

RESOLUTION NO. 77- 6

BE IT AND IT HEREBY IS by the Board of Supervisors of West Bradford Township, RESOLVED:

WHEREAS, by Ordinance No. 73-1, the Subdivision Ordinance of West Bradford Township was amended to provide, inter alia, that the fees for filing shall be set by the Board of Supervisors by resolution, and

WHEREAS, by Ordinance No. 73-2, the Zoning Ordinance of West Bradford Township was amended to provide that the fees with respect thereto shall be set by the Board of Supervisors by resolution.

NOW, THEREFORE, BE IT AND IT HEREBY IS by the Board of Supervisors, RESOLVED that the fees applicable to zoning and subdivision matters are as follows:

SECTION 1. Hearings before the Zoning Hearing Board:

(a) For the first hearing night \$250.00 for the first 2 hours - \$100.00 per hour thereafter hours to be as anticipated by the Zoning Hearing Board Secretary.

(b) For each subsequent hearing night \$250.00 for the first 2 hours - \$100.00 per hour as anticipated by the Zoning Hearing Board Secretary.

(c) The fee shall be paid as follows: With the filing of the application to the Zoning Hearing Board a minimum deposit in the amount of \$250.00 shall be paid, or more as directed by the Secretary of the Zoning Hearing Board as set forth above.

For each subsequent hearing the fee shall be as set forth above and payable 5 days prior to said hearing date.

SECTION 2. Subdivision Applications.

(a) An initial fee with respect to the filing of subdivision applications for preliminary approval shall be paid at the time of the filing of the application, which fee shall be in the amount of \$50.00 plus \$8.00 per lot;

(b) If the application provides for public water, an additional fee of \$2.00 per lot shall be paid;

(c) If the application provides for public sewer, an additional fee of \$5.00 per lot shall be paid.

(d) Unless waived by the Board of Supervisors, in whole or in part, the resubmission of a previously rejected plan shall be deemed a new submission subject to payment of fees provided in paragraphs (a) through (c) above.

(e) If an application for final approval be made, then the same fee schedule.

SECTION 3. Planned Shopping Center and Cluster Development Fees.

(a) At the time of filing of the initial application for approval, a fee in the amount of \$500.00 plus \$5.00 per unit shall be paid.

(b) In addition to the fee provided in subparagraph (a) above, with the filing of an application for final approval, there shall be paid a fee in the amount of \$5.00 per unit.

SECTION 4.

In the event the Board of Supervisors elects to hold a Public Hearing on any application under Section 1 or 2, the fee thereafter should be the same as if the application were to the Zoning Hearing Board.

SECTION 5.

In the event that the engineering review or traffic review costs of the Township together with the cost of any other experts employed by the Township for review, representation and/or testimony exceed the amounts provided in Section 2 and 3 hereof, the developer shall from time to time, on demand of the Township and not later than five (5) days thereafter, pay to the Township such additional costs as may have been incurred in excess of the moneys paid under Section 2 and 3 hereof. Failure to pay the sums within the periods demand shall, at the election of the Supervisors, be deemed a withdrawal of the application.

SECTION 6.

Where due to the nature of the application, a disproportionate cost in relation to the value of the application arises or where due to the economic condition of the applicant, an undue hardship is created by the amount of fees as set forth in Section 1 hereof, the Supervisors may, upon recommendation of the Zoning Hearing Board, but shall not be obligated to, waive in whole or in part, the fees established under the foregoing schedule. Where the Zoning Hearing Board recommends the waiver of all or any portion of such fee, it shall in its decision make findings of fact with reference to the circumstances

justifying such waiver and it shall, in its decision, further recommend to the Board of Supervisors the proper fee to be charged or credit given. The Supervisors shall then consider the waiver recommendation at the next regularly scheduled meeting of the Board of Supervisors and grant such relief, if any, as the Supervisors in their sole discretion deem appropriate.

SECTION 7.

All fees shall be payable in advance of any hearing and with the filing of any application. No application shall be deemed pending nor shall any hearing be deemed scheduled unless and until all proper fees have been paid in full.

SECTION 8.

There shall be a refund to the applicant if the fee paid exceed costs by more than (10%) ten percent.

SECTION 9.

The Supervisors or the Zoning Hearing Board, as the case may be, shall have the power and it shall be their duty to dismiss any application where despite demand, the applicant has failed to pay the prescribed fees within the time set forth in this Resolution.

SECTION 10. Effective Date:

This Resolution shall become effective as to all submissions made on or after the date hereof and for all hearings scheduled on or after the date hereof.

SECTION 11.

(a) Curative Amendment: The fee shall be paid as follows: \$1,000.00 with each application for curative amendment plus \$400.00 per hearing after the first, payable 5 days prior to said hearing date.

(b) Conditional Use: The fee shall be paid as the same as for curative amendment except initial fee of \$500.00 instead of \$1,000.00.

BY THE BOARD OF SUPERVISORS

Paul G. Moller  
Attest Secretary-Treasurer

Stephen P. Hoyt  
Ronald McCreedy  
Paul J. Waughey