

**TOWNSHIP OF PLAINS
COMMONWEALTH OF PENNSYLVANIA
RESOLUTION NO. 6 OF 2026**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF
PLAINS, COUNTY OF LUZERNE AND COMMONWEALTH OF PENNSYLVANIA
DECLARING THE ZONING ORDINANCE SUBSTANTIALLY INVALID AND
ENACTING A CURATIVE AMENDMENT PURSUANT TO SECTION 609.2 OF THE
PENNSYLVANIA MUNICIPALITIES PLANNING CODE
IN REGARD TO DATA CENTERS AND ACCESSORY USES THERETO**

WHEREAS, the Township of Plains enacted its current Zoning Ordinance in 1998 with various amendments made thereto; and

WHEREAS, the Pennsylvania Municipalities Planning Code Act 247, as amended, allows municipalities to enact zoning ordinances allowing revisions and various amendments during this ensuing period; and

WHEREAS, The Pennsylvania Municipalities Planning Code, through particular amendments included specific regulations pertaining to the location of data centers; and

WHEREAS, the Township of Plains Zoning Ordinance of 1998 and all amendments thereto do not address data centers and any accessory uses thereto; 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 to propose a curative amendment to overcome such invalidity.

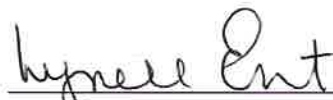
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Plains that it has concluded as findings of fact that the current Zoning Ordinance is defective as it does not address data centers and accessory uses thereto as required by the Pennsylvania municipalities planning code and declares it's entire Zoning Ordinance as invalid to address any and all invalid sections of the Zoning Ordinance.

Based upon the findings of fact as set forth herein relating to data centers and accessory uses thereto the Board of Commissioners of the Township of Plains hereby adopts a curative amendment for the Township of Plains Zoning Ordinance in accordance with section 609.2 of the Pennsylvania Municipalities Planning Code.

DULY ADOPTED THIS 27th day of April, 2026 by the Board of Commissioners of the Township of Plains, County of Luzerne and Commonwealth of Pennsylvania in a lawful session duly assembled.

ATTEST:

BOARD OF COMMISSONERS OF
THE TOWNSHIP OF PLAINS



Lynell Ent, Secretary



Thomas Shubilla, Chairman