

ARTICLE I

**PURPOSES, INTERPRETATION, SHORT TITLE,
AND STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES**

SECTION 100 PURPOSES

This Ordinance is enacted for the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of Hamiltonban Township; for the coordination of existing streets with proposed streets; for adequate open space for traffic, recreation, light and air, and for proper distribution of population, thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens of Hamiltonban Township.

SECTION 101 INTERPRETATION

The provisions of this Ordinance shall be held to be minimum requirements to meet the above stated purposes, where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance, or regulations impose greater restrictions than those of this Ordinance, the provisions of such statute, other ordinance, or regulation shall prevail.

SECTION 102 SHORT TITLE

This Ordinance may be cited as "The Hamiltonban Township Subdivision and Land Development Ordinance of 2003".

SECTION 103 STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES

In addition to the foregoing, this Ordinance is adopted in the interest of protecting and promoting the public health, safety, morals, and general welfare, and shall be deemed to include the following related and specific community development objectives, among others, as may be stated in the 1991 Update of the Hamiltonban Township, Adams County, Pennsylvania Comprehensive Plan (Phase 1 and Phase 2), the contents of which are hereby ratified, approved, re-adopted, and incorporated herein by reference as fully as those set forth at length herein, by the Hamiltonban Township Board of Supervisors.

1. To guide and to regulate the orderly growth, development, and re-development of Hamiltonban Township, in accordance with the above Comprehensive Plan of long-term objectives, principles and standards deemed beneficial to the interests and welfare of the citizens of the Township.
2. To protect the established character and the social and economic well-being of both private and public property.
3. To promote, in the public interest, the utilization of land for the purposes for which it is most appropriate, and to provide maximum protection of residential areas.
4. To secure safety from floods, water pollution and other dangers, and to provide adequate light, air, and convenience of access.
5. To encourage and facilitate the provision of adequate and efficient public facilities, service and utilities.
6. To lessen and, where possible, to prevent traffic congestion on public streets, roads, highways, so as to promote efficient and safe circulation of vehicles and pedestrians.
7. To conserve the value of buildings and to enhance the value of land throughout Hamiltonban Township.
8. To preserve the agricultural and rural qualities of open land.

SECTION 104

DRAFTING GUIDELINES

This Ordinance has been drafted and enacted after consideration and incorporation of the guidelines set forth in the Pennsylvania Municipalities Planning Code, as well as the procedural safeguards required by the common law of the Commonwealth of Pennsylvania [See, e.g., Board of Supervisors of Franklin Township, Adams County, Pennsylvania vs. Meals, 57 Pa. Commonwealth Ct. 129, 426 A.2d 1200 (1981); Board of Supervisors of Upper Frederick Township vs. Moland Development Company, 19 Pa. Commonwealth Ct. 207, 339 A.2d 141 (1975)].