

BOROUGH OF VALENCIA
RESOLUTION 19- April-8-2019-A

A RESOLUTION OF THE BOROUGH OF VALENCIA, BUTLER COUNTY, PENNSYLVANIA, ADOPTING A FEE SCHEDULE FOR FEES ASSOCIATED WITH APPLICATIONS AND APPEALS REQUIRED BY ORDINANCE # 238, ZONING, AND THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ADOPTED BY THE BOROUGH BY REFERENCE AS ORDINANCE # 237.

WHEREAS, the Municipalities Planning Code authorizes Valencia Borough (“Borough”) to adopt a zoning ordinance and to adopt Butler County’s Subdivision and Land Development Ordinance by reference; and

WHEREAS, the Borough desires to protect and promote safety, health and morals; to accomplish coordinated development; to provide for the general welfare by guiding and protecting amenity, convenience, future governmental, economic, practical, and social and cultural facilities, development and growth, as well as the improvement of governmental processes and functions; to guide uses of land and structures, type and location of streets, public grounds and other facilities; and to promote the conservation of the Borough historic and natural resources; and

WHEREAS, the Borough has adopted a Zoning Ordinance and Map as Ordinance 238, on March 18, 2019; and

WHEREAS, the Borough has advertised the adoption of the Butler County Subdivision and Land Development Ordinance by reference, on April 8, 2019, and

WHEREAS, the Borough adopts the Butler County fee schedule for subdivision and land development applications by reference as its application fees, and

WHEREAS, the Borough desires to recover reasonable costs associated with the administration of its land use ordinances and to provide for long-term administration of its ordinances;

NOW, THEREFORE, the Council of Valencia Borough adopts the following schedule of fees which may be modified by future resolution:

1. Zoning Permit Fees:
 - a. Residential Accessory Structure: \$30
 - b. Residential Dwelling Unit: \$50 per unit.
 - c. Commercial and Institutional Structures: \$110
 - d. Zoning Occupancy Permit: \$50
 - e. Temporary Use: \$50

- f. Temporary Signs: \$30
- g. Signs: \$50
- h. Registration of Nonconforming Use: \$75

2. Zoning Hearing Board Fees

- a. Special Exception: \$400, Zoning Hearing Board Deposit \$200
- b. Use Variance: \$400, Zoning Hearing Board Deposit \$200
- c. All other appeals: \$250, Zoning Hearing Board Deposit \$200

From this Zoning Hearing Board Deposit amount shall be deducted any fees accruing for certified mailings, advertising costs and any other expenditures related to the application/hearing. Fees for the Stenographer shall be shared equally by the applicant and the Borough, with the applicant's portion deducted from the Deposit. If at any time during the progression of an application or appeal it is determined by the Borough that the balance available from the Deposit is or will be inadequate to fully cover the anticipated costs and expenditures, the applicant shall be notified of the inadequate balance and provide the Borough with an additional Deposit equal to the first Deposit, or an amount necessary to cover anticipated costs. The applicant's refusal or failure to provide the additional Deposit within a timely manner shall constitute an automatic rejection of the application or appeal as administratively incomplete. At the completion of the requested hearing, any remaining portion of the Deposit, after all other fees and expenditures have been deducted, shall be returned to the applicant upon written request. If a transcript of the proceedings is requested, the requesting party shall bear the cost of the transcript.

Continuances requested by the applicant shall constitute a new application and require the submission of the fees required for an original application.

- 3. Rezoning or Text Amendment Request, and Curative Amendments: \$400, Plan Review Deposit \$200
- 4. Conditional Use Applications: \$400, Plan Review Deposit: \$200
- 5. Subdivision and Land Development Fees including planned residential development
 - a. Valencia Borough Application Fees. The Borough adopts the Butler County fee schedule for subdivision and land development applications by reference as its application fees. Application fees will be paid to Valencia Borough.
 - b. Plan Review Deposits required for lot line revisions and subdivisions with three lots or less and no new rights of way: \$500
 - c. Plan Review Deposits required for all other applications: \$2,500
 - d. County Planning Commission Review Fees shall be paid by the applicant to the Butler County Treasurer.

6. Required Plan Review Deposits. The applicant shall be responsible for reimbursing the Borough for any and all costs incurred by the Borough in relation to any application, including but not limited to: all necessary reviews, examinations, inspections, tests and any other work by the Borough Code Official/Building Inspector, Borough Engineer, Borough Traffic Engineer, Borough Solicitor, Borough Planning Consultant and other Borough professional consultants as determined to be necessary by the Borough Council, or their designee, and as required to satisfy the Borough Code and other Borough, County, State and Federal laws and regulations; certified mailings; advertising costs; stenographer fees; hearing transcript fees; and drafting of necessary contracts, agreements and other legal documents. If the Borough anticipates or later discovers that consultant review fees and other costs will be required as part of the administration of an application, then the Borough may require that the application include, or be supplemented by submittal of, a deposit fee in the amount of \$600.00, unless a different amount is established by this Resolution or the Borough determines, in consultation with the Borough Solicitor, that a greater monetary deposit is necessary based upon specific circumstances at issue. Borough costs, expenses and fees related to the application will then be deducted from this deposit. If it is determined by the Borough that the deposit balance is insufficient at anytime, then the applicant shall immediately provide the Borough with an additional deposit in an amount equal to the first deposit, unless the Borough Council determines, in consultation with the Borough Solicitor, that a greater monetary deposit is necessary based upon specific circumstances at issue. The applicant's refusal or failure to provide the additional deposit in a timely manner shall constitute an automatic rejection of the application as administratively incomplete. Any remaining funds will be returned to the applicant upon written request.

ORDAINED and ENACTED this _____ day of _____, 2019, by the Council of the Borough of Valencia, in lawful session duly assembled.

ATTEST:

BOROUGH OF VALENCIA

By: _____

By: _____

Borough Secretary

President, Council

Date: _____

Date: _____

(Seal)

By: _____

Mayor

Date: _____