

**RESOLUTION NO. 2015-5**

**WHEREAS**, Section 1102 of the Towamensing Township Zoning Ordinance ("Zoning Ordinance"), provides that a landowner, tenant and/or contractor shall obtain a Zoning Permit from the Zoning Officer for the erection, construction, demolition, alteration, extension, replacement, relocation, or conversion of any building or structure or any activity to prepare the site for the erection, construction, demolition, alteration, extension, replacement, relocation or conversion of any building or structure; and

**WHEREAS**, Section 1104 of the Zoning Ordinance provides that it shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, if erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Zoning Compliance has been issued by the Zoning Officer stating that the proposed use of the building or land conforms to the Zoning Ordinance; and

**WHEREAS**, Section 1103 (B) of the Zoning Ordinance provides that the application for a Zoning Permit shall include any information required by the application form or the Zoning Officer to determine compliance with the Zoning Ordinance and other applicable Township, County, state and federal ordinances, statutes and regulations; and

**WHEREAS**, Section 1103 (B) of the Zoning Ordinance provides that the application for a Zoning Permit shall not be complete without payment of the application fee established by the Board of Supervisors by ordinance or resolution; and

**WHEREAS**, individual on-lot stormwater retention facilities are required and designed for certain subdivided parcels of land; and

**WHEREAS**, the approved subdivision plans for said parcels of land provide that the lot owner(s) shall be responsible to construct, maintain, and repair said individual on-lot stormwater retention facilities; and

**WHEREAS**, the subdivision plans for said parcels of land also provide that the lot owner(s) shall be responsible for all inspection fees assessed by Towamensing Township for inspection of the installation of said individual on-lot stormwater retention facilities; and

**WHEREAS**, the township engineer shall review the application for said individual on-lot stormwater retention facilities, and inspect the installation of the same.

**NOW, THEREFORE**, be it hereby resolved as follows:

1. The fees in the attached letter entitled "On-Lot Stormwater Management Facility Instructions" shall be the fees charged to said property owner(s) for the review of said applications for individual on-lot stormwater retention facilities and inspection(s) thereof. Said fees may be amended from time to time by resolution of the Supervisors.

2. Said fees shall be paid by the property owner(s) directly to the township engineer. Within thirty (30) days of the receipt of any such fees, the township engineer shall report to the Supervisors and the Zoning Officer the receipt of such fees, the name of the property owner(s), a brief description of the parcel of land, a brief description of the work performed, a brief description of the results of the work performed, and provide the Supervisors and the Zoning Officer with a copy of any documents or information provided by the township engineer to the property owner(s).

3. Prior to the issuance of any zoning permit for any such parcel of land, the property owner shall provide the Zoning Officer with proof that the township engineer has received notice of such application; and, if applicable, that the township engineer has been paid the appropriate fee. In the event

the township engineer determines that the activity for which the property owner(s) applied for a zoning permit does not require an individual on-lot stormwater retention facility (or a modification or a revision to an existing individual on-lot stormwater retention facility), the property owner(s) shall provide the Zoning Officer with written proof of such determination.

4. In the event the activity for which the property owner(s) applied for a zoning permit does require an individual on-lot stormwater retention facility (or a modification or revision to an existing individual on-lot stormwater retention facility) the Zoning Officer shall not issue a Certificate of Zoning Compliance without written notification from the township engineer that the individual on-lot stormwater retention facility (or a modification or revision to an existing individual on-lot stormwater retention facility) has been correctly installed, inspected by the township engineer, and that the township engineer's fees have been paid in full.

5. If the township engineer has not been requested to make final inspection of an individual on-lot stormwater retention facility (or a modification or a revision to an existing individual on-lot stormwater retention facility) within nine (9) months after the township engineer signs the application "Approved for Construction", a new application shall be made to, and approved by the township engineer prior to the commencement or continuation of construction or installation of the individual on-lot stormwater retention facility (or a modification or a revision to an existing on-lot stormwater retention facility). Provided, however, if prior to the expiration of said nine (9) month period an application for an extension is made to the township engineer, and the fees for an extension as stated in the attached letter entitled "On-Lot Stormwater Management Facility Instructions" are paid, the township engineer may extend the time period for up to nine (9) additional months.

RESOLVED, this 23<sup>rd</sup> day of April, 2015.

TOWAMENSING TOWNSHIP SUPERVISORS

Lenny L. Kleintop  
Thomas L. Newma  
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ATTEST:

Kim Bedio, Clerk  
Secretary

Brenda Drew, Secretary

