

BOROUGH OF MARIETTA  
Lancaster County, Pennsylvania

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE BOROUGH OF MARIETTA,  
COUNTY OF LANCASTER, COMMONWEALTH OF  
PENNSYLVANIA ADOPTING/AMENDING AN OFFICIAL  
STREET MAP/PLAN IN ACCORDANCE WITH THE  
PENNSYLVANIA BOROUGH CODE AND THE  
PENNSYLVANIA MUNICIPALITIES PLANNING CODE

Background:

Section 1712 of the Pennsylvania Borough Code and Article IV of the Pennsylvania Municipalities Planning Code (“MPC”) govern the adoption of an official street map/plan by the Borough. Section 1712(a) provides that a borough that has not maintained an accurate plan of borough streets adopted in accordance with Section 1712 prior to July 16, 2012, may only adopt a plan of streets under the MPC, governing the adoption of an official map.

The Borough adopted an official plan of streets in 1911 and amended that plan in 1941, 1958 and 1960. The Borough has no record of any official map/plan amendments since 1960 although there have been changes to the streets of the Borough since that time. Consequently, while the Borough has previously adopted an official street map/plan, it has not maintained an accurate plan of streets prior to July 16, 2012. In turn, the Borough’s official street map/plan must be adopted/amended in accordance with the provisions of the MPC.

Article IV of the MPC sets forth the process for a municipality to adopt an official street map. Section 401 of the MPC sets forth the various items that may be included in an official street map/plan. Those items include, but are not limited to, existing and proposed streets, watercourses, public grounds, public parks, playgrounds, open space reservations, pedestrian ways and easements. The municipality has discretion in deciding which of these elements it wishes to include in its official map. The proposed map and its accompanying ordinance are subject to review and comment by the county and borough planning commissions.

The Borough Council wishes to take action in accordance with the Pennsylvania Borough Code and the MPC to put in place a current official street plan/ map for the Borough.

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

Section 1. In accordance with Section 1702 of the Pennsylvania and Article IV of the MPC, the Borough hereby adopts the attached Exhibit A, to be known as the “Borough of Marietta Official Street Map”, as the official street map/plan of the Borough. Exhibit A is

incorporated by reference as though set forth in full herein. It is specifically noted that Exhibit A does not include (i.e. removes) Division Street between Front Street and Hazel Street. Division Street was included as a paper street on the 1960 street map but was never opened or improved by the Borough. As noted above, the 1960 map was never officially amended or updated by Borough Council since its adoption. In adopting Exhibit A as its official street map/plan, Borough Council is authorizing the removal/exclusion of Division Street from the Borough's official street map.

Section 2. All ordinances or resolutions or parts of ordinances or resolutions, insofar as they are inconsistent with this Ordinance, are hereby repealed.

Section 3. If any provision, sentence, clause, section or part of this ordinance shall for any reason be found unconstitutional, illegal or invalid, such determination shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance and is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

Section 4. This Ordinance shall become effective on the earliest date allowed by law.

ENACTED AND ORDAINED as an ordinance of the Borough of Marietta, County of Lancaster, Commonwealth of Pennsylvania by the Borough Council this \_\_\_ day of \_\_\_\_\_, 2016 in a lawful session duly assembled.

BOROUGH OF MARIETTA

By: \_\_\_\_\_  
Bridey Hannold, President  
Marietta Borough Council

Attest: \_\_\_\_\_  
Sharon Bradnick, Secretary

APPROVED as an Ordinance this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Raymond Vegso, Mayor