

ORDINANCE 3 2005

LOWER OXFORD TOWNSHIP  
CHESTER COUNTY, PA

**ORDINANCE ESTABLISHING PROCEDURES FOR REVIEWING OPEN  
SPACE PROPERTY INTERESTS, FOR RATING THE RELATIVE  
DESIRABILITY OF INTEREST IN PARTICULAR PARCELS OF REAL  
ESTATE AND FOR ESTABLISHING THE PRICE**

The Board of Supervisors of Lower Oxford Township, Chester County, Pa by the authority vested in them by the Second Class Township Code and specifically as required by the Open Space Lands Acquisition and Preservation Act at 32 P.S. §5001, et seq. hereby adopts the following ordinance for the purpose of establishing procedures for reviewing open space property interests considered for acquisition by Lower Oxford Township, for rating the relative desirability of interest in particular parcels of real estate and for establishing the price Lower Oxford Township will pay.

**WHEREAS**, the Board of Supervisors of Lower Oxford Township imposed an Open Space Tax on earned income after having been approved by a referendum of the electorate of Lower Oxford Township, which is effective January 1, 2005; and

**WHEREAS**, the Commissioners for the County of Chester, Pennsylvania established a Challenge Grant Program providing for joint participation with municipalities who are a part of this program; and

**WHEREAS**, Lower Oxford Township is a part of the Challenge Grant Program by reason of the Board of Supervisors having committed in writing to participate by providing matching funds for successful applications for development right acquisition within Lower Oxford Township; and

**WHEREAS**, in order to comply with the provisions of the Open Space Land Acquisition and Preservation Act, Lower Oxford Township must establish procedures for rating, reviewing and the establishment of the price for agricultural easements.

**NOW THEREFORE**, the Board of Supervisors of Lower Oxford Township hereby adopts the provisions and regulations of the Chester County Challenge Grant Program for farmland preservation for Lower Oxford Township including the appendices establishing the ranking criteria, the method of calculating the score of an application, the subdivision guidelines and the appraisal guidelines. A copy of the Program Guidelines is attached hereto and incorporated by reference herein as though set out in full.

By means of adopting Chester County's procedures, Lower Oxford Township thereby intends to comply fully with the statutory requirements for the Program

In the event any provision, section, sentence, clause or part of this Ordinance is held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance of Lower Oxford Township, it being the intent of the Board of Supervisors that the remaining provisions, sections, sentences, clauses or parts thereof shall remain in full force and effect.

ENACTED AND ORDAINED this 14<sup>th</sup> day of December, 2005  
by the Board of Supervisors of Lower Oxford Township, Chester County, Pennsylvania.

Attest:

LOWER OXFORD TOWNSHIP

Ruth W. Libby  
Ruth W. Libby, Secretary

Arthur A. Astle  
Arthur A. Astle, Chairman

Kenneth L. Hershey  
Kenneth L. Hershey

W. Ronald Kepler  
W. Ronald Kepler