

TOWNSHIP OF WEST EARL

LANCASTER COUNTY, PENNSYLVANIA

RESOLUTION 2020-9

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST EARL, LANCASTER COUNTY, PENNSYLVANIA, ESTABLISHING FEES FOR THE SUBMISSION AND REVIEW OF SUBDIVISION AND LAND DEVELOPMENT PLANS, PLAN PROPOSING THE CONSTRUCTION OF PUBLIC STREET, AND STORM WATER MANAGEMENT PLANS AND FOR THE INSPECTIONS OF IMPROVEMENTS REQUIRED TO BE CONTRUCTED AS A PART OF SUCH PLAN; REESTABLISING FEES TO BE CHARGED IN CONNECTION WITH THE ADMINISTRATION OF THE WEST EARL ZONING ORDINANCE; AND ESTABLISHING FEES FOR MISCELLANEOUS TOWNSHIP PERMITS, HEARINGS AND SERVICES.

WHEREAS, the Board of Supervisors of the Township of West Earl, Lancaster County, Pennsylvania, is required to review plan and documents submitted by developers to determine compliance with applicable Township ordinance and regulations, including but not limited to the Township's Subdivision and Land Development Ordinance and Storm Water Management Ordinance; and

WHEREAS, Section 2317 of the Second Class Township Code (the "Township Code") provides that no person may construct, open or dedicate any road or drainage facilities for public use unless the Board of Supervisors has reviewed and approved the plan; and

WHEREAS, the Township incurs costs in the review of plans proposing the installation of new streets and drainage facilities and documentation necessary to insure that the Township will obtain clear title to such facilities upon dedication; and

WHEREAS, the Board of Supervisors incurs cost in the administration of the Storm Water Management Ordinance; and

WHEREAS, the Township Engineer, Township Solicitor or other professional consultants retained by the Township perform technical reviews of such plans and documents at a cost to the Township; and

WHEREAS, the inspection of improvements required to be installed in subdivision or land developments may be done by the Township staff or by the

Township Engineer or other profession consultants retained by the Township; and

WHEREAS, the Township Engineer or other professional consultants perform such inspections as a cost to the Township and when the Township staff performs such inspections, there is a cost to the Township as that employee is not performing general municipal work which may benefit the entire Township but rather is providing services which benefit a particular developer; and

WHEREAS, the Board of Supervisors is authorized to adopt fees to be paid by applicants to reimburse the Township for expenses incurred in the review of plans and documents, and for expense incurred in the inspection of improvements; and

WHEREAS, the Board of Supervisors establish rules, fees, and costs for these and other services by virtue of adopting Resolution 2020-8 and ,

WHEREAS, the Board of Supervisors desires to amend Resolution 2018-8 to include the 2020 schedule of review fees for the Township Engineer, Township Solicitor, Sewer Authority Engineer, Water Authority Engineer and the Township Sewage Enforcement Officer.

NOW, THERFORE, BE AND IT IS HEARBY RESOLVED, by the Board of Supervisors of the Township of West Earl, Lancaster County, Pennsylvania, as follows:

Section 1. Subdivision , Land Development, Storm Water Management, and Related Plan or Waiver Application Fee Established.

- A. The preliminary, final and revised subdivision and/or land development plan fee shall consist of two (2) parts, namely, a basic fee and a lot (remaining acreage) or unit of occupancy based upon the type of development involved. The lot fee is charged toward each additional proposed lot and/or each existing lot which received additional area (lot add-on). The unit of occupancy fee is charged for each proposed unit of occupancy in excess of one (1) unit per lot. The amount of the above-mentioned fees shall be as follows: Preliminary, final, revised and lot add-on filing fee:

Basis Fee:

Residential: \$200.00

Non-Residential: \$500.00

Additional Fees:

Residential: \$50.00 per lot or unit of occupancy

Non-Residential: \$20.00 per 1,000 per square feet
Building or Impervious Area

- B. Sketch Plan \$500.00
- C. Lot Add-On Plan \$500.00
- D. Waiver request (per waiver) \$ 50.00
- E. Floodplain plan review \$500.00
- F. Stormwater management plan or application exemption request
 - 0 - 1,000 square feet impervious area \$ 100.00
 - 1,001 square feet impervious area or greater \$ 300.00
- G. Small Project application (1,001 – 2,500 square feet impervious area) \$ 500.00
- H. Minor stormwater management plan (2,501 – 5,000 square feet impervious area). \$ 600.00
Fee is comprised of stormwater management plan and permit fees.
- I. Major stormwater management plan (5,001 square feet impervious area or great) \$1,000.00
Fee is comprised of stormwater management plan And permit fees.
- J. Alternate processing for agricultural operations With implemented conservation plan. \$ 250.00
- K. Stormwater management plan exemption request \$ 300.00
- I. Pre-application meeting with Township staff (if the Application desires the Township Manager-Engineer or other professional consultant attend, the applicant will be invoiced for the fees of such consultant, and such fees must be paid in full before the applicant may submit a formal applications. \$ 100.00
The filing fee shall be used to reimburse the Township for its administrative

expenses in connection with the processing of the application, including but not limited to receipt, transmittal and storage of plans, and reports, postage, and similar expenses.

Section 2. Posting of Escrow for Reimbursement of Township Expenses in Processing Subdivision and Land Development, Public Street and Storm Water Management Applications.

Each applicant shall deposit the Township a sum in the amount as set forth below (the "Escrow Fund") at the time of filing an application for approval of a subdivision or land development plan, a public street plan and/or a stormwater management plan. The Escrow Fund shall be used to reimburse the Township for Engineering, inspection and legal fees incurred in the review of the plan, inspection of improvements, preparation and recording of any appropriate deeds or documents, and any other expenses which the Township may incur in the connection with the processing of the application and development of the property as set forth in Section 7, 8, 9, and 10 below. The Township shall be irrevocably authorized to withdraw from time to time any monies deposited in the Escrow Fund by the applicant/developer in order to pay expenses and fees incurred by the Township. At such point as the Escrow Fund has been reduced to one-half of the amount posted by the applicant at the time of filing the application or less as a result of withdrawals as herein provided, then, and in that event, and at the time, the Township shall bill the applicant/developer an amount sufficient to restore the Escrow Fund to the original sum. In the event the Escrow Fund is insufficient at the time to pay such costs, the Township shall bill applicant/developer for the actual or anticipated additional costs. In the event the Escrow Fund is in excess of the Township's costs, the Township shall refund such excess monies, without interest, to the Developer upon completion of the development of the property. The amount of the Escrow Fund shall be determined as follows:

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| A. Minor Residential Subdivision or Land Development Plan
(1-3 Lots or Units of Occupancy) | \$ 2,000.00 |
| B. Minor Residential Subdivision or Land Development Plan
(4-10 Lots or Units of Occupancy) | \$ 3,500.00 |
| C. Major Residential Subdivision or Land Development Plan
(11-20 Lots or Units of Occupancy) | \$ 7,500.00 |
| D. Major Residential Subdivision or Land Development Plan
(21 or more Lots or Units of Occupancy) | \$10,000.00 |
| E. Non-Residential Subdivision or Land Development Plan | \$10,000.00 |
| F. Sketch Plan | \$ 1,000.00 |
| G. Lot add-on plan | \$ 2,000.00 |

H. Waiver request (per waiver)	\$ 100.00
I. Floodplain plan review	\$ 1,500.00
J. Small project application (1,001 – 2,500 square feet impervious area)	\$ 1,500.00
K. Minor storm water management plan (2,501 – 5,000 square feet impervious area)	\$ 2,000.00
L. Major stormwater management plan (5,001 square feet impervious area or greater)	\$ 4,000.00
M. Alternate processing for agricultural operations with Implemented conservation plan	\$ 1,000.00
N. Inspection of storm water management facilities which are part of an approved subdivision or land development plan and the lot owner will be installing storm water management facilities.	\$ 1,000.00

Section 3. Fees and Escrow Payable with Application. All filing fees and any required escrow deposit must be submitted to the Township with plan applications. Plan applications shall not be accepted without fees and required escrow deposits, and neither the West Earl Township Planning Commission nor the West Earl Township Board of Supervisors shall take action on a plan application submitted without a fee and, if required, an escrow deposit. The fees imposed by this Resolution are in addition to any fees imposed by the Lancaster County Planning Commission pursuant to Section 502 of the Pennsylvania Municipal Planning Code for its review of plans or by any municipal authority or public utility as established by such authority or utility for review of plans showing improvements, extension, or connections to the authority's or the utility's facilities. All fees and, if required, escrow deposits shall be paid by check or money order drawn to the treasure of West Earl Township.

Section 4. Recording Fees. Any costs relating to the reduction of final plans for the purpose of recording the same with the Recorder of Deeds of the County of Lancaster and any recording fees shall be paid by the applicant.

Section 5. Calculation of Fee in Lieu of Dedication of Park and Recreation Land (When creating 10 or more dwelling units) Applicants desiring to pay a fee in lieu of park and recreation land shall compute the amount of such fees as follows:

Fee shall be the fair market value of the land required to be dedicated per the West Earl Township Sub-Division and Land Development Ordinance. Payment of all such fees shall be condition of final plan approval, and no plans shall be signed by the Board of Supervisors until such fees are paid. The developer shall provide the Board with all information necessary to determine the fair market value of the land, including but not limited to a copy of the agreement of sale if the developer is an equitable owner or has purchased the land within the past two years or and appraisal of the property by an MAI appraiser acceptable to the Township. Fair Market value shall be computed by dividing the total price for the tract by the number of acres within the tract and then multiplying that number by the amount of land required to be dedicated.

Section 6. Reimbursement of Costs for Acceptance of Dedication of Park and Recreation Land.

If developer shall dedicate park and recreational land to the Township, developer shall, at developer's sole cost and expense, provide the Township with a legal description of the land, a plot plan of the land, and a title search. The Township Solicitor, at developers cost, will prepare a Deed of Dedication and any necessary mortgage releases or other documents. Developer shall transfer good and marketable title of the park and recreation land to the Township. Developer's financial security shall not be finally released until developer has transferred all park and recreation land to the Township. Developer shall pay all recording costs and other incidental costs associated with the transfer and shall, if requested by the Township, pay any cost necessary to construct and install a sign identifying the land as park and recreation land open to the general public.

Section 7. Reimbursement for Plan and Document Review Expenses.

Applicant shall reimburse the Township for all reasonable and necessary charges incurred by the Township's professional consultants, including but not limited to the Township Manager-Engineer, engineering consultants, and the Township Solicitor, for the review and any report or reports to the Township on an applicant's application, plans, supporting data, proposed agreements relating to the maintenance of improvements or open space, financial security, and similar matters if any, in connection with subdivision and land developments, public street plans and storm water management applications. Such review fees shall be the actual fees charged by the Township Engineer, Township Solicitor or other professional consultant for the services performed. The present fee schedule of the Township Manager – Engineer and other Township Employees as attached hereto as Exhibit "A", the present fee schedule of the Township Solicitor is attached hereto as Exhibit "B", and the present fee schedule of the Township's engineering consultant is attached as Exhibit "C", all of which are incorporated herein. Such schedules shall be revised from time to time to reflect the changes in the rates charged to the Township by the Township Engineer, Township Solicitor, or such other professional consultants. The filing of a plan or

application under the West Earl Township Subdivision and Land Development Ordinance, Storm Water Management Ordinance, Road Ordinance, and/or of the Township Code shall constitute an implied agreement by the applicant to pay such expenses.

Section 8. Reimbursement for Inspection of Improvements when such Inspection is Performed by the Township Manager-Engineer or other Professional Consultant.

Developers shall reimburse the Township for all unreasonable and necessary charges incurred by the Township's professional consultants or the Township Manager-Engineer or other Township employees for inspection of the improvements required to be constructed under the Subdivision and Land Development Ordinance or the Storm Water Management Ordinance or the Township Road Ordinance and any report or reports to the Township thereon. Such inspection fees shall be the actual fees charged by the Township Engineer or other professional consultant for the services performed. The present fee schedule of the Township Manager – Engineer and other Township employees is attached hereto as Exhibit "A" and incorporated herein and the fee scheduled for the Township's engineering consultants is attached as Exhibit "C". Such schedules shall be revised from time to time to reflect changes in the rates paid to Township employees or charged to the Township by the Township's Engineering consultants.

Section 9. Reimbursement for Inspection of Improvements when such Inspection is performed by Township Personnel.

In some circumstances, inspection of improvements may be performed by personnel employed by the Township. If the inspection is performed by Township personnel, developers shall reimburse the Township for all reasonable and necessary charges incurred by the Township for inspection of the improvements required to be constructed under the Storm Water Management Ordinance or the Subdivision and Land Development Ordinance or the Road Ordinance and any report or reports to the Township thereon. Then the inspection is performed by township personnel, the fee shall be set forth in Exhibit "A". A minimum charge of one hour per person will be billed for the first hour or any portion thereof. Any time in excess on one (1) hour shall be billed at the same rate of a proportional basis. This charge shall be revised from time to time to reflect changes in the costs of the Township of utilizing its personnel to perform such inspections. The developer shall also reimburse the Township for all mileage reimbursement which the Township may pay to its personnel if such personnel use personal vehicles to travel to and from development site.

Section 10. Resolution of Fee Disputes. In the event the developer disputes the amount of any plan review or inspection fees or expenses imposed pursuant to Sections 7, 8, 9 above, the developer shall notify the Township Secretary that such fees are disputed as unreasonable or unnecessary within such time period

as may established in the Pennsylvania Municipalities Planning Code (“MPC”), in which case the Township shall not delay or disapprove a subdivision or land development due to the developer’s dispute of the fees. Disputes shall be resolved in accordance with the procedure set forth in Article V of the MPC.

Section 11. Additional Expenses. All expenses incurred by the Township prior to street dedication for the installation, maintenance or operation of street signs, traffic control signs, traffic control lights, street lights and any other signs or lights which are necessitated by the developer’s land development or subdivision shall be charged to and paid by the developer. The fees set forth in Exhibit “A” shall be billed for the costs of installing traffic control signs or performing other services for the development. A minimum charge of one hour per person will be billed for the first hour or any portion thereof. Any time in excess of one (1) hour shall be billed at the same rate on a proportional basis. The actual cost of all supplies and equipment, including signs, poles and other materials shall be paid by the developer. The developer shall also reimburse the Township for all mileage reimbursement which the Township may pay to its personnel if such personnel use personal vehicles to travel to and from a development site. If the Township is required to provide snow removal service on a street not accepted by the Township, the developer shall be charged the reasonable and customary commercial rate for such service plus the actual cost of all materials used.

Section 12. Zoning Application Fees. The following application and appeal fees shall be imposed in connection with the administration of the West Earl Township Zoning Ordinance:

Zoning Hearing Board Application or Appeal (residential)	\$600.00 plus Cost of legal advertisements
Zoning Hearing Board Application or Appeal (nonresidential)	\$750.00 plus Cost of legal advertisements
Conditional Use Application	\$750.00 plus Cost of legal advertisements
Amendment to the Zoning Ordinance or Zoning Map Or curative amendment application	\$1,000.00 plus Cost of legal advertisements

In addition to the above fees to be paid at the time the application or appeal is filed, applicants and appellants shall, upon receipt of an invoice from the Township, reimburse the Township for one half of the court reporter’s appearance fee attributable to the application or appeal. The Township’s invoice shall be paid within thirty (30) days of receipt or upon the issuance of any permit authorized by the decision of the Zoning Hearing Board or Board of Supervisors, whichever date is earlier.

Section 13. Zoning Permit Fees. The following fee shall be imposed in connection with the administration of the West Earl Township Zoning Ordinance:

Residential Structures	\$0.50 per sq. ft. Minimum \$50.00
Finished basements, sheds Detached garage, decks, unfinished basements; (Excludes Attics and crawlspaces)	\$0.25 per sq. ft. Minimum of \$25.00
Residential, Commercial or Industrial Remodeling or Equipment	\$25.00
Commercial, Industrial,	\$0.45 per sq. ft. Minimum \$150.00
Office, Church Education, Institutional Structures	\$0.25 per sq. ft. Minimum \$100.00
Agricultural	\$0.10 per sq. ft.
Conversion to Apartments	\$ 25.00 per unit Minimum of \$50.00
Conversion of Agricultural building to other use	\$0.10 per sq. ft. Minimum of \$50.00
Swimming Pools, whirlpools, spas, Jacuzzis	
Cost under \$5,000	\$ 50.00
Cost under \$10,000	\$ 100.00
Cost over \$10,000	\$ 200.00
Temporary Permits for Sale of Season Items and Special Events	\$ 25.00
Signs	\$2.50 per square foot Minimum \$ 50.00
Renewal of expired permits for additional one year	½ original fee Maximum \$100.00
Replace or rebuild structure damaged by fire or Natural disaster within one year	No Charge

Demolition Permit	
Residential or Agricultural	\$ 50.00
Commercial or Industrial	\$ 150.00
State Fees as required	\$ 4.50 per permit
Any other zoning permit (such as fence, retaining wall, etc)	\$25.00

Section 14. Fees for Copies of Township Publications: The following fees shall be imposed for copies of the following Township publications:

Zoning Ordinance	\$35.00
Sub Division and Land Development Ordinances	\$35.00
Storm Water Management Ordinance	\$35.00
Zoning Maps	\$ 8.00

Section 15. Other Township Fees: The following fees shall be imposed for the following Township services and records and use of Township facilities:

Return Check Charge	\$ 25.00
Lions Park Rental	\$ 50.00
Copies – Per Page	\$.25
Notary Fees	\$ 2.00
Accident Reports	\$ 15.00
Standard Mileage Rate	\$.58 cents per mile

Composting Fees:
Township Resident

\$ 1.00 per trip for first 20 trips, after 20 will cost \$10.00 a trip

Non-Township Residents	\$ 20.00 per trip
Commercial Customers	\$ 50.00 per trip
Replacement Cards	\$ 5.00 per card
Driveway Permits	\$ 50.00

Highway Occupancy – Street Cuts	\$ 35.00
Soliciting/Peddling Permit Issued by Police Department	\$ 25.00 per person
Trash Tags	
Red – Oversized Items	\$ 4.00
Blue – Appliance/motorized items	\$ 12.00
Yellow – Extra Service	\$ 1.25
Brown Kraft Bags or green tag (Yard Waste)	\$ 1.00
Orange – Tires	\$ 2.00
Recycling	
Recycling bins – Replacement	FREE
Additional bins	\$ 6.00

Section 16. Water Connection Fees: The following fees shall be imposed for the following Water Fees:

Water Connection:	
Tapping Fee:	\$2,588.05 each
Meter and Inspection	Cost of meter and 15%
Connection Fee:	\$1,500.00 on deposit for time and materials
Development Plan Review Escrow Deposits:	
Minor Residential Subdivision or Land Development 1-5 lots or Units of Occupancy	\$ 1,000.00
Major Residential Subdivision or Land Development 6 or more Lots or Units of Occupancy	\$ 6,000.00
Non-Residential Subdivision of Land Development or other plans	\$ 6,000.00
Water Shut Off	\$ 100.00
Water Turn On	\$ 100.00

At such a point as the escrow fund has been reduced to one-half of the amount posted by the applicant at the time of filing the application or less as a result of

withdraws as herein provided, then, and in that event, and at that time the Township shall bill the applicant/developer an amount sufficient to restore the Escrow Fund to the original sum.

Section 18. Public Sewer Connection Fees: The following fees shall be imposed for the Public Sewer Connections:

Tapping	\$ 3,900.00
Connection if WESA provides the lateral	\$ 1,000.00
If Owner provides the lateral	\$ 110.00
Inspection fee (gravity connection)	\$ 97.00
Inspection fee (grinder pump)	\$ 125.00
Development Plan Review Escrow Deposit	
Residential Subdivision or Land Development Plan Review 1 - EDU	\$1,000.00
Residential Subdivision or Land Development Plan Review 2 or more - EDU's	\$ 5,000.00
Residential Subdivision or Land Development Plan Review 10 or more- EDU's	\$ 10,000.00
Non - Residential Subdivision or Land Development Plan Review 1 - EDU	\$ 5,000.00
Non - Residential Subdivision or Land Development Plan Review 2 - or more EDU's	\$ 10,000.00
Non - Residential Waste Permit Application	\$ 100.00

At such a point as the escrow fund has been reduced to one-half of the amount posted by the applicant at the time of filing the application or less as a result of withdraws as herein provided, then, and in that event, and at that time the Township shall bill the applicant/developer an amount sufficient to restore the Escrow Fund to the original sum.

Section 19. On-Lot Sewage Disposal System Fees: The following fees shall be imposed for the On-Lot Sewage Disposal System:

Testing	
Soil Profile Description – Probe Each	\$ 85.00
Perc Test	
Excluding digging of holes – for up to six holes for a primary area	\$350.00
Perc Test	
Excluding digging of holes – for up to six holes for a replacement area if tested At the same time as the primary area (an additional fee per hole will be charged For each hole over 12 if tested at the same time)	\$125.00
Perc Test Observation	\$200.00
If perc test performed by certified SEO hired by applicant per six hole test	
Perc Test Observation	N/C
Of alternate area test if tested at the same time as primary area per six hole test.	
Digging of perc test holes – per six holes	\$150.00
Other Soils Testing	
First probe and first infiltration test	\$350.00
Additional probe and Infiltration Test – Each	\$100.00
Sewage Permit Application	
New On-Lot system, repair or modification	\$75.00
Minor repair, Modification or Temporary Holding Tank	\$50.00
Design Review and Inspections	
Will be provided at the SEO’s Hourly Rate of \$65.00	
Holding Tank	
And all other annual inspections, reports and tracking	\$75.00 per hour
DEP Planning Requirements Reviews	
Form B’s. Exceptions, Modules will be provided at the SEO’s hourly rate of \$65.00 with a minimum fee of \$65.00/ hour	
Sewer Management Program Inspections, Reporting and Administration	
Will be provided at the SEO’s Hourly rate of \$50.00 with a minimum fee of \$50.00	

Any on-lot sewage design services or other services not identified above will be provided at the SEO's hourly rate of the time of service.

Applicants shall reimburse the SEO for mileage at the rate permitted by DEP. All other work not specifically mentioned will be billed at the hourly rate of the time of service.

Section 20. Utility Billing Fees: The following fees shall be imposed for the Utility Billing per month:

Water:	
Monthly rate for first 2,300 gallons used:	\$13.33
Per 1,000 gallons used over 2,300	\$ 7.35

Sewer	
Monthly Rate: - Residential	\$58.50
Monthly Rate: - Commercial – First 4000 gallons	\$58.50
Commercial – per 1000 gallons over 4000	\$14.625

Trash:	
Monthly Rate:	\$ 20.00

Section 21. Taxes/Street light : The following fees shall be imposed for the Street Lights and Fire Hydrants: PER PROPERTY FRONTAGE

Brownstown, Talmage, Farmersville, Meadow View Estates and Sandy Beach	
Unimproved	\$0.0600
Improved	\$0.3800

West Gate and West Earl Heights	
Unimproved	\$0.0700
Improved	\$0.6700

Batten Circle, School Lane Farms, Eagleview Estates and Country View	
Unimproved	\$0.1500
Improved	\$1.1900

Hans Groff Village	
Improved	\$1.4500

Special Hydrant	
Upper Leacock	\$0.14

Section 22. No part of a fee established in this Resolution is refundable.

Section 23. The Board of Supervisors reserves the right to revise the fees in this Resolution at any time by resolution.

Section 24. This Resolution shall not be deemed to repeal any other resolution of this Township establishing fees or charges. This Resolution shall be interpreted to amend only those fees expressly set forth in this Resolution, and all other fees and charges by all other resolution are hereby ratified and confirmed.

Section 25. Severability: In the event any provisions, sections, sentence, clause or part of this Resolution shall be 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 Resolution, it being the intent of the Board of Supervisors that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 26. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 6th day of January, 2020, by the Board of Supervisors of the Township of West Earl, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST EARL
Lancaster County, Pennsylvania

ATTEST: _____
Secretary

BY: _____
(Vice) Chairman
Board of Supervisors

TOWNSHIP SEAL

EXHIBIT A

West Earl Township Employee 2019 Fee Schedule

Township Manager – Engineer	\$75.00/hr.
Zoning Officer	\$50.00/hr.
Roadmaster	\$50.00/hr.
Senior Equipment Operator	\$35.00/hr.
Administrative Services	\$40.00/hr.