

# CHAPTER 39: PLANNING COMMISSION

[HISTORY: Adopted by the Borough Council of the Borough of Newport 6-7-1994 by Ord. No. 280 (Ch. 1, Part 4, of the 1985 Code). Amendments noted where applicable.]

## GENERAL REFERENCES

Shade Tree Commission - See Ch. 55.

Uniform construction codes - See Ch. 99.

Subdivision and land development - See Ch. 222.

Zoning - See Ch. 250.

§ 39-1. Establishment of Commission.

Pursuant to Act No. 170 of 1988 of the General Assembly of the Commonwealth of Pennsylvania, known as the "Pennsylvania Municipalities Planning Code," Editor's Note: See 53 P.S. § 10101 et seq. a Planning Commission is hereby established and created for the Borough of Newport.

§ 39-2. Shade Tree Commission to be included.

The Planning Commission shall also constitute the Borough Shade Tree Commission with all the powers given thereunto by law and by another chapter of the Newport Code.

§ 39-3. Membership of Commission.

- A. The Planning Commission shall consist of up to five members who shall be duly appointed, from time to time, by the Council of the Borough of Newport and shall not receive any compensation. All members shall serve as unpaid volunteers. Duties are to review and advise Council within the powers and authority here presented. Meetings shall occur once a month in the Borough office. Recommendations will be made in writing to Council. Future appointments shall be for a four-year term. The Commission shall elect its own chairman, vice chairman and secretary and fill other offices as it may determine. The Commission may make and alter bylaws, rules and regulations to govern its procedures consistent with this chapter and laws of Pennsylvania.[Amended 1-8-2013 by Ord. No. 348]

- B. The Commission shall keep a full record of its business and shall make an annual written report to Council by March 1. Interim reports shall be made when and as requested by Council.

§ 39-4. Powers and duties of Commission.

The powers and duties of the Planning Commission of the Borough of Newport shall be as set forth by the powers granted by the reenactment of the Municipalities Planning Code 1988, December 21, Act No. 170 of 1988, Article II, 53 P.S. § 10209.1. In addition, the following power and authority is hereby given to the Planning Commission:

- A. To finish the ongoing Newport Borough Comprehensive Plan for the development of the Borough of Newport, as well as any further related amendments and/or updates as necessary and present it for the consideration of the Borough Council.
- B. Additionally, to create and design additional ordinances involving future land development, and the possible creation of a municipal zoning ordinance and any future pertinent amendments.
- C. To seek, apply for, monitor, implement and take all steps to fulfill and complete, with any other party, grants, funds, contracts, etc., as needed to carry out duties of Planning Commission.
- D. To maintain and keep on file records of recommendations to Borough Council.
- E. To constitute and serve as the Shade Tree Commission.

§ 39-5. Advisors to Commission.

The Newport Borough Solicitor, as well as the Borough Engineer, shall act as advisors to the Planning Commission of the Borough of Newport, at the Commission's request, from time to time, with Council's approval.

§ 39-6. Application to Planning Commission.

Any person, firm, corporation or other business or legal entity that wishes to develop or subdivide property, or undertake new construction of any type, make additions to existing structures or desires to change the nature, character or purpose of the property, shall first make application to the Borough of Newport Planning Commission which shall make a recommendation to Council as to whether to approve or disapprove the application. The form of the application shall be that form that is prescribed from time to time by the Planning Commission of the Borough of Newport.

§ 39-7. Requirements for submission of plans.

Any person, firm, corporation or other business or legal entity who make application to the Planning Commission of the Borough of Newport shall submit same in the manner in which requested by the Planning Commission. All such plans shall be drawn and submitted in writing, in sufficient detail, as requested by the Planning Commission, to set forth an accurate depiction of the property, and showing the planned project change, development, subdivision, new construction, addition, etc., for consideration of the Planning Commission, prior to the issuance of a building permit.