

**TOWNSHIP OF WARWICK**

**Lancaster County, Pennsylvania**

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**RESOLUTION NO. 03-16-11-03**

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A RESOLUTION OF THE BOARD OF SUPERVISORS OF WARWICK TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, ESTABLISHING FEES FOR THE FILING OF APPLICATIONS, PERMITS AND LICENSES FOR THE TOWNSHIP OF WARWICK AND ELIMINATING ALL FILING FEES, PERMIT FEES AND LICENSE FEES FROM THE CODE OF ORDINANCES AND ENACTING THEM INSTEAD BY RESOLUTION.

WHEREAS, the Board of Supervisors of the Township of Warwick has adopted a codification, consolidation and revision of the ordinances of the Township; and

WHEREAS, it is the desire of the Board of Supervisors of the Township to eliminate all filing fees, permit fees and license fees from the Code of Ordinances and enact them instead by resolution.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Warwick Township, Lancaster County, Pennsylvania:

Section 1. The Board of Supervisors establishes the following fees for the identified permits, appeals, and services:

- |    |                                      |                |                              |
|----|--------------------------------------|----------------|------------------------------|
| 1. | BUILDING PERMIT FEES (27, §703 Fees) |                | FEE                          |
|    | Building Code Appeal                 |                | <u>\$400.00</u>              |
| 2. | DOGS RUNNING AT LARGE                |                | FEES                         |
|    | For licensed dogs                    | <u>\$25.00</u> | Pickup fee plus board charge |
|    | For unlicensed dogs                  | <u>\$50.00</u> | Pickup fee plus board charge |
| 3. | DRIVEWAY CONNECTION APPLICATION FEE  |                | <u>\$50.00</u>               |
|    | (21, §205)                           |                |                              |

4. FALSE ALARM FEES

Number of false alarms in 12 calendar months	Fee per each false alarm
1-2 alarms	<u>\$0.00</u>
3 alarms	<u>\$35.00</u>
4-5 alarms	<u>\$50.00</u>
6 or greater	<u>\$75.00</u>

5. JUNK YARDS

FEES

Annual license fee (13, §105)	<u>\$25.00</u>
Transfer license fee (13, §108)	<u>\$10.00</u>

6. LIQUOR LICENSE APPLICATION FEE

FEES

Transfer or Issuance (Local Agency Law, 2 Pa.C.S. §351 <i>et seq.</i> )	<u>\$400.00</u>
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7. MOBILE HOMES AND MOBILE PARKS

FEES

Annual operation permit	<u>\$20.00</u> per mobile home lot with a minimum of <u>\$100.00</u> per mobile home park.
Permit to authorize removal of a mobile home (Issued by the Township Tax Collector, as required by the Act 1 of July 8, 1960, P.L. 130, §72 P.S. §5020-407(d)).	<u>\$20.00</u> plus real estate taxes assessed against the mobile home and unpaid at the time the permit is requested.

8. PLUMBER'S FEES (5, §211)

FEES

Every plumber and sewer contractor performing work covered by this code for a fee, annual license fee	<u>\$30.00</u> for first permit and <u>\$5.00</u> for each additional plumber in same firm
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9. PUBLIC STREET DEDICATION FILING FEE (21, §316)

Fees for processing the acceptance of streets which have been offered for dedication to

\$1,000.00 for the first street and \$500.00 for each additional street which the Township is requested to accept at the same time

Should the fees and costs incurred by the Township in processing the acceptance of dedication of streets be greater than the fees established herein, the Township shall bill the person requesting that such streets be accepted for all such additional fees and costs. The person requesting acceptance of streets shall pay the bill for the additional fees and costs within 30 days after the bill is issued by the Township.

The request of any person for the Township to accept dedication of a street or streets shall constitute and be deemed an implied promise and contract to pay all fees imposed by this resolution.

This resolution and the payment of fees established herein shall create no obligation upon the Township to accept dedication of any street or streets.

10. SEWAGE DISPOSAL SYSTEMS

A. Permit Fees for On-lot Septic Systems. These fees are to be charged to the applicant and made payable to Warwick Township. The Sewage Enforcement Officer (SEO) is entitled to receive from the Township the same fees as set forth herein except that the Township will be entitled to retain Twenty Dollars (\$20.00) for each permit issued by the SEO. All designs for sewage systems must be completed by the applicant or his agent for review and approval by the SEO. The fees set forth herein do not cover any design work for a sewage system which cost will be paid by the applicant or his agent. The following permit fees are hereby established:

Residential dwelling for installation of new sewage system or to repair system, and the renewal or re-issue of revoked or expired sewage permit	<u>\$100.00</u>
Commercial, industrial, or institutional structure for installation of new sewage system or to repair sewage system, and renewal or re-issue of revoked or expired sewage permit	<u>\$130.00</u>
Special Permit for a repair activity when something broken is fixed or replaced. Examples: replacing a broken pipe, replacing a pump, replacing a cracked lid (tanks or on a riser top), replacing a gas deflector, replacing a solids retainer, etc. Note: does not include replacing tanks or an absorption field	<u>\$65.00</u>

Special Permit for a modification activity when a structural change to an existing system that would not constitute a repair. Examples: adding a riser, adding an effluent filter, adding an inspection port, etc. Note: does not include adding an additional septic tank, adding a pump tank, expansion of the absorption field \$65.00

The Township will be entitled to retain Twenty Dollars (\$20.00) for each permit issued by the SEO.

Percolation Tests and Deep Probe Readings. These fees are to be charged to the applicant and made payable to Warwick Township. The SEO is entitled to receive from the Township the same fees as set forth herein; except that the Township will be entitled to retain Twenty Dollars (\$20.00) for each percolation test conducted and Twenty Dollars (\$20.00) for each deep probe reading recorded. These fees do not include system design work which is the responsibility of the applicant or his/her agent.

SEO performs complete required percolation tests per lot (6 holes minimum per test; no digging or preparation of holes by the Sewage Enforcement Officer \$250.00 per 6-hole test

Deep probe readings taken by the SEO (does not include backhoe fee; applicant will be responsible for hiring the backhoe) \$65.00 per reading

B. Testing Necessary for Planning Module for Land Development and Subdivisions. These fees are to be charge to the applicant and made payable to Warwick Township. The SEO is entitled to receive from the Township the same fees as set forth herein; except that the Township will be entitled to retain Twenty Dollars (\$20.00) for each percolation test conducted and Twenty Dollars (\$20.00) for each deep probe reading recorded. These fees do not include system design work which is the responsibility of the applicant or his agent.

SEO performs complete required percolation tests per lot (6 holes minimum per test; no digging or preparation of holes by the Sewage Enforcement Officer \$250.00 per 6-hole test

Deep probe readings taken by the SEO (does not include backhoe fee; applicant will be responsible for hiring the backhoe) \$65.00 per reading

Preparation of papers (sewage module) \$65.00 per hour

C. Septic System Design Review. These fees are to be charged to the applicant and made payable to Warwick Township. The SEO is entitled to receive from the Township a minimum of \$55.00 for design review and \$27.50 per hour for additional review time (if needed) to complete review. Applicant is responsible to pay for additional review time at the same rate as paid to the SEO. The Township is entitled to retain Twenty Dollars (\$20.00) from the minimum charge. \$85.00 minimum charge

- D. Planning Module Review. These fees are to be charged to the applicant and made payable to Warwick Township. The SEO is entitled to receive from the Township a minimum of \$55.00 for module review and \$27.50 per hour for additional review time (if needed) to complete review. Applicant is responsible to pay for additional review time at the same rate as paid to the SEO. The Township is entitled to retain Twenty Dollars (\$20.00) from the minimum charge. \$85.00  
minimum charge
- E. Fees to be paid to the SEO by the Township for all activities not included in the above at the rate of \$65.00 per hour.
- F. Applicant to Supply Water for Testing. Applicant shall supply any water necessary for testing if the terrain or other conditions are such that the SEO is unable to reasonably transport water to the testing site.
- G. Applicant Responsible for Additional Costs. The cost of any professional services (e.g. engineers or soil scientists) rendered to provide additional soil information and other opinions shall be the responsibility of the applicant.
- H. Payment of Fees. All fees and charges required to be paid by the applicant shall be paid prior to the performance of the designated services by the SEO in accordance with the rates of compensation set forth above.
- I. Disposition of Fees Paid. All fees and charges received by the Township shall be paid prior to the performance of the designed services by the SEO in accordance with the rates of compensation set forth above.
- J. Monthly Report. The SEO shall submit a complete report each month for the reimbursement of fees and charges due him.
- K. Additional Duties of Sewage Enforcement Officer. The SEO shall assist with the preparation of the application for reimbursement of expenses in accordance with Section 6 of the Pennsylvania Sewage Facilities Act and shall supply such information and data as is required by the Pennsylvania Department of Environmental Protection.
- L. Appeals Fee. \$300.00
- M. Waiver for Designation of Relocation Site. \$15.00

11. SUBDIVISION AND LAND DEVELOPMENT (S&DL)  
FEES

- A. Application Fee Established. Fees shall be imposed at the preliminary, final and improvement construction plan stages and for revised plans, lot add-on plans and stormwater management plans. The preliminary, final, revised and lot add-on plan filing fees shall consist of two parts, namely, a basic fee and a lot and/or unit of occupancy fee. The basic fee covers the cost of the initial lot (remaining acreage) or unit of occupancy based upon the type of development involved. The lot fee is charged for each additional proposed lot and/or each existing lot which receives additional area (lot add-on). The unit of occupancy fee is charged for each proposed unit of occupancy in excess of one unit per lot. The amount of the above mentioned fee shall be as follows:

1.	Escrow Fee	<u>\$1,000</u> base + <u>\$200</u> per lot Minimum: <u>\$1,200</u> ; Maximum: <u>\$10,000</u>	
2.	Basic Fee:		
	• Minor residential (one through 10 lots)		<u>\$250.00</u>
	• Major residential (11 or more lots)		<u>\$350.00</u>
	• Non-residential		<u>\$350.00</u>
3.	Lot and/or Unit of Occupancy Fee:		
		<u>Preliminary</u>	<u>Final and Revised</u>
	• First through 10 <sup>th</sup> lots or units of occupancy	<u>\$35.00</u>	<u>\$17.50</u> per lot or unit of occupancy
	• 11 <sup>th</sup> through 40 <sup>th</sup> lots or units of occupancy	<u>\$30.00</u>	<u>\$15.00</u> per lot or unit of occupancy
	• 41 <sup>st</sup> lot or unit of occupancy	<u>\$25.00</u>	<u>\$12.50</u> per lot or unit of occupancy
4.	Improvement Construction Plan Filing Fee		<u>\$150.00</u>
5.	Land Development Plans	<u>\$250.00</u> basic fee plus <u>\$10.00</u> per 1,000 sq. ft. or part thereof of new or expanded ground floor area for each principal building	
6.	Sketch Plan		<u>\$250.00</u>
7.	Lot Add-On Plan		<u>\$250.00</u>
8.	Revised Plan		<u>\$250.00</u>
9.	Stormwater Management (SWM) Plan Review and Approval Fee		<u>\$250.00</u>
10.	Legal Fees for Review of S&DL and SWM Applications, Agreements, Escrows, Legal Matters, etc.	<u>Hourly rate approved by the Board of Supervisors at the time of the annual appointment of the Solicitor</u>	
11.	Engineering Review Fees for S&DL and SWM Applications, Calculations, Improvement Inspections, Security Releases, etc.	<u>Hourly rate approved by the Board of Supervisors at the time of the annual appointment of the Engineer</u>	
12.	Waiver Application (one fee for all waivers)		<u>\$250.00</u>

- B. Fee Payable with Application. All fees must be submitted to the Township with plan applications. Plan applications shall not be accepted without fees, and neither the Warwick Township Planning Commission nor the Warwick Board of Supervisors shall take action on a plan application submitted without a fee. The fees imposed by this resolution are in addition to any fees imposed by the Lancaster County Planning Commission pursuant to §502 of the Pennsylvania Municipalities Planning Code for its review of plans showing improvements, extensions or connections to the authority's sewer and/or water lines. All fees shall be paid by check or money order drawn to the Treasurer of Warwick Township.
- C. Recording Fees. Any cost relating to the reduction of final plans for the purpose of recording the same with the Recorder of Deeds of the County of Lancaster shall be paid by the applicant.
- D. Escrow Fees for Plan Review Expenses. Applications shall be accompanied by a fee to be placed in escrow to cover all reasonable and necessary charges that may be incurred by the Township's professional consultants, including the Township Solicitor and the Township Engineer, 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, deeds of dedication and similar matters, storm water management permits, and subdivisions and land developments. Such review fees shall be the actual fees charged by the Township Solicitor, Township Engineer or other professional consultant for the services performed. The present fee schedule of the Township Engineer is on file at the Township Offices. Such schedule shall be revised to reflect changes in the rates charged to the Township by the Township Engineer. Any amount in the escrow funds which exceeds the professional consultant review costs shall be returned to the applicant. If this amount in the escrow fund is not sufficient to meet all professional consultant review costs, the applicant shall be billed therefore and shall pay the amount due within 45 days of such billing. The filing of a plan or application under this Chapter, or the Warwick Township Storm Water Management Ordinance [Chapter 26], shall constitute an implied agreement by the applicant to pay such expenses.
- E. Reimbursement for Inspection of Improvements When Such Inspection is Performed by the Township Engineer or Other Professional Consultant. Developers shall reimburse the Township for all reasonable and necessary charges incurred by the Township's professional consultants or the Township Engineer for inspection of the improvements required to be constructed and any report or reports to the Township thereon. Such inspection fees shall be the actual fees charged by the Township Engineer. The present fee schedule of the Township Engineer is on file at the Township Offices. Such schedule shall be revised to reflect changes in the rates charged to the Township by the Township Engineer.

- F. 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 and any report or reports to the Township thereon. When the inspection is performed by Township personnel, the fee shall be the hourly inspection rate of the particular employee who performed the inspection services plus any expenses incurred, including mileage charges for the Township vehicles used for transportation to the site. A minimum charge of \$20.00 per hour per person will be billed for the first hour or any portion thereof. Any time in excess of 1 hour shall be billed at the same rate on a proportional basis. This charge shall be revised to reflect changes in the costs to the Township for utilizing its personnel to perform such inspections.
- G. Resolution of Fee Disputes. In the event the developer disputes the amount of any such inspection fee or expenses, the developer shall, within 30 days of the billing date, notify the Township Secretary that such fees are disputed as unreasonable or unnecessary, in which case the Township shall not delay or disapprove any approval or permit related to development due to the developer's dispute of the fees. Disputes shall be resolved as follows:
1. If, within 45 days of the date of billing the Township and the developer cannot agree on the amount of expenses which are reasonable and necessary, then the Township and the developer shall jointly, by mutual agreement, appoint an arbitrator to resolve such dispute who shall be of the same profession or discipline as the professional consultant whose fees are being disputed who shall review such charges and expenses and make a determination as to the amount thereof which is reasonable and necessary.
  2. The arbitrator so appointed shall hear such evidence and review such documentation as the professional in his/her sole opinion deems necessary and render a decision within 50 days of the billing date. The developer shall pay the entire amount determined in the decision within 60 days from the billing date.
  3. The fee the arbitrator shall be paid by the applicant if the review fee charged is sustained by the arbitrator; otherwise, it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than \$5,000, the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the applicant or the professional consultant. The Board of Supervisors and the consultant whose fees are the subject of the dispute shall be parties to the proceeding.
- H. 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 applicant's land development or subdivision shall be charged to and paid by the applicant. A minimum charge of \$30.00 per hour, per person, shall be billed for the first hour or any portion thereof for the costs of installing traffic control signs or performing other services for the development.

The actual cost of all supplies, including signs, poles and other materials, shall be paid by the developer. If the Township is required to provide snow removal services on a road not accepted by the Township, the developer shall be charged the reasonable and customary commercial rate for such services plus the actual cost of all materials used. The filing of a plan or application under the provisions of the Subdivision or Land Development Ordinance [Chapter 22] or the Warwick Township Stormwater Management Ordinance [Chapter 26] shall constitute an implied agreement by the applicant to pay such expenses.

12. TRANSIENT RETAIL BUSINESS LICENSE (13, §308) \$15.00

Expiration. All annual licenses shall be for the period of October 1 to September 30. There shall be no prorated license fees, and all licenses shall expire on September 30.

Appeals. The fee for an appeal to the Board of Supervisors from the revocation or suspension of a license application shall be \$150.00

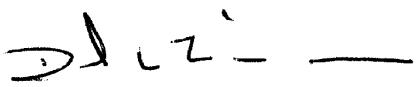
Section 2. Resolution No. 08-16-06-03 shall be repealed in its entirety. This Resolution shall not be deemed to repeal any other resolution of this Township establishing fees or charges. This Resolution shall be interpreted to amend only those fees expressly set forth in this Resolution; and all other fees and charges imposed by all other resolutions are hereby ratified and confirmed.

Section 3. In the event any provision, section, 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 4. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 16<sup>th</sup> day of March, 2011, by the Board of Supervisors of the Township of Warwick, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WARWICK  
Lancaster County, Pennsylvania

Attest:   
(Assistant) Secretary

  
(Vice) Chairman  
Board of Supervisors

[TOWNSHIP SEAL]