

**RESOLUTION NO. 2015- 7**

**ESTABLISHMENT OF APPLICATION AND PERMIT FEES**  
**UNDER THE TOWAMENSING TOWNSHIP ZONING ORDINANCE**

**WHEREAS**, Towamensing Township is a second class township located in Carbon County, Pennsylvania; and

**WHEREAS**, Towamensing Township has a zoning ordinance entitled "The Towamensing Township Zoning Ordinance," as amended (hereinafter "Zoning Ordinance"); and

**WHEREAS**, various sections of the Zoning Ordinance provide that fees required for the administration of the Zoning Ordinance, shall be paid in accordance with a fee schedule adopted by resolution;

**NOW, THEREFORE BE IT HEREBY RESOLVED** by the Board of Supervisors of Towamensing Township that the following fees are established for the year 2015:

- I. The fee for the erection, construction, reconstruction or alteration of any structure, or portion thereof, shall be:
  - A. \$25.00 plus \$.025 (two and one half cents) per square foot for sheds, barns, pools, unattached garages and similar structures.
  - B. \$25.00 plus \$.10 (ten cents) per square foot for homes, commercial buildings, decks, porches, attached garages and similar structures.
  - C. \$15.00 plus \$ .50 (fifty cents) per square foot of sign area (for the purpose of calculating the permit fee the area on both sides of a double faced sign shall be combined to calculate sign area).
  - D. Electronic message signs \$ 100.00 + .10/sq.ft
  - E. Temporary use permit for residential at \$30.00 and commercial at \$60.00
- II. Change of Use Permit or Permit for Extension of a Non-Conforming Use (not involving the erection, construction, reconstruction or alteration of any structure (or portion thereof) - \$25.00 plus \$.10 (ten cents) per square foot for homes, commercial buildings, decks, porches, attached garages and similar structures.
- III. Demolition Fees (Including the demolition of a historical building pursuant to Section 513) -\$10.00.
- IV. Driveway Permit - \$200 (includes inspection by Township Engineer)
- V. Fence Permit- \$ 30.00

- VI. Residential Wind Turbine fee \$ 100.00 each  
Commercial Wind Turbine fee \$ 100.00 each  
Solar panels mounted on a roof \$ 100.00 each  
Solar panels mounted on a ground rack system \$ 100.00 each  
Commercial Solar energy system \$200.00 for each system to generate solar energy to more than one business or residence.

- VII. Yard Sales (Fewer Than 3 Per Year) - no charge

VIII. Conditional Use.

An application for a conditional use shall be accompanied by a \$750.00 filing fee. Any portion of said filing fee which is not used for administration and other expenses shall be refunded to the applicant. Additionally, in the event the administration and other expenses exceed the amount of the filing fees, upon receipt of the bill from Towamensing Township for the excess, the applicant shall pay the same to Towamensing Township.

IX. Application to Zoning Hearing Board.

An application to the Zoning Hearing Board shall be accompanied by a \$750.00 filing fee. Any portion of said filing fee which is not used for administration and other expenses permitted by Section 908 of the Municipalities Planning Code, 53 P.S. §10908, shall be refunded to the applicant. Additionally, in the event the administration and other expenses exceed the amount of the filing fees, upon receipt of the bill from Towamensing Township for the excess, the applicant shall pay the same to Towamensing Township.

X. Curative Amendment.

An application for a curative amendment shall be accompanied by a \$350.00 filing fee. Any portion of said filing fee which is not used for administration and other expenses shall be refunded to the applicant. Additionally, in the event the administration and other expenses exceed the amount of the filing fees, upon receipt of a bill from Towamensing Township for the excess, the applicant shall pay the same to Towamensing Township.

XI. "After-the Fact" Permits.

The fee for any permit applied for after the conduct requiring the issuance of a permit has begun (but prior to any person or entity instituting a cause of action or enforcement proceedings in any court, applying to the Zoning Hearing Board, or similar action) shall

be quadruple (four times) the fee which would have been charged had the permit been applied for prior to such conduct. Notwithstanding the forgoing, the fee for such "after-the-fact" permit shall not be greater than \$100.00 more than it would otherwise cost. The purpose of the greater fee is to cover the extra administrative costs involved in processing the "after-the-fact" permit.

This section is not intended to condone or permit after-the-fact permits. It shall still be a violation of the Zoning Ordinance to begin any conduct requiring the issuance of a permit prior to obtaining said permit. Therefore the issuance of an after-the-fact permit is not intended, nor does it waive, release or extinguish any rights which any person or entity, including the Township, may have to bring an enforcement proceeding or other cause of action against the person acquiring the after-the-fact permit.

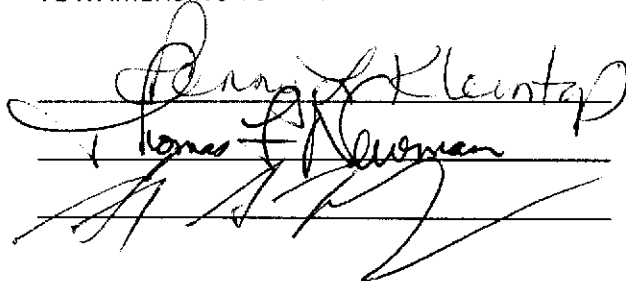
XII. Zoning Officer Fees.

If an applicant requests the Zoning Officer to perform services which in the Zoning Officer's reasonable judgment are beyond the usual and normal scope of duties of a zoning officer, the Township shall bill the applicant at the rate of \$50.00 per hour for such services. The Zoning Officer shall notify the applicant if any services are beyond the usual and normal scope of the zoning officer's duties and estimate the approximate time to pay for those services. The applicant shall pay 110% of that amount to the Township prior to the Zoning Officer performing any such services. In the event the amount paid into the Township by the applicant exceeds the amount for the Zoning Officer's services, at the conclusion of the matter, the Township shall refund the difference to the applicant; and, in the event the amount paid by the applicant to the Township for such services is less than the amount for such services, the applicant shall pay such difference to the Township and the Zoning Officer shall not issue any permits to the applicant until such amount is paid.

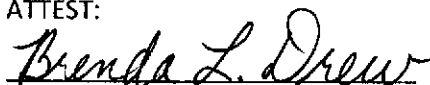
XIII: Repealer. All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed.

RESOLVED, this 5th day of November, 2015.

TOWAMENSING TOWNSHIP SUPERVISORS



ATTEST:



Secretary