enforcement notice under the Pennsylvania Municipalities Planning Code, shall have the full powers, rights, duties, privileges, immunities, and procedures granted to them by the Pennsylvania Municipalities Planning Code.
- C. Second Class Township Code: To the extent not preempted or superseded by the Pennsylvania Municipalities Planning Code, the Township, all persons aggrieved by violations or alleged violations, and all persons charged with alleged violations or the recipient of an enforcement notice shall have the full powers, rights, duties, privileges, immunities, and procedures granted to them by subsection 1601 (c.1) of the Second Class Township Code [53 P.S. § 66601(c.1)] as aforesaid.

Section 12. Severability of Parts of Official Map of 2022

The provisions of this Ordinance and of the Official Map of 2022 adopted hereby are declared to be severable, and if any clause, sentence, subsection, section, article, chapter or part thereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation and application to the clause, sentence, subsection, section, article, chapter or part thereof rendered illegal, invalid or unconstitutional. It is hereby declared to be the intent of the Board of

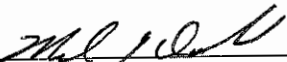
Supervisors that this Ordinance and the Official Map of 2022 would have been adopted if such illegal, invalid or unconstitutional clause, sentence, subsection, section, article, chapter or part thereof had not been included therein.

Section 13. Effective Date

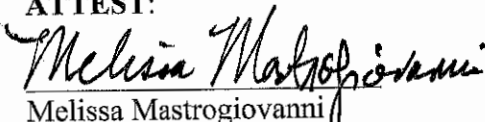
This Ordinance shall become effective five (5) days following the date of adoption by the Board of Supervisors as required by law.

DULY ENACTED AND ORDAINED into an Ordinance this 12th day of December 2022, by a majority of the Board of Supervisors of the Township of Lower Mount Bethel, Northampton County, Pennsylvania, at a duly advertised meeting of the Board of Supervisors at which a quorum was present. As part of this Ordinance, the Board of Supervisors has directed that the Chair, or Vice-Chair in the absence of the Chair, execute this Ordinance on behalf of the Board.

**TOWNSHIP OF LOWER MOUNT BETHEL
BOARD OF SUPERVISORS**

By: 
Michael Deberardinis, Chairman

ATTEST:


Melissa Mastrogiovanni
Township Secretary

[TOWNSHIP SEAL]