

§ 27-802. Jurisdiction. [Ord. 187, 4/18/2008]

1. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
 - A. Substantive challenges to the validity of any land use ordinance, except those brought before the Board of Supervisors pursuant to Sections 609.1 and 916.1(a)(2) of the Pennsylvania Municipalities Planning Code (hereinafter “MPC”), 53 P.S. §§ 10609.1 and 10916.1.
 - B. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.
 - C. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
 - D. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
 - E. Applications for variances from the terms of this Chapter and flood hazard ordinance or such provisions within a land use ordinance, pursuant to Section 910.2 of the MPC, 53 P.S. § 10910.2.
 - F. Applications for special exceptions under this Chapter or floodplain or flood hazard ordinance or such provisions within a land use ordinance, pursuant to Section 912.1 of the MPC, 53 P.S. § 10912.1.
 - G. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this Chapter.
 - H. Appeals from the Zoning Officer’s determination under Section 916.2 of the MPC, 53 P.S. § 10916.2.
 - I. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving applications under Article V of the MPC, 53 P.S. § 10501 et seq.
2. The Board of Supervisors shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
 - A. All applications for approvals of planned residential developments under Article VII of the MPC pursuant to the provisions of Section 10702.
 - B. All applications pursuant to Section 508 of the MPC, 53 P.S. §10508, for approval of

- subdivisions or land developments under Article V of the MPC, 53 P.S. § 10501 et seq.
- C. Applications for conditional use under the express provisions of this Chapter.
 - D. Applications for curative amendment to this Chapter pursuant the procedures set forth in Section 609.1 of the MPC, 53 P.S. §§ 10609.1 and 10916.1(a).
 - E. All petitions for amendments to land use ordinances, pursuant to the procedures set forth Section 609 of the MPC, 53 P.S. § 10609.
 - F. Appeals from the determination of the Zoning Officer or the Township Engineer in the administration of any land use ordinance or provisions thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to applications for land development under Article V of the MPC, 53 P.S. § 10501 et seq. Where such determination relates only to development not involving an Article V application, the appeal from such determination of the Zoning Officer or the Township Engineer shall be to the Zoning Hearing Board pursuant to this Section, Where the applicable land use ordinance vests jurisdiction for final administration of subdivision and land development applications in the Planning Commission, all appeals from determinations under this subsection shall be to the Planning Commission and all appeals from the decision of the Planning Commission shall be to court.