

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE TOWNSHIP OF LOWHILL ESTABLISHING AN ENVIRONMENTAL ADVISORY COUNCIL AND STATING THE POWERS OF, AND OPERATING PROCEDURES FOR, THE COUNCIL AND FURTHER PROVIDING FOR THE MAKING OF APPROPRIATIONS TO FUND THE OPERATIONS THEROF

Section I – Statement of Legislative Findings

WHEREAS, Section 1506 of the Second-Class Township Code, titled “General Powers,” authorizes the Board of Supervisors (the “Supervisors”) of Lowhill Township (the “Township”) to make and adopt ordinances necessary for the proper management, care and control of the Township and the maintenance of peace, good government, and the health and welfare of the Township and its citizens; and

WHEREAS, the Pennsylvania General Local Government Code at 53 Pa. C. S. A. Section 2322 *et. seq.* authorizes the Supervisors, by ordinance, to establish an environmental advisory council (the “EAC”) to advise various boards and commissions, including but not limited to the Planning Commission and the Supervisors, on matters dealing with the protection, conservation, management, promotion and use of natural resources, including air, land, and water resources, located within Township limits; and

WHEREAS, the Supervisors find that it is consistent with the public health, safety, and general welfare of the Township and its citizens for the Supervisors and the various boards and commissions of the Township to be advised concerning matters involving the protection, conservation, management, promotion, and use of natural resources, including air, land and water resources in the Township; and

WHEREAS, the Supervisors desire to establish an EAC as more particularly set forth herein.

Section II - Ordinance Text

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Lowhill Township, Lehigh County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

1. Recitals. The foregoing Recitals are incorporated herein by reference and made a part hereof.

2. Establishment. An environmental advisory council, to be known as the Lowhill Township Environmental Advisory Council (the "EAC"), is hereby created and shall function until this Ordinance is revoked.

3. Purpose of the EAC. The EAC shall advise local governmental agencies including, but not limited to the Supervisors and the Lowhill Township Planning Commission (the "PC") on matters dealing with the protection, preservation, conservation, management, promotion, acquisition of open space, active agricultural properties, woodlands, wetlands, floodplains, and associated riparian areas, and the use of natural resources including air, land, water, and open space resources located within or impacting Lowhill Township (the "Township").

4. Membership. The EAC shall be composed of no more than five (5), and no less than three (3), Township residents.

5. Appointment. Members of the EAC shall be appointed by a majority vote of the Supervisors.

6. Term of Office. Members of the EAC shall serve in accordance with the following procedures:

a. Members shall serve a term of three (3) years, except that initial appointments shall be staggered so that the terms of approximately one-third of the membership shall expire each year and the terms of their successors shall each be three (3) years;

b. Members' terms of office shall expire on the first Monday in January following the last year of their term of office;

c. Members may resign at any time upon providing written notice to the Supervisors;

d. Members may be removed from office in accordance with the laws of the Commonwealth of Pennsylvania;

e. The Supervisors shall appoint successors to serve for the remaining term of a former member;

f. To the extent possible, one member shall also be a member of the Lowhill Planning Commission (the "PC"); and

g. The Supervisors may appoint a representative of an established conservancy or land trust to act as a consultant to the EAC.

7. Compensation. EAC members shall receive no compensation for their services but may be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties.

8. Powers of the Environmental Advisory Council. The Environmental Advisory Council shall have the following powers:

- a. Identify existing and potential environmental problems within the Township;
- b. Recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources, scenic byways, and for the protection and improvement of the quality of the environment within the Township;
- c. Make recommendations as to the possible use of open land areas of the Township;
- d. Promote community environmental programs;
- e. Keep an index of all open areas, publicly or privately owned, including, but not limited to, flood-prone areas, wetlands, and other unique natural areas for the purpose of obtaining information on the proper use of such areas;
- f. Assist in the creation and maintenance of the Township's Environmental Overlay District Map and its Official Map;
- g. Identify and advise the Supervisors and other appropriate local and governmental agencies concerning the identification and acquisition of real and personal property, including open space property, and the method of such acquisitions;
- h. Consult with the Pennsylvania Department of Environmental Protection, the Department of Conservation and Natural Resources, the United States Environmental Protection Agency, environmental advisory councils established by neighboring municipalities, and other appropriate County, State, and federal agencies and non-governmental organizations on environmental issues affecting the Township and its neighbors;
- i. Advise the Supervisors concerning issues of energy conservation and associated LEED programs;
- j. Review and comment upon all subdivision and land development plans filed with the Township and provide written comments to the PC and the Supervisors; and
- k. Perform all other duties assigned to it by the Supervisors consistent with applicable law.

9. Limitations. Section 8, notwithstanding, the EAC shall not exercise any powers or perform any duties which by law are unlawful or which are conferred, or imposed upon, a Commonwealth or other agency.

10. Organization and Meetings. The Supervisors shall designate the Chairman of the EAC. The EAC may select all other officers, establish standing and ad hoc committees, and make rules and procedures governing meetings. The EAC shall abide by the Pennsylvania Sunshine Act: Open Meetings Law, keep records of all meetings and activities, and issue an annual report to the Supervisors. Minutes of each meeting shall be provided to Township staff. The EAC shall endeavor to meet on a monthly, or as needed, basis.

11. Appropriations. The Supervisors may budget and appropriate funds for expenses incurred by the EAC. Appropriations may be expended for administrative, clerical, printing, training, and professional services as may from time to time be required and approved by the Supervisors consistent with budget. The whole or any part of any funds so appropriated in any year may, with the approval of the Supervisors, be placed in a conservation fund and allowed to accumulate from year to year or may be expended in any year.

Section 3 – Protanto Repeal

All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4 – Savings Clause

To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion of provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if the same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion or provision found to be invalid or void.

Section 5 – Effective Date

This Ordinance shall take effect immediately after enactment by the Board of Supervisors of Lowhill Township.

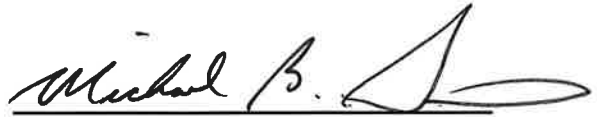
[SIGNATURE PAGE FOLLOWS]

DULY ENACTED AND ORDAINED, this 6 day of APRIL 2026, by the Board of Supervisors of Lowhill Township, Lehigh County, Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF LOWHILL
BOARD OF SUPERVISORS**



CHAIRMAN



VICE CHAIRMAN

ATTEST:



SECRETARY



SUPERVISOR

