

JENKINS TOWNSHIP BOARD OF SUPERVISORS

46 ½ MAIN STREET, INKERMAN

PITTSTON, PENNSYLVANIA, 18640-3103

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Chairman – Stanley E. Rovinski
Secretary/Treasurer – Robert Linskey

Vice-Chairman – Joseph Sperrazza
Solicitor – Charles G. Ross, ESQ.

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JENKINS TOWNSHIP BOARD OF SUPERVISORS

RESOLUTION # 11 of 2022

WHEREAS the current Zoning Ordinance of Jenkins Township was enacted on December 27, 2007, and was subsequently amended on September 24, 2012, and;

WHEREAS Section 609.2 of the Pennsylvania Municipalities Planning Code, Act 247, as amended, provides that if a municipality determines its Zoning Ordinance, or any portion thereof, to be substantively invalid, it may act to formally declare the entire Ordinance or specific portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity.

NOW THEREFORE BE IT RESOLVED BY THE JENKINS TOWNSHIP BOARD OF SUPERVISORS THAT THE JENKINS TOWNSHIP ZONING ORDINANCE OF DECEMBER 27, 2007, AS AMENDED, IS HEREBY DECLARED TO BE SUBSTANTIVELY INVALID WITH RESPECT TO THE USE OF PROPERTY FOR THE ESTABLISHMENT, OPERATION AND/OR USE OF:

HALFWAY HOUSE;

MEDICAL MARIJUANA DISPENSARY;

MEDICAL MARIJUANA GROWER/PROCESSOR FACILITY;

SHORT-TERM HOME RENTAL;

SHORT-TERM TRANSIENT RENTAL;

SOLAR ENERGY SYSTEM, ACCESSORY (ASES);

SOLAR ENERGY SYSTEM PRINCIPAL (ASES);

SUBSTANCE ABUSE TREATMENT FACILITY;

A Substance Abuse Detoxification Treatment Facility;

A Non-Hospital Drug Free Residential Substance Abuse Treatment Facility;

A Partial Hospitalization Treatment Facility;

TINY HOUSE;

TRANSITIONAL HOUSING;

WIND ENERGY FACILITY: PRINCIPAL WIND ENERGY FACILITY (“PWEF”);

WIND ENERGY CONVERSION SYSTEM (SMALL) (“Small WECS”);

WIRELESS COMMUNICATIONS FACILITY (WCF);

Tower-Based Wireless Communications Facility;
Non-Tower Wireless Communications Facility;
Small Wireless Communications Facility.

BE IT FURTHER RESOLVED THAT THE JENKINS TOWNSHIP BOARD OF SUPERVISORS SHALL PROVIDE SPECIFIC FINDINGS SETTING FORTH THE DECLARED AND STATED INVALIDITY WITHIN THIRTY (30) DAYS FOLLOWING THE ENACTMENT OF THIS RESOLUTION.

BE IT FURTHER RESOLVED THAT WITHIN ONE HUNDRED EIGHTY DAYS (180) DAYS FROM THE DATE OF ENACTMENT OF THIS RESOLUTION THE BOARD OF SUPERVISORS SHALL ENACT A CURATIVE AMENDMENT TO CORRECT THE DECLARED AND STATED INVALIDITIES. DURING SAID PERIOD OF TIME, ANY AND ALL APPLICATIONS FOR ANY TYPE OF ZONING PERMIT AND/OR ZONING APPROVAL SOUGHT FOR ANY USE AND/OR DEVELOPMENT RELATED TO THE ESTABLISHMENT AND/OR OPERATION OF:

HALFWAY HOUSE:

MEDICAL MARIJUANA DISPENSARY

MEDICAL MARIJUANA GROWER/PROCESSOR FACILITY

SHORT-TERM HOME RENTAL

SHORT-TERM TRANSIENT RENTAL

SOLAR ENERGY SYSTEM, ACCESSORY (ASES:)

SOLAR ENERGY SYSTEM, ACCESSORY (ASES:)

SUBSTANCE ABUSE TREATMENT FACILITY

 A Substance Abuse Detoxification Treatment Facility:

 A Non-Hospital Drug Free Residential Substance Abuse Treatment Facility

 A Partial Hospitalization Treatment Facility

TINY HOUSE:

TRANSITIONAL HOUSING:

WIND ENERGY FACILITY: PRINCIPAL WIND ENERGY FACILITY (“PWEF”)

WIND ENERGY CONVERSION SYSTEM (SMALL) - (“Small WECS”):

WIRELESS COMMUNICATIONS FACILITY (WCF)

 Tower-Based Wireless Communications Facility

 Non-Tower Wireless Communications Facility (Non-Tower WCF)

 Small Wireless Communications Facility.

SHALL NOT BE ACCEPTED OR CONSIDERED, BEING EXEMPT FROM ANY STATED AND/OR IMPLIED TIME LIMITATION FOR RENDERING A DECISION, AS MAY BE PROVIDED FOR UNDER THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247, AND/OR THE JENKINS TOWNSHIP ZONING ORDINANCE, UNTIL THE EXPIRATION OF ONE HUNDRED EIGHTY (180) DAYS OR THE ENACTMENT OF A CURATIVE AMENDMENT, WHICHEVER OCCURS FIRST.

ENACTED BY JENKINS TOWNSHIP BOARD OF SUPERVISORS ON THIS 11th DAY OF MAY, 2022.

IN WITNESS THEREOF, I affix my hand and attach the seal of Jenkins Township this 11th day of May, 2022.


Stanley E Rovinski, Chairman
Jenkins Township Board of Supervisors


Joseph Sperrazza, Vice Chairman
Jenkins Township Board of Supervisors



SEAL


Robert Linskey, Secretary
Jenkins Township Board of Supervisors