

**EAST GREENVILLE BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2009- 87

ESTABLISHING CHARGES TO BE IMPOSED BY THE BOROUGH OF EAST GREENVILLE UPON PERSONS SUBMITTING, FOR LOCAL AGENCY REVIEW, PRELIMINARY PLANS FOR THE SUBDIVISION OF LAND OR FOR LAND DEVELOPMENT, INTENDED TO DEFRAY SUCH ENGINEERING AND LEGAL EXPENSES AS THE MUNICIPALITY MIGHT INCUR DURING THE PLAN APPROVAL PROCESS, PROVIDING FOR A RETURN TO THE APPLICANT OF UNUSED FUNDS COLLECTED, PLACING A LIMIT ON THE AMOUNT OF THE CHARGE ASSESSABLE TO AN APPLICANT ON ACCOUNT OF ANY PROPOSED PROJECT AND DESIGNATING THOSE CIRCUMSTANCES, THE OCCURRENCE OF WHICH WILL ALLOW THE BOROUGH TO SEEK REPLENISHMENT OF ESCROWED FUNDS.

WHEREAS, Section 85-6C of the Code of the Borough of East Greenville establishes in Borough Council an obligation to set fees to be charged to Applicants; and

WHEREAS, the cost to the Borough of professional engineering and legal review services has substantially increased thereby adding significantly to the expense of the plan approval process.

NOW, THEREFORE, the Borough Council of the Borough of East Greenville, in session assembled, does hereby resolve as follows:

1. The fee to be charged Applicants upon their submission to the Borough Planning Commission of a Plan of Subdivision or a Land Development Plan for review by that Commission and by the Borough Council shall be as follows:

- i. For the development of, without Subdivision or Change \$1,000.00
of Boundaries

- ii. For a simple 2 lot Subdivision 1,250.00
- iii. For a 3 to 5 Lot Subdivision..... \$2,000.00, plus \$250.00 per Lot
- iv. For a 6 to 10 Lot Subdivision \$3,000.00, plus \$250.00 per Lot
- v. For an 11 to 15 Lot Subdivision \$4,000.00. plus \$250.00 per Lot
- vi. For a Subdivision of 16 or more lots \$5,000.00 plus \$250.00 per Lot

2. In no instance shall the application fee be of an amount in excess of \$10,000.00.

3. The fees imposed shall be payable upon the submission of a Preliminary Plan to the Borough Planning Commission, shall be accounted for by the municipality separate from all its other funds and shall be dedicated solely to the defrayment of engineering, legal and other legitimate costs incurred by the Borough in the review of the particular plan with which submitted.

4. If at any time during the review process the costs chargeable against the fee collected should total an amount that exceeds 75% of that fee, the Borough may require that the Applicant replenish its account with the Borough by bringing it into conformity with the charges computed in accordance with the schedule set forth in Paragraph 1 above. Should the Applicant fail, within ten (10) days of the date that notice to replenish his account is sent to him, to bring it into conformity with said schedule, the Planning Commission, if that is the municipal agency then considering the plan, shall, at its next scheduled meeting, recommend to Council that the application be denied. If, at the time of such failure to replenish an account, the plan is being considered by Borough Council, it shall, at its next scheduled meeting, deny the application.

5. The charges established hereby are intended to cover the cost of municipal review only and are separate from the charges, which might be imposed by any other governmental

body, such as the Montgomery County Planning Commission, which plays a role in the Subdivision and Land Development Plan review process.

6. If at the conclusion of the plan review process there remain any funds in the Applicant's account with the Borough, such funds shall be returned to the Applicant.

7. All ordinances and/or resolutions as are inconsistent with the contents hereof are hereby repealed to the extent of such inconsistencies.

8. This resolution shall become immediately effective.

RESOLVED, this *11TH* day of *MARCH*, 2009.

BOROUGH OF EAST GREENVILLE

By: *Douglas Z. Bricker*
President

ATTEST:

Donald W. Staff
Secretary

APPROVED by the Mayor of the Borough of East Greenville, this *11TH* day of *MARCH*, 2009.

[Signature]
Mayor