

RESOLUTION # 21 -2011
THE MUNICIPALITY OF EAST BRADFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

A RESOLUTION PROVIDING FOR UPDATE TO THE FEES REQUIRED BY EAST BRADFORD TOWNSHIP FOR THE CONDUCT OF BUSINESS INCLUDING SUBDIVISION /LAND DEVELOPMENT FEES AND (REVIEW) ESCROWS AND RELATED PROCEEDINGS; BUILDING PERMITS, ZONING FEES AND REVIEWS, AND MISCELLANEOUS OTHER ADMINISTRATIVE FEES FOR SERVICES.

WHEREAS, from time to time it is necessary for the Township to review and revise its fee schedule to reflect the increased cost of doing business, and

WHEREAS, the Second Class Township Code, P.L. 350, No. 60, as amended, pursuant to General Powers, Section 1506, and

WHEREAS the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as amended, pursuant to Article V Subdivision and Land Development, Section 503, provides for the charge of review fees including the necessary and reasonable charges by the municipality's professional consultants or engineer for review or report and,

WHEREAS the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as amended, pursuant to Article IX Zoning Hearing Board and Other Administrative Proceedings, Section 908, provides for the governing body to prescribe reasonable fees with respect to hearings before the zoning hearing board and also for conditional uses before the governing body (Section 913.2) to attach reasonable conditions it may deem necessary to implement the purposes of The Act and,

WHEREAS the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as amended, pursuant to Article VI Zoning, Section 617.3 (e) provides for the governing body to prescribe reasonable fees with respect to the administration of a zoning ordinance and with respect to hearings before the zoning hearing board and,

WHEREAS, East Bradford Township provides within Chapter 45 of the East Bradford Code for the charge of building plan review and inspection fees including reasonable permit fees deemed necessary by the municipality's Building Official professional and for reviews or reports for attendant inspections including, but not limited to, Chapter 90, Soil Erosion and Sediment Control of the East Bradford Code; and,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of East Bradford Township, Chester County, Pennsylvania, as follows:

SUBDIVISION / LAND DEVELOPMENT

- I. Every Applicant, at the time of filing an application for approval of a subdivision, land development or planned residential development plan, shall pay to the Township of East Bradford a non-refundable filing fee and **(First Tier)** escrow deposits for reasonable and necessary charges by the professional consultants and Township Engineer and staff in accordance with the following schedule provided below. If at any time the escrow falls below the minimum balance, including all balances due, the Township shall cease any work and/or withhold building permits until the applicant submits a deposit to bring the account back to a minimum balance.

The escrow deposit for site plan review referred to in Paragraph I (First Tier) herein shall be used to pay for engineering reviews, special administrative costs attendant to the subdivision/land development, consultant (including but not limited to legal review (when permitted) of subdivision plans, legal documents, agreements and performance guarantees and other miscellaneous costs

of application review and approval, but does not include a deposit for site inspections and other monitoring during development. The amounts for such review will in no event exceed the rate or cost charged by the consultants for the Township to the Township. The amounts charged when Township staff is used shall include the current rate plus customary employee overhead expenses (taxes, benefits, mileage...), plus administrative preparation/processing. When the amount of the initial escrow deposit falls below the appropriate minimum account balance indicated herein, the Applicant shall be notified by the Township Manager and/or Secretary-Treasurer or other authorized staff to deposit sufficient additional monies to bring the balance of the escrow account up to the amount initially deposited or to an amount deemed reasonable at the discretion of the Township Manager or Treasurer as may be applicable for the Township to carry on its services with the Applicant. Upon completion of the subdivision/land development plan review activity, any unused funds remaining in the escrow account shall be returned to the Applicant upon request.

A. Sketch Plan Applications; Applicants Seeking a Written Sketch Plan Review (refer to Sketch Plan Policy)

Filing Fee	\$400.00 for the first three (3) lots.
Escrow Deposit	\$800.00 initial deposit \$400.00 minimum balance

B. Subdivision Applications – First Tier

1. Plans from two (2) through and including three (3) lots:

Filing Fee	\$400.00 for the first three (3) lots.
Escrow Deposit	\$800.00 initial deposit \$400.00 minimum balance

2. Plans from four (4) through and including ten (10) lots:

Filing Fee	\$400.00 for the first three (3) lots plus \$100.00 for each additional lot.
Escrow Deposit	\$3,000.00 initial deposit \$1,000.00 minimum balance

3. Plans of eleven (11) or more lots:

Filing Fee	\$1,100.00 for the first ten (10) lots plus \$100.00 for each additional lot.
Escrow Deposit	\$3,000.00 initial deposit for the first ten (10) lots plus \$250.00 for each additional lot \$3,000.00 minimum balance

C. Land Development Applications – First Tier

1. Plans of less than ten (10) acres of development:

Filing Fee	\$1,000.00
Escrow Deposit	\$2,500.00 initial deposit \$2,000.00 minimum balance

2. Plans of ten (10) through and including forty-nine (49) acres of development:

Filing Fee	\$1,000.00 for the first ten (10) acres plus \$250.00 for each additional acre.
Escrow Deposit	\$8,000.00 initial deposit \$2,500.00 minimum balance

3. Plan of fifty (50) or more acres:

Filing Fee	\$10,750.00 for the first fifty (50) acres plus \$250.00 for each additional acre.
Escrow Deposit	\$10,000.00 for first fifty (50) acres plus \$500.00 for each additional acre. \$2,500.00 minimum balance

- II. Every Applicant, after receiving final approval of a subdivision, land development or planned residential development plan, but before any building permits may be reviewed or issued or any development activity or construction commenced, shall pay to the Township of East Bradford **(Second Tier)** escrow deposits in accordance with the following schedule.

The escrow deposit during development and construction activity referred to in Paragraph II (Second Tier) herein shall be used to pay for site inspections and other monitoring during development and whatever other administrative and consultant fees are incurred during development and construction. The amounts charged when Township staff is used shall include the current rate plus customary employee overhead expenses (taxes, benefits, mileage...), plus administrative preparation/processing. When the amount of the initial escrow deposit falls below the appropriate minimum account balance indicated herein, the Applicant shall be notified by the Township Manager and/or Secretary-Treasurer or other authorized staff to deposit sufficient additional monies to bring the balance of the escrow account up to the amount initially deposited or to an amount deemed reasonable at the discretion of the Township Manager or Treasurer as may be applicable for the Township to carry on its services with the Applicant. When all construction is complete and the Township has accepted all public improvements for dedication, as may be applicable, and there are no outstanding charges to be placed against the escrow account, any remaining balance shall be returned to the Applicant.

A. Subdivision Application – Second Tier

1. Plan of two (2) through and including three (3) lots:

Escrow Deposit	\$500.00 per lot \$1,000.00 minimum balance
----------------	--

2. Plan of four (4) or more lots:

Escrow Deposit	\$ 500.00 per lot \$2,000.00 minimum balance
----------------	---

B. Land Development – Second Tier

1. Plan of less than ten (10) acres of development:

Escrow Deposit	\$5,000.00 initial deposit \$2,500.00 minimum balance
----------------	--

2. Plan of ten (10) through and including forty-nine (49) acres of development:

Escrow Deposit	\$15,000.00 initial deposit
	\$2,500.00 minimum balance
3. Plan showing fifty (50) or more acres:

Escrow Deposit	\$20,000.00 for first fifty (50) acres plus \$500.00 for each additional acre
	\$2,500.00 minimum balance

III. Resubmission Fees: A Resubmission Fee shall be assessed to an Applicant at the time of a plan resubmission when the Township has determined, based upon a prior review, that the Applicant failed to either correctly prepare the plan in accordance with Township regulations (East Bradford Code Chapter 91, 95 or 115 or other related regulations) and/or failed to address specific written Township review comments previously transmitted to the Applicant attendant to Township regulations and/or generally accepted engineering, design and survey professional standards.

A. Subdivision Application – Plan Resubmission

1. Plan of two (2) through and including three (3) lots: \$50.00 per lot
2. Plan of four (4) or more lots: \$50.00 per lot for first three (3) plus \$25.00 per each additional lot

B. Land Development – Plan Resubmission

1. Plan of less than ten (10) acres of development: \$ 500.00
2. Plan of ten (10) acres or more: \$500.00 plus \$50.00 per each acre above ten (10)

ZONING ADMINISTRATION FEES

- I. Subdivision/Land Development Zoning Reviews (Including Sketch Plans): Calculated hourly rate of Zoning Officer and associated administrative costs.
- II. Building Permit Zoning Review
 - A. Residential dwelling one and two family new construction and pre-manufactured: \$75.00.
 - B. Residential multifamily (four family, townhouses, apartments, student housing): \$75.00 per building.
 - C. Congregate care campus and community living arrangement: \$100.00 per building.
 - D. Residential transient (bed and breakfast, bed and breakfast estate, hotel, motel): \$75.00 per building.
 - E. Residential additions: \$50.00.

- F. Residential accessory structures including sheds, pools, detached garages, decks, etc. \$50.00.
 - G. Non-residential buildings and structures, new (excluding retaining walls and signs): \$100.00 per building or structure.
 - H. Non-residential additions: \$50.00.
 - I. Retaining walls: \$35.00.
 - J. Floodplain letters of determination: \$100.00.
 - K. Demolition: \$50.00.
 - L. Temporary structure: \$50.00.
 - M. Township highway occupancy permit: \$50.00.
 - N. Temporary signs: \$50.00 per three months.
 - O. Permanent signs: \$50.00 per ten square feet or fraction thereof.
 - P. Lighting permit: \$50.00 administrative fee plus calculated hourly rate of lighting consultant.
 - Q. Fuel storage tank – exterior above and below grade: \$50.00.
 - R. Revisions to approved plans: Calculated hourly rate of Codes Enforcement Officer.
 - S. Change of use: \$75.00.
- III. Open Burning Permit: \$30.00.

BUILDING PERMIT FEES

- I. Residential
 - A. Single family dwellings and semi-detached dwellings including residential additions: \$40.00 for each 100 sq. ft., or fraction thereof (outside dimensions, including attached garages, enclosed porches, finished basements and finished attics, but not including unfinished basements, on grade patios, unfinished attics, and crawl spaces. Minimum fee: \$150.00.
 - B. Apartments (to include residential nursing care and assisted living): \$250.00 per dwelling unit, plus non-residential rate for non-dwelling unit space (i.e., stairs, lobbies, hallways, etc.).
 - C. Motel / Hotel: \$250.00 per living unit, plus non-residential rate for non-living unit space (i.e., stairs, lobbies, hallways, etc.).
 - D. Townhouses and other types of residential dwelling units not otherwise specifically covered by the schedule: Same as residential single-family dwellings.

- E. Residential alterations: \$100.00 for the first \$1,000.00 of construction cost plus \$20.00 for each additional \$1,000.00, or fraction thereof, of construction cost as determined by the Building Official or designated agent. Minimum fee: \$140.00. Maximum fee: \$600.00.
 - F. Swimming pools, in-ground or above ground: A minimum charge of \$50.00 for the first \$1,000.00 of construction cost plus \$15.00 for each additional \$1,000.00, or fraction thereof, of construction cost as determined by the Building Official. Construction cost shall include fences and gates and shall be determined by the Building Official or designated agent.
 - G. Construction site trailers, sales trailers or temporary sheds: \$250.00 per year for each trailer.
 - H. Accessory buildings over 500 sq. ft. and additions to accessory buildings resulting in buildings greater than 500 sq. ft.: Same as residential single-family dwelling (including but not limited to detached garages, sheds, cabanas, bath houses, etc.). Minimum fee: \$150.00.
 - I. Alterations to accessory buildings greater than 500 sq. ft.: Same as residential alterations. Minimum fee: \$150.00.
 - J. Manufactured housing, including mobile homes (all construction except delivered structure): Same as residential alterations.
 - K. Demolition: \$200.00 per permit. \$500.00 per permit for Class I and Class II Historic Resources of East Bradford Township.
 - L. Residential solar energy system (costs based on sq. ft. of solar energy system): \$30.00 for each 100 sq. ft., or fraction thereof. Minimum fee: \$150.00.
 - M. Plumbing and mechanical permits not associated with new construction: \$60.00 for the first \$1,000 of construction cost plus \$ 6.00 for each additional \$1,000 or fraction thereof. Minimum fee: \$150.00.
- II. Non-Residential
- A. New construction including additions to structures: \$0.40 per sq. ft., or fraction thereof.
 - B. Alterations to non-residential construction: \$100.00 for the first \$1,000 of construction cost plus \$ 20.00 for each additional \$1,000 or fraction thereof. Construction cost shall be determined by the Building Official, or designated agent. Minimum fee: \$200.00.
 - C. Accessory buildings (detached garages, sheds, etc.) new construction, additions and alterations: Same as principal non-residential buildings.
 - D. Temporary trailers and buildings on construction sites: \$ 250.00 per year for each trailer.
 - E. Demolition: \$ 75.00 for first \$1,000 of cost plus \$25.00 for each additional \$1000.00 or fraction thereof, as determined by the Building Official or designated agent.
 - F. Gasoline pumps: \$100.00 for each pump.

- G. Sprinkler system: \$50.00 for the first \$1,000 of cost plus \$20.00 for each additional \$1,000 or fraction thereof of cost. Cost shall be determined by the Building Official or designated agent.
 - H. Plumbing and mechanical permits not associated with new construction: \$60.00 for the first \$1,000 of construction cost plus \$ 6.00 for each additional \$1,000 or fraction thereof. Minimum fee: \$150.00.
 - I. Cell towers (new installation): \$350.00.
 - J. Antennae (co-locating on existing structure): \$150.00 per antennae.
 - K. Non-Residential solar energy system (costs based on sq. ft. of solar energy system): \$225 for the first 1,000 sq. ft. plus \$20.00 for each additional 100 sq. ft., or fraction thereof, up to and including 10,000 sq. ft., plus \$15.00 for each additional 100 sq. ft. above 10,000 sq. ft., or fraction thereof.
- III. Non-residential, agricultural, animal husbandry, stables, field barns, loafing sheds and shelter for animals: For production buildings and structures and living spaces over 300 sq. ft.: \$50.00 flat fee for working farms (those which produce agricultural goods for market) only. There shall be no fee for buildings and structures under 300 sq. ft. For non-working farms, the single family dwelling rates shall apply.
 - IV. Retaining walls in excess of a four foot grade differential: A minimum charge of \$150.00 for the first \$1000.00 of construction cost plus \$25.00 for each additional \$1000.00 of construction cost as determined by the Building Official.
 - V. Re-inspection fee: \$100.00 to be assessed upon failure to complete the construction for which the scheduled inspection is to be made and/or failure to make reasonable and diligent effort to comply with documented deficiencies at the initial re-inspection. Fee is to be posted with the Building Official prior to the re-inspection. The Township will not provide further services until such fees are paid.
 - VI. Revisions to approved plans: Calculated hourly rate of Codes Enforcement Officer.
 - VII. Special inspection: Based on Building Official hourly rate; min of 1 hour.
 - VIII. Soil erosion, sedimentation and grading control (on lot): \$1,000.00 escrow deposit shall be posted with the Township. The escrow is for reasonable and necessary charges by the professional consultants in accordance with the schedule provided below. If at any time the escrow falls below \$500.00, including all balances due, the Township shall cease any work and/or withhold building permits until the applicant submits a deposit to bring the account back to a minimum balance.
 - IX. Driveway (Chapter 45 East Bradford Code): \$50.00.
 - X. Street openings and installations (Chapter 92 East Bradford Code): Schedule set by Commonwealth of Pennsylvania, Department of Transportation.
 - XI. Fireworks: \$100.00 per event.
 - XII. Measurements: All measurements referred to above shall be as determined by the Building Official or designated agent.

- XIII. Enforcement related reviews, inspections, administration at the current rate for Township Engineer, Zoning Officer and necessary consultant review.
- XIV. Timber Harvest Permit: \$100 permit fee and \$500 escrow deposit shall be posted with the Township. The escrow is for reasonable and necessary charges by the professional consultants in accordance with the schedule provided below. If at any time the escrow falls below \$100.00, including all balances due, the Township shall cease any work and/or withhold permits until the applicant submits a deposit to return the account to a minimum balance.

ZONING HEARING BOARD, BOARD OF SUPERVISORS AND RELATED PROCEEDINGS AND INSPECTIONS

The below fee schedule supercedes any prior fee schedule with particular regard to Resolution 1 of 1981 and Resolution 2 of 1997.

- I. Zoning Hearing Board Escrows
 - A. Dimension, set-back, lot size and other dimensional variance:

Residential	\$500
Commercial/Industrial	\$700
 - B. Use variance (validity variance)

Residential	\$1,000
Commercial/Industrial	\$1,000
 - C. Special exception

Residential	\$500
Commercial/Industrial	\$750
 - D. Challenge to validity of ordinance or other ordinance challenge

Residential	\$1,500
Commercial/Industrial	\$1,500
 - E. Appeals (other) from Zoning Officer interpretation of the Zoning Chapter

Residential	\$750
Commercial/Industrial	\$1,000
- II. Conditional Use Escrows and Other Proceedings (before the Board of Supervisors)
 - A. Conditional use (all, except as noted below): \$2,500
 - B. Open space development option:

Less than 10 lots/units	\$3,500
11-20 lots/units	\$5,000
21-30 lots/units	\$7,500
31-40 lots/units	\$10,000
41 lots/units and above	\$12,000 (plus \$250 for each lot/unit in excess of 41)

- C. Planned commercial/Industrial:
 - Less than 10 acres \$6,500
 - 10 acres and above \$10,000 (plus \$1,000 for each additional acre in excess of 10)
- D. Major home occupation: \$1,500
- E. Zoning change request: \$5,000
- F. Solar energy system: \$1,500

The following is a list of expenses incurred by the Township for which the escrow may be used to offset charges to the General Fund:

- Cost of preparation and mailing of notices of hearings and decisions
- Cost of publication and Notice of Public Hearing and other legal publications and charges
- Cost of posting the property as required
- Cost of appearance fees of court reporters
- Cost of the original transcript(s) of the notes of testimony
- Township administrative and other legal fees (when permitted)
- Township Engineer fees
- Fees of other consultants engaged by the Township to review conditional use applications and plans or other related proceeding reviews

If, at any time, the charges as listed above for zoning, conditional use or other proceedings exceed the initial escrow, the Township Manager and/or Secretary-Treasurer shall require the Applicant to make timely additional deposits to assure adequate funds to pay such charges, costs and expenses as they may accrue and in no event shall the additional deposit be less than One Thousand (\$1,000) Dollars. Failure of the Township to demand additional deposits from time to time shall not relieve the Applicant from obligation and liability for costs, charges and expenses in excess of fees and deposits. Any amounts deposited in excess of the initial escrow that are not expensed shall be refunded to the Applicant or applied against subsequent applications or proceedings.

VEHICLES & TRAFFIC (per Chapter 104, Vehicles and Traffic, of the East Bradford Code)

- I. Parking ticket fines:
 - A. Parked in a posted no-parking zone = \$20.00
 - B. Parked in a posted temporary no-parking zone = \$20.00
 - C. Parked within 15 feet of a fire hydrant = \$20.00
 - D. Parked within 30 feet of a stop sign = \$20.00
 - E. Double-parked = \$20.00
 - F. Parked in a handicapped space = \$200.00
 - G. Parked in a fire zone = \$20.00
 - H. Parked on private property = \$20.00
 - I. Parked against traffic flow = \$20.00

- J. Parked within 20 feet of a crosswalk = \$20.00
 - K. Parked on a sidewalk = \$20.00
 - L. Parked in front of a private or public drive = \$20.00
 - M. Parked within an intersection = \$20.00
- II. Towing and storage:
- A. Towing = \$100.00 per tow
 - B. Storage = \$35.00 per day

RECREATIONAL FACILITIES & FIELD USE FEES

- I. Field use (including regular per game and after game maintenance) = \$10.00 per hour
- II. East Bradford Park pavilion:
 - A. East Bradford residents = \$12.50 per hour; 3 hour minimum
 - B. Non-residents = \$25.00 per hour; 3 hour minimum
- III. Tennis courts = \$12.50 per hour

MISCELLANEOUS ADMINISTRATIVE FEES, RATES & SERVICES

- I. The rates for reviews by the Township professional consultants is as follows:

Township Engineer:	\$112.50 per hour
Township Special Projects Engineer:	\$ 70.00 per hour or other applicable current rate
Township Codes Enforcement Officer:	\$ 60.00 per hour
Alternate Codes Enforcement Officer:	\$ 60.00 per hour or other applicable current rate
Township Zoning Officer:	\$ 60.00 per hour
Township Landscape Architect/Planner:	\$115.00 per hour or other applicable current rate
Township Environmental Planner	\$165.00 per hour or other applicable current rate
Township Lighting Consultant	\$ 65.00 per hour or other applicable current rate
Township Solicitor:	\$180.00 per hour or other applicable current rate
Township Planning Commission Solicitor	\$200.00 per hour or other applicable current rate
Township Zoning Hearing Board Solicitor	\$180.00 per hour or other applicable current rate
Other Township Consultants at the service rate as invoiced	

- II. Tax and sewer certifications:

Tax certification:	\$10.00 each
Sewer certification:	\$15.00 each

- III. On-site sewage management pumping administration fee: \$25.00
 Fee is payable when a property owner requires Township notice due to failure to have their septic system pumped within the time period established by ordinance or when a property owner requests a time extension.

- IV. Sewer user rates: Public sewer rates for East Bradford Township residential and commercial/institutional customers are established in the Sewer Fund final budget prepared annually and adopted by the Board of Supervisors, and as may be amended from time to time during the budget year.
- V. Public sanitary sewer connection fee for plan review and inspection: \$1,000.00 escrow deposit shall be posted with the Township. The escrow is for reasonable and necessary charges by the professional consultants in accordance with the schedule provided above. If at any time the escrow falls below \$500.00, including all balances due, the Township shall cease any work and/or withhold permits until the applicant submits a deposit to bring the account back to a minimum balance.
- VI. Copies: \$.25 per page
Right-To-Know requests: Fee Structure as promulgated by PA Office of Open Records (On file at Township Office or on line at <http://openrecords.state.pa.us>)
- VII. Alarm registration and schedule of costs (per Chapter 42, Alarm Systems, of the East Bradford Code):
- | | | |
|---|----------|---------|
| Annual renewal: | \$10.00 | |
| New alarm register: | \$25.00 | |
| First false alarm per calendar year: | | warning |
| Second false alarm per calendar year: | \$25.00 | |
| Third false alarm per calendar year: | \$50.00 | |
| Fourth false alarm per calendar year: | \$75.00 | |
| Fifth false alarm per calendar year and any subsequent false alarm per calendar year: | \$100.00 | |
- VIII. Hawking, peddling and soliciting:
- Registration fee: \$50 per person
Motor vehicle registration: \$20 per vehicle
- IX. West Chester Area Council of Governments application fee for appeals to the WCACOG Joint Building Code Appeals Board: \$500.00 (approved 08-04-05 by the Board of Supervisors)
- X. Fees and escrows: For the purposes contained herein, the term "Fee" is defined as a one-time, non-refundable payment and the term "Escrow" is defined as a deposit against anticipated expenses and if upon completion of the procedure any portion of it remains unexpended it is refundable to the owner (Applicant) by the fiduciary (Township).
- XI. East Bradford Township Resolution November 11, 1980: For the purposes of this Resolution, East Bradford Township Resolution November 11, 1980 is restated, As Resolved – The officials of East Bradford Township, elected or appointed, are prohibited from issuing any permits (Building, Road or Occupancy), review any plans or documents, render any decisions or opinions for an individual, partnership or corporation with any outstanding (\$) balance from previous services rendered.
- XII. Repealer: All resolutions inconsistent herewith are repealed and of no force or effect from this date.

XIII. Severability: If any sentence, subsection, sentence, clause, phrase or figure of this Resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Resolution.

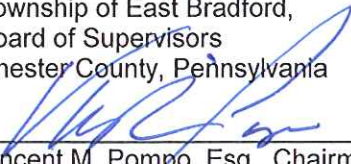
Duly presented and adopted by the Board of Supervisors of East Bradford Township in public meeting held this _____ day of _____, 2011.

Attest:

Township Secretary

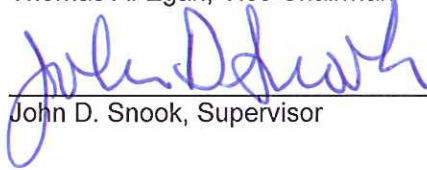


Township of East Bradford,
Board of Supervisors
Chester County, Pennsylvania



Vincent M. Pompo, Esq., Chairman

Thomas A. Egan, Vice Chairman



John D. Snook, Supervisor