



## **Penn Township**

### **New Buildings, Renovations, Additions, or Installments Requirement Checklist**

- \_\_\_\_\_ Building Permit Checklist
- \_\_\_\_\_ Chester County Assessment Letter
- \_\_\_\_\_ Workman's Compensation Form
- \_\_\_\_\_ Building Permit Application
- \_\_\_\_\_ Zoning Permit Application
- \_\_\_\_\_ Electrical Permit Application **(if applicable)**
- \_\_\_\_\_ Plumbing Permit Application **(if applicable)**
- \_\_\_\_\_ HVAC Permit Application **(if applicable)**
- \_\_\_\_\_ Grading Permit Application **(if applicable)**

**\*\*\* ALL PERMITS MUST CONTAIN TWO (2) COPIES OF EACH AS WELL AS TWO (2)  
SETS OF DRAWINGS/PLOT PLANS \*\*\***

#### **Residential Zoning Officer**

Jim Kowalski  
215-872-8160

[Jkowalski@codeinspections.net](mailto:Jkowalski@codeinspections.net)

#### **Commercial Zoning Officer**

Scott Moran  
610-637-1003

[scott.accuratebuilding@gmail.com](mailto:scott.accuratebuilding@gmail.com)

# COUNTY OF CHESTER ASSESSMENT OFFICE

313 W. MARKET STREET, SUITE 4202, P.O. BOX 2748, WEST CHESTER, PA 19380-0991

610-344-6105  
Fax 610-344-5902  
[www.chesco.org](http://www.chesco.org)

JONATHAN B. SCHUCK, MBA CPE  
Director of Assessment

Dear Property Owner:

As you have applied for a building permit from your municipality, the county Assessment Office would like to advise you of the steps surrounding our involvement in the process. We would like to make sure that you are aware of what will take place during construction and after the improvement is finished.

- 1) The municipality is required to supply a list of all building and zoning permits to the Assessment Office monthly.
- 2) An assessor will visit your property when they are in your municipality (generally rotate through every 2 - 3 months).
- 3) When arriving at your property, the assessor will come to the front door and identify themselves wearing a Chester County I. D. badge and will present a business card. They will ask you questions about the building permit and may need to measure the improvements (from the outside).
- 4) If you are not home when the assessor arrives, a business card will be left with a note on the flip side of the card. The assessor will proceed to the improvement and measure if the work is sufficiently complete. Otherwise they will mark it for a revisit the next time they are in the municipality.
- 5) Please cooperate with the assessor, as he or she is simply trying to get the correct information about your improvement, so there will be no mistakes on the county record.
- 6) After the construction is finished or 30 months has elapsed your improvement will be assessed and added to your property record card.
- 7) You will receive a notice from our office changing your assessment reflecting the addition of the new improvement. If you require more information please call our office at 610-344-6105 and ask to speak to the assessor assigned to your municipality.

It is the intention of this letter to inform you of the assessment process so that you realize that we will be visiting your property. Please note that due to time constraints we generally do not make appointments, unless absolutely necessary. Please be patient when an assessor knocks on your door and answer any questions to the best of your ability. Thank you for your anticipated cooperation.

Sincerely,  
Jonathan B. Schuck  
Director  
Susan L. Caldwell, CPE.  
Chief Assessor

Taxing Authority-please run additional copies of this letter when your supply runs low.

PENN TOWNSHIP  
WORKERS' COMPENSATION INSURANCE  
COVERAGE INFORMATION

I. Applicant Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

- A. Applicant is a contractor within the meaning of the Pennsylvania Workers' Compensation Law.  
\_\_\_\_\_ Yes (Complete Sections II, III, IV, V and VI below as appropriate)
- B. Applicant has hired or intends to hire a contractor within the meaning of the Pennsylvania Workers' Compensation Law.  
\_\_\_\_\_ Yes (Complete Sections II, III, IV, V and VI below)
- C. Applicant is property owner and doing own work.  
\_\_\_\_\_ Yes (Complete Section V below)

II. Contractor's Federal or State Identification Number: \_\_\_\_\_

III. Insurance Information

If contractor is a qualified self-insurer for Workers' Compensation, attach Certificate of Insurance to this Addendum. If contractor subscribes for Workers' Compensation Insurance:

Name and address of Workers' Compensation Insurer: \_\_\_\_\_

Policy Number: \_\_\_\_\_ Policy Expiration Date: \_\_\_\_\_

ATTACH CERTIFICATE OF INSURANCE TO THIS ADDENDUM (Penn Township must be named as an additional insured on all Certificates of Workers' Compensation and/or all Certificates of Qualified Self-Insurance.)

IV. Exemption

This section to be completed ONLY if Applicant/Contractor is claiming exemption from providing Workers' Compensation Insurance. The undersigned swears or affirms that he/she is not required to provide Workers' Compensation Insurance under the provisions of Pennsylvania Workers' Compensation Law for one of the following reasons, as indicated:

- \_\_\_\_\_ Applicant/Contractor has no employees.  
\_\_\_\_\_ Applicant/Contractor claims religious exemption under the Workers' Compensation Law.

In the event that Penn Township requires verification that a building permittee has filed an affidavit of exemption from Workers Compensation, has hired employees to perform work in connection with the building permit and has not obtained the required Insurance and provided Penn Township with the requisite information, Penn Township shall issue a STOP WORK ORDER. Such Stop Work Order shall remain in effect until proper Workers' Compensation coverage is obtained and proper documentation is received by Penn Township.

V. Applicant's signature below indicates that Applicant understands and accepts the requirements of this form.

\_\_\_\_\_  
Applicant's Signature

VI. Notarization

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF \_\_\_\_\_

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

PENN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA  
APPLICATION AND AGREEMENT FOR BUILDING PERMIT

Building Code Official Phone 610-692-9232  
Building Code Official Fax 610-692-2724

Township Office Phone 610-869-9620  
Township Office Fax 610-869-9194

Date \_\_\_\_\_

Does Applicant own the property? ☐ Yes ☐ No

Applicant \_\_\_\_\_  
(Please Print) Name Address Phone No.

Property Owner \_\_\_\_\_  
(Please Print) Name Address Phone No.

Application is hereby made for a permit to \_\_\_\_\_

Site Location \_\_\_\_\_  
(Lot No.) (House No.) (Street or Road)

Plot of Ground _____ (frontage) (depth)	x	<i>Applicant's Estimated Construction Costs*</i>	<i>Permit Fees (BCO will calculate)</i>
		Building \$	\$
		Garages \$	\$
		Porches \$	\$
		Zoning	\$
		E & S	\$
		UCC Fee	\$
		Other	\$
		Other	\$
		Other	\$
		TOTAL	\$

This building is to be used as \_\_\_\_\_

*\*Estimated construction costs shall be provided by Applicant (include copy of contract/estimate) and shall be confirmed by the Building Code Official to ensure consistency with the most current International Code Council Building Valuation Data. The higher amount between the estimated construction costs and the Building Valuation Data shall determine the permit fee.*

Floor Area (Sq. Ft.) \_\_\_\_\_  
(Garage) (Basement) (1<sup>st</sup> Floor) (2<sup>nd</sup> Floor) (Total)

NOTE: Two sets of plans and specifications shall accompany the application as well as two plot plans showing the size of the lot and the location of improvements thereon, giving side, rear and front yard requirements. Applicants must complete the attached insurance form pursuant to the Workers Compensation Reform Act PA 44.

I (WE) DECLARE UNDER THE PENALTIES OF PERJURY THAT THIS APPLICATION (INCLUDING ANY ACCOMPANYING PLANS AND SPECIFICATIONS) HAS BEEN EXAMINED BY ME (US) AND TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE APPLICATION. ALL CONSTRUCTION MUST CONFORM TO STANDARD ENGINEERING PRACTICES.

I (WE) ACKNOWLEDGE THAT I (WE) HAVE REVIEWED ALL SUBDIVISION/LAND DEVELOPMENT PLANS, CONDITIONS OF APPROVAL CONTAINED IN ANY DECISION BY THE BOARD OF SUPERVISORS/ZONING HEARING BOARD, RECORDED FINAL SUBDIVISION/LAND DEVELOPMENT PLANS, AND THAT I (WE) WILL COMPLY WITH AND/OR SATISFY ALL OF THESE CONDITIONS AND REQUIREMENTS PRIOR TO THE USE AND OCCUPANCY OF THE STRUCTURE DESCRIBED IN THIS APPLICATION.

I (WE) AFFIRM THAT WE HAVE REVIEWED THE PENN TOWNSHIP ZONING ORDINANCE AND THAT THE PROPOSED STRUCTURE COMPLIES WITH ALL REQUIREMENTS OF THIS ORDINANCE.

ALL OWNERS MUST SIGN THIS APPLICATION AND AGREEMENT IN ADDITION TO ANY OTHER APPLICANT.

Signature of Applicant(s) \_\_\_\_\_

Signature of Property Owner(s) \_\_\_\_\_

☐ Approved ☐ Approved w/conditions ☐ Disapproved

Tax Parcel # \_\_\_\_\_ Zoning District \_\_\_\_\_

Building Code Official \_\_\_\_\_ Date \_\_\_\_\_

Fee \$ \_\_\_\_\_ Permit # \_\_\_\_\_

White - Original

Yellow - Homeowner

Pink - Township

PENN TOWNSHIP, CHESTER COUNTY, PA  
APPLICATION FOR ZONING PERMIT  
(Required prior to Issuance of Building Permit and  
for all structures unregulated per PA Act 45)

Building Code Official Phone 610-692-9232  
Building Code Official Fax 610-692-2724

Township Office Phone 610-869-9620  
Township Office Fax 610-869-9194

Date \_\_\_\_\_

Does Applicant own the property? ☐ Yes ☐ No

Applicant \_\_\_\_\_  
(Please Print) Name Address Phone No.

Property Owner \_\_\_\_\_  
(Please Print) Name Address Phone No.

Property Information

Site Location \_\_\_\_\_  
(Lot No.) (House No.) (Street or Road)

Zoning District \_\_\_\_\_ Tax Parcel No. \_\_\_\_\_

Parcel Type (circle one below)

Residential Commercial Industrial Other (describe) \_\_\_\_\_

Project Type (circle one below)

New Principal Construction Addition Renovation New Accessory Construction

Was a Conditional Use Hearing required? ☐ no ☐ yes If yes, attach copy of the Conditional Use Decision.

Was a Zoning Hearing required? ☐ no ☐ yes If yes, attach copy of the Zoning Hearing Board's Decision.

NOTE: All applications require two (2) copies of the site plan showing property lines, building setback lines, existing buildings and driveways, and proposed buildings, additions and/or driveways. Locate the existing and proposed structures and driveways with dimensions to the property line. Please use a scale for the plans, such as 1" = 10'. Deck applications must demonstrate a Section View indicating the elevation or height from finished grade of the structure. Accessory structure applications require a plan and elevation view indicating the square footage and height of structure.

I (WE) DECLARE UNDER THE PENALTIES OF PERJURY THAT THIS APPLICATION (INCLUDING ANY ACCOMPANYING PLANS AND SPECIFICATIONS) HAS BEEN EXAMINED BY ME (US) AND TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE APPLICATION. ALL CONSTRUCTION MUST CONFORM TO STANDARD ENGINEERING PRACTICES. ALL OWNERS AND APPLICANTS MUST SIGN APPLICATION.

\_\_\_\_\_  
SIGNATURE OF APPLICANT(S)

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER(S)

☐ Approved ☐ Approved as noted ☐ Disapproved

Tax Parcel # \_\_\_\_\_ Zoning District \_\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_  
Zoning Officer

Fee \$ \_\_\_\_\_ Permit # \_\_\_\_\_

Notes \_\_\_\_\_

# APPLICATION FOR ELECTRICAL PERMIT

NOTE: PLANS ARE REQUIRED FOR ALL ELECTRICAL WORK AS PER APPLICABLE ORDINANCES

PENN TOWNSHIP  
260 LEWIS ROAD  
WEST GROVE, PA 19390-0039

PERMIT NO. 1  
ESTIMATED COST  
FEE

LOCATION

USE OF PREMISES

NAME OF INSTALLER

ADDRESS OF INSTALLER

NAME OF OWNER

ADDRESS OF OWNER

INSPECTING AGENCY FOR INSPECTION

PHONE NUMBER

PHONE NUMBER

☐ 1 FAMILY ☐ 2 FAMILY ☐ 3 FAMILY

☐ APT. BLDG. ☐ PUBLIC BLDG. ☐ BUS. BLDG.

☐ ALTER ☐ REPAIR ☐ REPLACEMENT

☐ NEW CONSTRUCTION

☐ AIR CONDITIONING

☐ OIL BURNING EQUIPMENT

☐ ELECTRICAL HEAT

☐ OTHER (SPECIFY)

DATE ISSUED

DESCRIPTION OF ELECTRICAL WORK SIZE OF SERVICE:

DATE ISSUED

20

NOTE: ALL ELECTRICAL WORK SHALL CONFORM WITH ALL APPLICABLE ORDINANCES - FINAL ELECTRICAL INSPECTION CERTIFICATE REQUIRED  
I HEREBY CERTIFY THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

APPROVED BY

DATE

PENN TOWNSHIP, CHESTER COUNTY  
APPLICATION FOR PLUMBING PERMIT

Sheet 1 of 3

No. \_\_\_\_\_

Date \_\_\_\_\_

(Furnish All Information Required)

APPLICANT \_\_\_\_\_  
Name of Owner (Please Print) Phone No. \_\_\_\_\_  
Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Application is hereby made for a permit for: \_\_\_\_\_  
(Job Site Address)

New Work, Alterations, On-Site Sewage System Installation or Repair

And the following plans and specifications either hereon or attached (list drawings by No. and Title): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ are submitted for approval.

I (We) declare under penalties of perjury that this application (including any accompanying plans and specifications) has been examined by me (us) (our) knowledge and belief is a true, correct and complete application. Further, that all work will be performed according to the approved plans and specifications and in accordance with the Ordinances of Elk Township and the Laws and Regulations of the Commonwealth of Pennsylvania.

Signature \_\_\_\_\_  
Owner

Signature \_\_\_\_\_  
Plumber

Address \_\_\_\_\_  
\_\_\_\_\_

☐ Approved ☐ Disapproved

Date: \_\_\_\_\_ Fee: \_\_\_\_\_

Building Code Official/Zoning Officer \_\_\_\_\_

## Sheet 2 of 3

What type material for main building drain? \_\_\_\_\_

(Attach copy of application to this sheet)

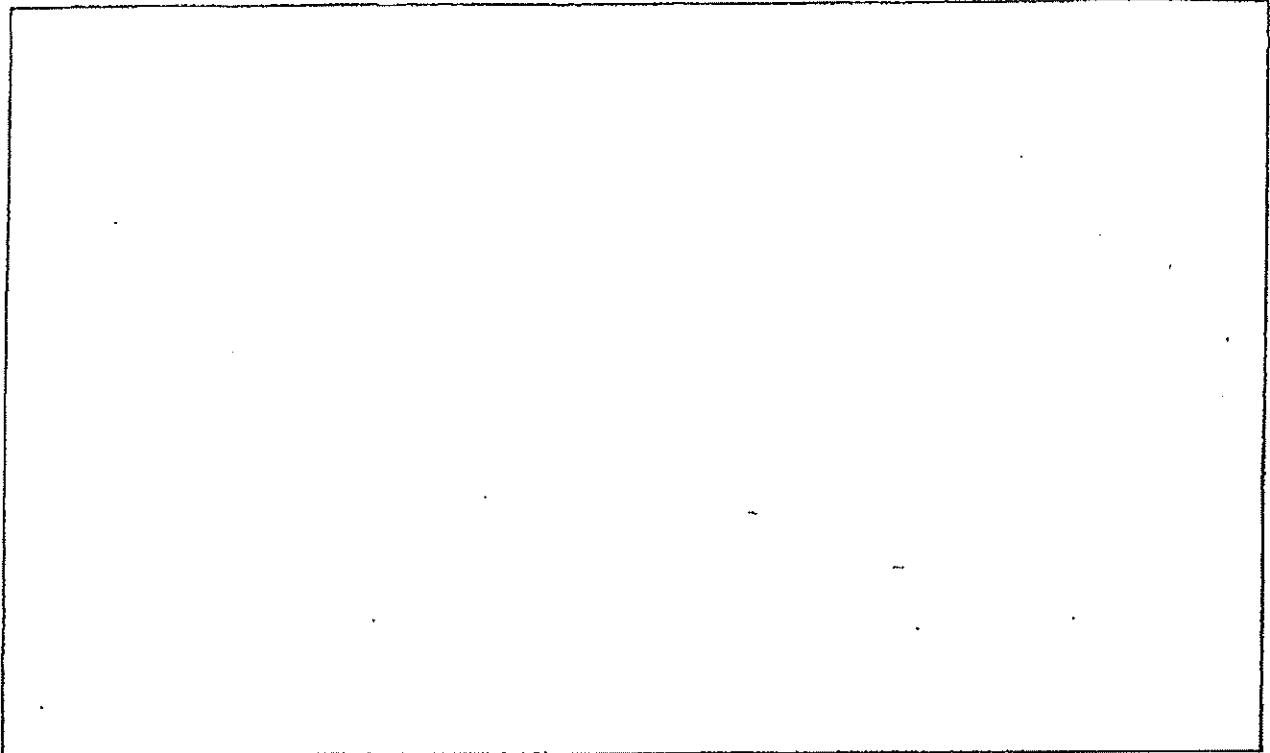
[illegible]



PENN TOWNSHIP  
APPLICATION FOR PLUMBING PERMIT

Sheet 3 of 3

Plot Plan



Elevation

ROOF	
3rd	
2nd	
1st	
Basement	

New Work in Red. Old Work in Black. Use additional sheets if required or submit blueprints of job.

PENN TOWNSHIP, CHESTER COUNTY, PA  
APPLICATION FOR HEATING, AIR CONDITIONING,  
AND FUEL TANK PERMITS

APPROVED \_\_\_\_\_ PERMIT NO. \_\_\_\_\_

FEES \_\_\_\_\_

Location \_\_\_\_\_

New Building \_\_\_\_\_ Existing Building \_\_\_\_\_

Use of Property \_\_\_\_\_

Description of Work \_\_\_\_\_

HEATING

Type of Fuel \_\_\_\_\_ Cost of Installation \_\_\_\_\_

Name of Unit \_\_\_\_\_ Mfg. By \_\_\_\_\_

Capacity of Unit (BTU's) \_\_\_\_\_ Output \_\_\_\_\_

AIR CONDITIONING

Capacity of Unit (BTU's) \_\_\_\_\_ Cost of Installation \_\_\_\_\_

Distance from Property Line \_\_\_\_\_

Name of Unit \_\_\_\_\_ Mfg. By \_\_\_\_\_

FUEL TANKS (Attach plot plan showing location of Tank)

Capacity of Tank \_\_\_\_\_ Type of Fuel \_\_\_\_\_

Cost of Installation \_\_\_\_\_

Owner or Name \_\_\_\_\_ Phone No. \_\_\_\_\_

Lessee Mailing Address \_\_\_\_\_

Contractor Name \_\_\_\_\_ Phone No. \_\_\_\_\_

Mailing Address \_\_\_\_\_

Architect or Name \_\_\_\_\_ Phone No. \_\_\_\_\_

Engineer Mailing Address \_\_\_\_\_

The undersigned agrees to conform to all applicable laws of Penn Township:

Signature of Applicant \_\_\_\_\_ Address \_\_\_\_\_ Application Date \_\_\_\_\_

PENN TOWNSHIP  
260 Lewis Road  
West Grove, PA 19390

Grading Permit No. \_\_\_\_\_  
Date: \_\_\_\_\_

Application for Permit Under Ordinance, 2000-7

GRADING, EROSION & SEDIMENTATION CONTROL

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

Location and/or Description of Property:

Other Properties: Does work back up or discharge water on, or affect any other property  
in any way? Yes \_\_\_\_\_ No \_\_\_\_\_

If so, list and describe other properties affected and to what extent.

THREE SETS OF PLAN REQUIRED:

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Registered Engineer: \_\_\_\_\_

Description of work to be performed and method of operation:

Method of maintaining and protecting existing facilities:

Anticipated date to begin work: \_\_\_\_\_

Anticipated date to complete work: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved \_\_\_\_\_ Date: \_\_\_\_\_

TOWNSHIP OF PENN  
ORDINANCE NO. 2018-01

AN ORDINANCE CREATING A TRANSPORTATION IMPACT FEE AND MAP IDENTIFYING THE AREAS WITHIN THE TOWNSHIP IT AFFECTS AND CONTROLS TO ENSURE THE COSTS OF NEEDED CAPITAL IMPROVEMENTS FOR NEW GROWTH AND DEVELOPMENT.

**Section 1. Title.**

This Ordinance shall be known as the "Penn Township Transportation Impact Fee Ordinance."

**Section 2. Purpose.**

The purpose of this chapter is to establish a transportation impact fee to ensure that the cost of needed capital improvements be applied to new developments in a manner that will allocate equitably the cost of those improvements among property owners such that the Transportation system of the Township is available and adequate to support new growth and development. To advance this objective, there is hereby created a transportation impact fee payable to Penn Township at the time of building permit(s) issuance (See Section 505-A(e) of the MPC).

**Section 3. General findings and conditions.**

The Penn Township Board of Supervisors hereby finds and declares that:

- A. The conditions and standards for the determination and imposition of the transportation impact fee set forth herein are those set forth in Act 209 of 1990, Article V-A, Municipal Capital Improvement, of the Pennsylvania The Act, 53 P.S. § 10501-A et seq., and any and all amendments thereto (hereinafter the "Act"), and consists of:
  - 1. The recitals set forth above;
  - 2. The analysis, advice and recommendations of the Transportation Impact Fee Advisory Committee;
  - 3. The Land Use Assumptions Report as approved by the Penn Township Board of Supervisors on September 20, 2017;
  - 4. The Roadway Sufficiency Analysis as approved by the Penn Township Board of Supervisors on March 28, 2018;
  - 5. The Transportation Capital Improvements Plan, as approved by the Penn Township Board of Supervisors April 18, 2018; and
  - 6. Such other conditions and standards as the Penn Township Board of Supervisors may by resolution identify from time to time as being relevant and material to the imposition of a transportation impact fee and consistent with the provisions of the Act and any amendments thereto.
- C. The amount of the per-peak-hour-trip transportation impact fees shall be as set forth in Section 12, "Method of calculation of transportation impact fees" of this Ordinance.

- D. The time, method and procedure for payment of transportation impact fees shall be as set forth in Section 19, "Administration of transportation impact fees" of this Ordinance.
- E. The procedures for credits against transportation impact fees shall be as set forth in Section 20, "Credit" of this Ordinance.
- F. The procedures for refunds of transportation impact fees shall be set forth in Section 21, "Refunds" of this Ordinance.

#### **Section 4. Definitions.**

The terms and definitions set forth in § 502-A of the Act are hereby adopted and incorporated by reference in full in this chapter, as if they were attached hereto.

#### **Section 5. Enactment and imposition of transportation impact fees.**

There are hereby enacted transportation impact fees to be imposed upon new development, as defined in the Act, for the purpose of off-site public transportation capital improvements authorized by the Act and as described by the Roadway Sufficiency Analysis approved by the Board and the Transportation Capital Improvements Plan approved by the Board. Said transportation impact fees shall apply to all new subdivisions and land developments within the transportation service area established pursuant hereto, and the imposition and payment shall be a condition precedent to final approval of a subdivision or land development plan and issuance of a building permit.

#### **Section 6. Uses.**

Transportation impact fees collected pursuant to this chapter shall be expended for costs incurred for improvements attributable to new development and designated in the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan for improvements within the transportation service area in which the new development will be located. Additionally, such fees may be used for the acquisition of land and rights-of-way, engineering, legal and planning costs and all other costs, including debt service related to road improvements within the transportation service area, and including such proportionate amount of the Roadway Sufficiency Analysis as is allowed under the provisions of the Act.

#### **Section 7. Incorporation and adoption of supporting documentation.**

The following documents, previously approved by the Penn Township Board of Supervisors, are hereby incorporated by reference in full in the ordinance, as if attached hereto:

- A. Land Use Assumptions Report as approved by Resolution No. 2017-12.
- B. Roadway Sufficiency Analysis as approved by Resolution No. 2018-08.
- C. Transportation Capital Improvements Plan as approved by Resolution No. \_\_\_\_\_.
- D. **FIGURE 1 "Study Intersections and TSA" map** within the Roadway Sufficiency Analysis Report, and incorporated by reference in full herein, as if attached hereto.

#### **Section 8. Special traffic studies.**

Where intended to assist in the determination of the appropriate amount of the transportation impact fee, the Township may require an applicant to prepare a special traffic study to determine the traffic generation and circulation patterns in new non-residential land developments of subdivisions; provided however, that no studies may be required when the proposed development will not require a deviation from the Land Use Assumptions resulting in increased density, intensity or trip generation. The special traffic study shall be prepared by a qualified traffic or transportation engineer in accord with generally accepted transportation planning and engineering standards and shall be submitted prior to the imposition of the transportation impact fee and shall be considered in determination of same. The applicant shall be responsible for all costs associated with the special traffic studies.

Where a new nonresidential development is proposed which deviates from the land use assumptions resulting in increased density, intensity or trip generation, the developer shall be required to prepare a special transportation study in order to assist the township in determining traffic generation or circulation and to serve as the basis for the determination of the amount of the transportation impact fee for such development or subdivision. Such transportation studies shall conform to the requirements of the Penn Township Subdivision and Land Development Ordinance. Any such studies shall be submitted prior to the imposition of the impact fee and shall be considered in the determination of said fee.

#### **Section 9. Uniform applicability of transportation impact fee.**

This Ordinance shall be uniformly applicable to all subdivision and land developments that occur within the defined transportation service area.

#### **Section 10. Imposition and payment of transportation impact fee as condition to issuance of building permit.**

No building permit shall be issued for a subdivision or land development in the transportation service area hereto unless the applicant therefore has paid the transportation impact fees imposed by and calculated pursuant to this chapter.

#### **Section 11. Method of calculation of transportation impact fees.**

- A. The transportation impact fees for transportation capital improvements shall be based upon the total costs of the road improvements included in the approved Roadway Sufficiency Analysis and Transportation Capital Improvements Plan within the transportation service area, which are attributable to and necessitated by the new subdivision and/or land development within the transportation service area as calculated in accordance with the Act and herewith, divided by the number of anticipated peak-hour trips generated by all new subdivision and/or land development consistent with a) the approved Land Use Assumptions Report and b) calculated in accordance with the Trip Generation Manual published by the Institute of Transportation Engineers, 10th or subsequent editions, as amended, which is hereby approved by Penn Township, to equal a per-trip cost for transportation improvements within the transportation service area.
- B. The specific transportation impact fee for a specific new subdivision or land development within the transportation service area for road improvements shall be determined as of

the date of preliminary subdivision or land development approval by multiplying the per-trip cost established for the transportation service area by the estimated number of PM peak-hour trips to be generated by the new subdivision or land development using the Trip Generation Manual published by the Institute of Transportation Engineers, 10th or subsequent editions, as amended.

- C. If the subdivision or land development contains a mix of uses, the applicant must separately calculate the transportation impact fee due for each type of use.
- D. The Penn Township Board of Supervisors may authorize or require the preparation of a special traffic study in order to determine the traffic generation or circulation for a new non-residential development to assist in the determination of the amount of the transportation fee for such subdivision or land development.

#### **Section 12. Establishment of transportation service area.**

- A. The transportation service area is established as shown on the **FIGURE 1 "Study Intersections and TSA"** map within the Roadway Sufficiency Analysis Report, and incorporated by reference in full herein.
- B. Additional transportation service areas or subareas or combinations of transportation service areas or subareas may be designated by the Penn Township Board of Supervisors from time to time, consistent with the procedure set forth in this chapter and in consideration of the following factors:
  - 1. The Comprehensive Plan;
  - 2. Any standards for adequate public facilities incorporated in the Transportation Capital Improvement Plan;
  - 3. The projected build-out and timing of development areas;
  - 4. The need for and cost of un-programmed transportation improvements necessary to support projected development; and
  - 5. Such other factors as the Penn Township Board of Supervisors may deem relevant.
- C. Fees collected from development and subdivision in the transportation service area shall be used exclusively to fund transportation improvement projects scheduled for that transportation service area.

#### **Section 13. Calculation of per-peak-hour-trip fee for the transportation service area.**

The amount of per-peak-hour-trip fee for the transportation service area shall be \$2,259, unless revised or amended in accordance with the provisions hereof and the Act, calculated in accordance with the Act as follows:

- A. Total costs of road improvements in the Transportation Service Area included in the approved Roadway Sufficiency Analysis and Transportation Capital Improvements Plan attributable to and necessitated by new development and subdivision within the Transportation Service Area, including 50% of the estimated costs of improvements to

highways, roads and streets qualifying as a state highway or portion of the rural highway system as provided under the State Highway Law.

B. Total costs attributable to the Transportation Service Area

**Section 14. Nonbinding transportation impact fee estimate.**

Prior to making an application for a building permit, an applicant may request a nonbinding transportation impact fee estimate from Penn Township which shall be based upon the maximum development potential of the site pursuant to existing zoning regulations, unless the applicant specifies use of the development.

**Section 15. Administration of transportation impact fees.**

- A. Collection. Transportation impact fees due pursuant to this chapter shall be collected by Penn Township in the manner or manners prescribed herein prior to the issuance of a building permit.
- B. Establishment of the fund. Upon receipt of transportation impact fees, Penn Township shall be responsible for the separate and proper accounting of such fees. All such fees shall be deposited in interest-bearing accounts in a bank authorized to receive deposits of Penn Township funds. Interest earned by each account shall be credited to that account and shall be used solely for the purpose specified for funds of such account.
- 1. Notwithstanding any other provision of this article, and in compliance with Act 209, the Township may expend transportation impact fees paid by an applicant for projects not contained in the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan, or may provide a credit against transportation impact fees for the value of any construction not contained in the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan, which are performed at the applicant's expense if all of the following criteria are met:
  - a. The applicant has provided written consent to use its collected transportation impact fees or the provision of such credit against its transportation impact fees for specific, alternative transportation projects which are not included in the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan;
  - b. The alternative transportation projects, whether highway or multimodal, have as their purpose the reduction of traffic congestion or the removal of vehicle trips from the roadway network; and
  - c. The township amends its Roadway Sufficiency Analysis and Transportation Capital Improvements Plan to provide replacement of the collected transportation impact fees transferred to alternative transportation project from sources other than impact fees or development contributions within three (3) years of completion of the alternative projects to which the transferred transportation impact fees were applied or for which credit was provided.



- C. Establishment and maintenance of accounts. The Township shall establish appropriate trust fund accounts and shall maintain records whereby transportation impact fees collected can be segregated for each transportation service area.
- D. Maintenance of records. The Township shall be responsible for the separate and proper accounting of any transportation impact fees received pursuant to this Article. The Township shall maintain and keep adequate financial records for each such account which shall show the source and disbursement of all revenues, which shall account for all monies received and which shall ensure that the disbursement of funds from each account shall be used solely and exclusively for the provision of projects specified in the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan for the transportation service area.

#### **Section 16. Time, method and procedure for payment.**

The transportation impact fee for a specific subdivision or land development shall be paid prior to the issuance of the building permit for the development. The transportation impact fee shall be paid to the municipality in cash, bank cashier's check, certified check or electronic fund transfer approved by the Township in accordance with the provisions of Section 18 hereof.

#### **Section 17. Credit.**

Any applicant who shall perform, at its own expense and the consent and agreement of the Penn Township Board of Supervisors, off-site improvement, as herein defined, shall be eligible for a credit from a transportation impact fee otherwise due. Such credit shall not exceed the amount of the transportation impact fee that would have been charged if a credit was not due. The Board at its sole discretion may direct the Township to provide the applicant:

- A. A credit against the Transportation Impact Fee otherwise due in the amount of the fair market value of any land dedicated by the applicant to the Township for future right-of-way, realignment or widening of any existing roadways. The fair market value of the land dedicated by the applicant shall be determined as of the date of the submission of the subdivision or land development application to the Township.
- B. A credit against the Transportation Impact Fee otherwise due for the value of construction of road improvements contained in the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan which are performed at the applicant's expense. The amount of such credit for any transportation capital improvement constructed shall be the amount allocated in the Analysis and Plan, including contingency factors, for such work.
- C. Any applicant who shall perform, at his own expense, and with the consent and agreement of the Board, off-site improvements, as herein defined, shall be eligible for a credit from the Transportation Impact Fee otherwise due in the amount of the actual cost of such off-site improvements as approved by the Township Engineer, only if all of the following criteria are met:
  - 1. The applicant shall enter into an agreement (the "Improvement Agreement") with the Township prior to the issuance of a building permit. The Improvement Agreement shall establish the estimated cost of the off-site improvements, the schedule for initiation and completion of the off-site improvements, a requirement that the off-site improvements be completed to Township and Pennsylvania Department of

Transportation standards and design criteria and other such terms and conditions as deemed necessary by the Board;

2. The Township shall review the Improvement Agreement, verify costs and time schedules, determine if the improvement is contained in the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan, and determine the amount of the applicable credit for such improvement to be applied against the otherwise due transportation impact fee; and
  3. Applicant shall be required to supply financial security sufficient, in the judgment of the Township, to cover the cost of any such improvement installed by the applicant for which the credit is sought.
- D. In no instance shall any credit authorized by the Board pursuant to this Article exceed the amount of the transportation impact fee actually due.

#### **Section 18. Refunds.**

Transportation impact fees collected pursuant to this chapter shall be refunded, together with interest earned thereon, to the payor of the transportation impact fees under the following circumstances:

- A. In the event Penn Township terminates or completes the Roadway Sufficiency Analysis and Transportation Capital Improvements Plan and there remains at the time of termination or completion undisbursed funds, the respective payors shall be entitled to a share of the fund balance in the same proportion as the payor's transportation impact fee payment plus interest earned bears to the total transportation impact fees collected plus interest. Penn Township shall provide written notice by certified mail to each person who previously paid the fees and remain undisbursed that such person's proportionate share of the fund balance is available for refund to such person. Such notice shall be provided to the last known address provided by the payor of the transportation impact fees to Penn Township. In the event that any of the funds remain unclaimed following one year after the notice, Penn Township shall be authorized to transfer any funds so remaining to any other fund in Penn Township without any further obligation to refund said funds. It shall be the responsibility of the payor to provide Penn Township at all times with a current address for such notice.
- B. In the event Penn Township fails to commence construction (i.e., earthwork or other municipally defined action) within three years of the scheduled construction dates of the project as set forth in the Roadway Sufficiency Analysis and Transportation Capital Improvement Plan, Penn Township shall refund the portion of the transportation impact fee paid by any payor making written request therefor which is attributable to said project, with accumulated interest; provided, nevertheless, that no refund shall be payable or paid with respect to any project actually commenced prior to the receipt of such refund request, and the failure of a payor to make such written request prior to the commencement of such project shall be deemed a waiver of any right to such refund.
- C. In the event that, upon completion of any road improvements project, the actual expenditure for the project is less than 95% of the budgeted costs for such project, Penn Township shall refund the pro rata difference between the budgeted costs and the actual expenditures, including interest accumulated thereon from the date of payment, to the person or persons who paid the impact fees for such improvements.

- D. In the event the development for which transportation impact fees were paid has not commenced prior to the expiration of the building permit issued therefor, the transportation impact fees paid with accumulated interest shall be refunded to the payor. Further, if a building permit after issuance is altered in such a way as to reduce the amount of the transportation impact fee due, the difference between such amount and the amount actually paid shall be refunded. The payor, at its option, may roll over the transportation impact fees attributable to an expired building permit to cover fees incurred by a new permit.

#### **Section 19. Transportation impact fee as additional and supplemental requirement.**

The transportation impact fee is additional and supplemental to, and not in substitution of, any other requirements imposed by Penn Township on the subdivision or development of land or the issuance of building permits. Nothing herein contained shall be deemed to alter or affect the Penn Township existing ordinances and regulations regarding on-site improvements. In no event shall a property owner be obligated to pay for transportation capital improvements in an amount in excess of the amount calculated pursuant to this chapter; provided, nevertheless, that a property owner may be required to pay, pursuant Penn Township ordinances, regulations or policies, for other public facilities in addition to the transportation impact fee as provided herein.

#### **Section 20. Retroactive application.**

Notwithstanding anything to the contrary contained herein, transportation impact fees may be imposed on those projects involving subdivisions, land developments or planned residential developments for which an application has been filed on or after the first publication of notice of the Township's intent to adopt this Article; provided, however, that such retroactivity does not exceed eighteen (18) months after the adoption of the resolution that created the Committee in connection herewith.

#### **Section 21. Appeals.**

Any person required to pay an impact fee shall have the right to contest the land use assumptions, the development and implementation of the transportation capital improvement program, the imposition of impact fees, the periodic updating of the transportation capital improvement program, the refund of impact fees and all other matters relating to impact fees, including the constitutionality or validity of the impact fee ordinance by filing an appeal with the court of common pleas.

A master may be appointed by the court to hear testimony on the issues and return the record and a transcript of the testimony, together with a report and recommendations, or the court may appoint a master to hold a non-record hearing and to make recommendations and return the same to the court, in which case either party may demand a hearing de novo before the court. Any cost incurred by parties in such an appeal shall be the separate responsibility of the parties.

#### **Section 22. Severability**

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, section or part hereof. It is hereby

declared as the intent of the Board of the Supervisors of Penn Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

### Section 23. Repealer

All Ordinances or part of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

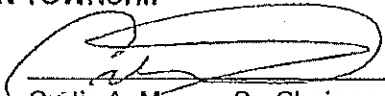
### Section 24. Effective Date

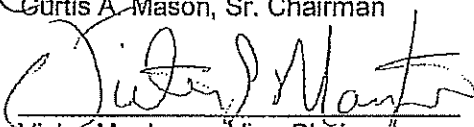
The Ordinance shall become effective in five (5) days from the date of enactment.

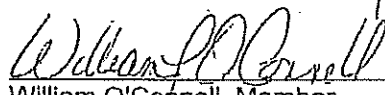
ENACTED AND ORDAINED this 2 day of May, 2018 by the Board of Supervisors of Penn Township.

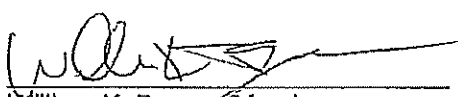
#### BOARD OF SUPERVISORS PENN TOWNSHIP

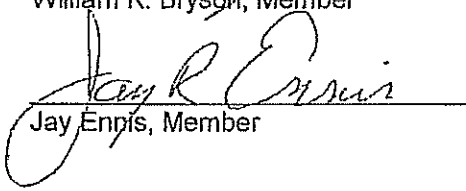
By:

  
Curtis A. Mason, Sr. Chairman

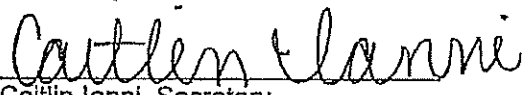
  
Victor Mantegna, Vice-Chairman

  
William O'Connell, Member

  
William K. Bryson, Member

  
Jay Ennis, Member

ATTEST:

  
Caitlin Ianni, Secretary