

# PENNSBURY TOWNSHIP

## Resolution

A Resolution of the Board of Supervisors of Pennsbury Township, Chester County, Pennsylvania, established a Schedule of Fees for zoning permits, building permits, subdivision and land development applications, mobile home park applications, curative amendment applications, planned residential development applications, conditional use applications, and applications and appeals to the Pennsbury Township Zoning Hearing Board.

WHEREAS, the Supervisors of Pennsbury Township are authorized by the Second Class Township Code and by the Pennsylvania Municipalities Planning Code to prescribe reasonable fees with respect to the administration of the Township's Building Code, Zoning Ordinance, and Subdivision and Land Development Ordinance, and

WHEREAS, the Supervisors of Pennsbury Township wish to incorporate in one Resolution all fees for permits and applications under the above-mentioned ordinances, as well as to provide for the reimbursement to Pennsbury Township for expenses incurred in the administration of said Ordinances.

NOW THEREFORE, be it resolved that the Supervisors of Pennsbury Township hereby establish the following Schedule of Fees:

### 1. Zoning, Sign and Driveway Permits

Note: "Addition" shall mean increase in floor space

"Alteration" shall mean no increase in floor space

- A. Single family residence, including additions, and manufactured Housing: Permit = \$75.00
- B. Multi-family residential, including additions, including twins and townhouses: Permit= \$75.00 per unit
- C. Apartments and motels, including additions: Permit= \$40.00 per unit
- D. Residential accessory structures, decks, etc: Permit = \$125.00 per structure
- E. Agricultural structures for working farms: Permit = \$50.00 per structure

- F. Residential alterations, including multi-family, apartments and motels: Permit = \$50.00 per alteration
- G. Non-residential, including additions and alterations: Permit= \$100.00
- H. Swimming pools, tennis courts, etc.: Permit= \$100.00
- I. Signs: Permit = \$50.00 per sign
- J. Driveways - \$75.00 permit fee to construct or improve a driveway (sealant excluded). If the cost of review exceeds the permit fee, the additional costs are reimbursable to the township.
- K. Microwave antenna for satellites: Permit = \$250.00
- L. Construction trailer: Permit = \$120.00 for one year with a new permit required for each additional year or portion thereof
- M. Certificate of Occupancy: Permit = 100.00 when not part of a building permit
- N. Alternative Energy Systems; Solar and or Wind systems - \$350
- O. Fence Permit - \$50.00

## II. Building Permit Fees

- A. Standard Plan Review
  - .15% of construction cost -- residential
  - .17% of construction cost -- commercial

### B. Permit Fees

Note: For the purposes of this schedule "measurable floor space" shall be calculated as follows:

- a. Single and multi-family dwellings (including attached garages), buildings for commercial, institutional or professional use shall be the square footage, for all levels, as measured by the external dimensions, except that garages, attics and unfinished basements shall be measured at one-half actual size and crawl spaces and attics with a maximum vertical clearance of less than six

feet shall not be measured.

- b. Detached buildings for non-residential purposes, auxiliary to dwelling and building for agricultural purposes shall be the square footage as measured by the external dimensions, consideration given only to the single level with the maximum dimensions.

Note: Cost shall be proven by the submission of contract or \$265.00 per gross square foot shall be used for determination of cost in the area of the work involved.

1. Single family residence. Fee = \$25.00 per 100 gross sq ft; \$125.00 minimum charge.
2. Multi-family residential, including semi-detached garage and additions to such structures. Fee + \$25.00 per 100 gross sq ft with \$125.00 minimum.
3. Apartments and motels including additions to such structures: Fee = \$180.00 per unit plus, for other areas of the structure. \$360.00 for the first 1000 gross sq ft or portion thereof and \$12.00 per 100 gross sq ft for next 4000 gross sq ft and \$6.00 per 100 gross sq ft for all over 5000 gross sq ft.
4. Residential accessory structures, sheds, garages, decks, etc.: Fee= \$18.00 per 100 gross sq ft with \$ \$180.00 minimum. 1,000 square feet or greater
- 5 Residential alterations including multi-family apartments and motels: Fee = \$75.00 for first \$1,000.00 of construction cost plus \$8.00 for each additional \$1,000.00 or fraction thereof. construction cost is to be determined by the Township Building Official.
6. Non-residential, including accessory structures, additions and alterations: Fee = New and additions: \$360.00 for the first 1000 gross sq ft or portion thereof and \$15.00 per 100 gross sq ft for

next 4000 gross sq ft and \$9.00 per 1 sq ft for all over 5000 gross sq ft.

Alterations: Fee = \$125.00 for first \$1,000.00 of construction cost plus \$25.00 for each additional \$1,000.00 or fraction thereof. Construction cost is to be determined by the Township Building Official or copy of contract price.

7. Swimming pools, tennis courts, etc.

In Ground: Fee = \$500.00 exclusive of accessory buildings which are subject to the fee in (4) above.

Above Ground: Fee = \$75.00 exclusive of accessory buildings which are subject to the fee in (4) above. Above ground pools under 42 inches high are exempt.

8. Demolition: Fee = Residential: \$1,000.00  
Non-Residential: Fee = \$120.00 for each 90-day period from issuance of permit to completion of the work.

Other structures and swimming pools: \$42.00

9. Special Event Permit - \$150.00

### C. Plan Review Fees

The fee for *specialized* plan review of building plans, or for the technical reviews performed by third party agencies on behalf of the Township (including, but not limited to structural engineers and architects) shall be the cost charged to the Township plus related shipping and handling costs.

1. The estimated cost of the review must be deposited with the Township at the time plans are submitted for review.
2. Fees for all specialized plan review are not refundable in the event the plans are not approved. Where funds were

deposited in excess of the amount necessary to perform the review, the balance shall be returned. Should the amount deposited be less than the cost of the review, the balance due shall be billed to the applicant. No application will be complete until all fees are paid.

3. Fees charged for third party plan reviews are in addition to any permit fees or Township review fees required by any ordinance, approved regulation or resolution of the Board of Supervisors of the Township of Pennsbury

III. Subdivision and Land Development, Mobile Home Park Applications and Declaration Plans

A. The following costs are applicable to applications for subdivision and/or land development, mobile home parks and declaration plans under the Uniform Condominium Act or other applicable law. An application fee and escrow fee are payable at the time of each application. The application fee is non-refundable and reimburses the Township for the administrative expenses that are incurred in the processing of the application and/or plan.

The review fee will be utilized and funds will be withdrawn by the Township to pay for engineering, legal and other consultant services necessary to properly examine and provide advice on the proposed subdivision/land development application or declaration plan. The review fee deposit shall be replenished to the original amount within 15 days of notification from the Township to the applicant that the review fee deposit is depleted to 25 percent of the original amount.

In accordance with the Municipalities Planning Code ("MPC"), in the event the applicant disputes the amount of any such review fees, the applicant shall, no later than 45 days after the date of transmittal of the bill to the applicant, notify the Township and the relevant consultant in writing that such fees are disputed and shall explain the basis of the objections to the fees charged. Failure of the applicant to dispute a bill within 45 days shall be a waiver of the applicant's right to arbitration of that bill under the MPC, §§ 503(1) and 510(g).

There is no application fee associated with a sketch plan application; however the potential applicant is still responsible for any costs incurred for engineering and legal fees incidental to the

review of a sketch plan application. A review fee deposit of \$1,000.00 shall be payable upon submission of the sketch plan.

**1. Residential Subdivision and Mobile Home Parks**

	Preliminary Plan Application Fee	PLUS Review Fee	Final Plan Application Fee *
Subdivision (5 or more lots or mobile home sites)	\$1,000 plus \$50 per lot	\$5,000	\$500
Subdivision (2 lots/mobile home sites or less)	\$500	\$1,000	\$500
Subdivision (3 or 4 lots or mobile home sites)	\$1,000	\$2,000	\$1000
Lot-Line Revision	\$500	\$1,000	\$500

\* There is no Application Fee for the Final Plan if an Application Fee has been paid for the Preliminary Plan.

**2. Non-Residential Subdivision**

	Preliminary Plan Application Fee	PLUS Review Fee	Final Plan Application Fee*
Non-Residential Subdivision (Commercial/ Industrial/ Institutional)	\$1,000 plus \$.05 per sq. ft. of gross floor area if land development is proposed or \$50 per lot if no land development is proposed.	\$10,000	\$500

\* There is no Application Fee for the Final Plan if an Application Fee has been paid for the Preliminary Plan.

**3. Land Development Fees**

Fee	Preliminary Plan Application Fee	PLUS Review Fee	Final Plan Application*
Land Development	\$1,000 plus \$.05 per sq. ft. of gross floor area.	\$10,000	\$500
Lot-Line Revision (non-residential)	\$500	\$1,000	\$500

\* There is no Application Fee for the Final Plan if an Application Fee has been paid for the Preliminary Plan.

**4. Declaration Plan:** (Filed pursuant to the Uniform Condominium Act or other applicable law)

	Application Fee	PLUS Review Fee
<b>Residential</b>	<b>\$500 plus \$75 per lot</b>	<b>\$3,000</b>
<b>Non-Residential</b>	<b>\$500 plus \$200 per acre</b>	<b>\$3,000</b>

- B. Inspection – The developer will reimburse to the Township all fees paid by the Township to the Township Engineer for all reviews and field inspections of the work of construction or materials, said reimbursement to be made prior to Township approval of all plans. The inspection fees will be financially secured with the improvement security.
- C. Material Tests – The developer shall reimburse the Township for the actual cost of any material test.
- D. All plans requiring review for erosion/sediment and storm water control purposes shall, in lieu of submission to the Chester County Conservation District, be submitted to an engineering firm to be designated by the Township and shall be subject to the following fee schedule, which fees shall be in addition to those referred to above and are non-refundable.
1. Residential dwelling units:
 

1 unit	\$ 45.00
2 – 4 units	\$ 90.00
5 - 10 units	\$135.00 plus \$10.00/unit over 4 units
11 – 25 units	\$180.00 plus \$10.00/unit over 10 units
26 – 50 units	\$300.00 plus \$ 5.00/unit over 25 units
  2. A unit is defined as a dwelling designated to accommodate a single household. This category includes all residential uses (i.e. single family attached and detached, apartments, condominiums, townhouses, mobile home units).
  3. Institutional, commercial and industrial \$150.00 minimum, plus \$2.50 per acre.

4. Park and recreational facilities \$40.00 per hour (lump sum fee to be determined in advance on this basis).
5. All fees, including one hour pre-submission conference, to clarify procedures and guidelines.

IV. Curative Amendment Applications

- A. Each application for a Curative Amendment shall be accompanied by a non-refundable fee of \$1000.00.
- B. Each applicant shall further be accompanied by a minimum deposit of \$1000.00 to defray the costs of the public hearing notices, court stenographer's fees, and consultant fees incurred by the Township.

V. Zoning Hearing Board Applications or Appeals and Other Applications or Appeals to the Board of Supervisors

Each application or appeal to the Zoning Hearing Board or to the Board of Supervisors shall be accompanied by a non-refundable application fee. If the hearing is more than one night, an additional fee to cover costs may be required. Costs for public notices, court stenographer's fees, compensation of Board Members, and Township staff expenses as follows:

- A. Appeals involving single family residential dwellings and accessory buildings: \$1000.00 non-refundable application fee
- B. All other appeals and applications: \$1500.00 non-refundable application fee
- C. Flood Hazard Conservation District Appeal: \$500.00 non-refundable application fee.
- D. Conditional Use Applications: \$1000.00 non-refundable application fee except Solar Applications: \$500 non-refundable application fee with applicant responsible for reimbursement of permissible costs up to \$1000.00 total.
- E. Petition or Application for Zoning or other ordinance amendment: \$1000.00 non-refundable application fee and a review fee deposit of \$3000.00.



F. All other appeals or applications to Zoning Hearing Board or Board of Supervisors: \$1000.00 non-refundable application fee.

VI. Land Disturbance Permits

\$100.00 non-refundable application fee plus \$1,000.00 minimum deposit for review costs.

VII. Fee in lieu of open space and recreation improvements

1. \$2,000.00 for each residential dwelling/unit in lieu of dedication of land
2. Fee based on \$1.00 per s.f. of gross floor area as defined by the Pennsbury Township Zoning Ordinance for each commercial, industrial or other nonresidential unit in lieu of dedication of land.

VIII. Policy of Refund of Fees and Deposit Monies

- A. Fee for zoning, sign, driveway and building permits shall not be refundable to the applicant unless the Zoning officer and/or Building Officer are notified in writing of the withdrawal of the permit application prior to commencement of the review process.
- B. Fees designated as non-refundable application fees shall not be refundable unless the Township Secretary is notified in writing of the withdrawal of any such application or appeal prior to submission of the application to a reviewing agency, such as the Township Planning Commission, Chester County Planning Commission, or Township Engineer, or prior to the advertising of the matter for public hearing in a newspaper.
- C. All unused portions of minimum deposits for review fees shall be refunded to the depositor within 30 days of a determination by the Township Secretary/Treasurer of the total amount of fees due and owing. In the event that the costs exceed the amount of the minimum deposit, the applicant shall reimburse the Township within thirty (30) days of the notification by the Secretary/Treasurer of the excess amount due. Amounts due the Township shall bear interest at 12% per annum after 30 days.
- D. No permits or final approvals shall be granted by the Township,

or any officer thereof, until such time as all outstanding sums due the Township for fees or costs are paid in full.

IX. Costs of Township Ordinances Copies

- a. Subdivision Ordinance -- \$25.00
- b. Comprehensive Plan - \$30.00
- c. Route 1 Corridor Study - \$20.00
- d. Land Use Patterns - \$20.00
- e. Sewage 537 - \$20.00
- f. Open Space & Recreation - \$20.00
- g. Zoning Ordinance - \$25.00
- h. Fairville Historic District - \$15.00
- i. Stormwater Management Ord. - \$10.00

X. Annual Inspection Fees – Bed and Breakfast Lodging \$50.00

XI. Permit and Registration Fees for Plumbers and Mechanics under UCC Codes

Annual registration of commercial plumbers \$ 50.00  
New construction/or alterations, \$50.00 base  
fee plus  
Plus \$20.00 per 1,000.00 of construction cost

Any inspection which is scheduled but  
not cancelled or not ready \$75.00  
HVAC registration fee commercial only \$ 50.00  
HVAC permits per system \$50.00 res. Base fee  
Plus \$1.00/\$100 of constr. cost  
\$100.00 com'l base fee  
Plus \$40/\$1,000 of constr cost

Sprinkler/Fire protection system permit fees \$100 base fee plus \$40.00  
per 1,000.00 of construction cost

XII \$1000.00 fine for commencing work without a permit.

XIII. Professional Services Agreement and Rates of Twp. Consultants

At the time of the filing of any application referred to in Sections, II.C., III, IV and V.E. above, the applicant shall execute a Professional Services Agreement with the Township, the form of which is attached hereto and adopted as part of this Resolution.

Additionally, the Professional Services Agreement will also apply if a potential applicant submits a voluntary sketch plan for review or wishes to hold informal workshop meetings prior to the submission of any application.


The review fee required by the Professional Services Agreement covers the expenses of the Board of Supervisors and/or its designees for professional consultant review services. These services may include: engineering, legal, site design, traffic design, landscaping, street lighting, and any other consultant necessary, in the opinion of the Board of Supervisors, to properly examine and provide advice on the application.


The rates charged to the applicant for fees charged by the Township's professional consultants for review of applications, inspections, and other services related to any application, appeal, plan or permit shall be at the same rate as the consultant charges the Township when such fees are not imposed on applicants.

This Resolution shall supersede all previous Resolutions establishing fees for Pennsbury Township and shall be effective as of date of adoption this 3<sup>rd</sup> day of January, 2022

Kathleen Howley  
Township Manager

  
Aaron McIntyre, Supervisor

  
Daniel Boyle, Supervisor

  
Wendell Fenton, Supervisor

Pennsbury Township  
702 Baltimore Pike  
Chadds Ford, PA 19317  
610-388-7323

**PROFESSIONAL SERVICES AGREEMENT**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between Pennsbury Township, with offices located at 702 Baltimore Pike, Chadds Ford, PA 19317 (hereinafter referred to as Township) and

\_\_\_\_\_ (hereinafter referred to as "Applicant").

WITNESSETH:

WHEREAS, the Applicant is the legal or equitable owner of certain real estate bearing Tax Map Parcel No. \_\_\_\_\_ located or described as follows:

\_\_\_\_\_  
\_\_\_\_\_ (the "Property"); and

WHEREAS, the Applicant has presented to the Township an application for

\_\_\_\_\_  
\_\_\_\_\_ (the "Application"); and

WHEREAS, the Applicant now requests and/or requires Township review of and decision on the Application submitted; and

WHEREAS, the Township shall not grant approval and/or permits to Applicant until the execution of, and compliance with, this Agreement and upon establishment of a review fee account with the Township as hereinafter set forth.

NOW, THEREFORE, the parties agree as follows:

1. The Township and Applicant hereby authorize the Township Engineer, Solicitor and other consultants to review the Application submitted by the Applicant, and if necessary, to make recommendations as may be necessary with respect to such Application.
2. The Applicant shall pay the Township consultants' charges, costs, fees and expenses for review of the Application, in accordance with hourly rates approved by the Township, including: engineering, legal, site design, traffic design, landscape architecture and any other service as the Township may deem necessary to the proper examination and evaluation of the Application.

3. The Applicant hereby agrees to deposit with the Township the appropriate Review Fee amount in accordance with the Fee Schedule adopted by the Township at the time of the Application, for the payment of all charges, costs, fees and expenses as set forth in Paragraph 2 above. Invoices for the services of the Township consultants shall be sent to the Applicant on a monthly basis. Applicant shall pay invoices from the Review Fee fund and the Township is hereby authorized by Applicant to withdraw the invoice amounts from the Review Fee fund.

4. The Review Fee fund shall be replenished as required by the Township Fee Schedule until a final decision is made on the Application. The amount deposited pursuant to this Agreement shall be used only for payment of invoices as identified in this Agreement. It is agreed and understood by the parties that no review will be authorized by the Township until the Review Fee deposit has been deposited with the Township.

5. In the event that the Township shall become liable for engineering, legal or administrative costs and expenses in an amount in excess of the deposit required in paragraph 3, the Applicant agrees to promptly deposit additional sums with the Township as required by the Fee Schedule.

6. The Applicant shall be provided with a detailed statement of the account from the Township within thirty (30) days of a written request.

7. The Applicant may at any time terminate all further obligations under this Agreement by giving written notice to the Township that it does not desire to proceed with and by withdrawing the Application. Within thirty (30) days of receipt of such notice the Township shall provide Applicant with a detailed statement of the account. The Applicant shall be liable to the Township for any charges, costs, fees and expenses incurred to the date and time of the receipt of the notice.

8. The Applicant agrees that failure to comply with the terms of this Agreement, including failure to deposit funds into or replenish the Review Fee fund, shall be sufficient cause for the Township to discontinue review of the Application, and/or deny the Application.

9. The Applicant and the Township acknowledge that this Agreement represents their full understanding and that they intend to be legally bound hereby.

IN WITNESS WHEREOF, and intending to be legally bound, the parties have caused their signatures to be affixed and have affixed their hand and seals the day and year first above written.

PENNSBURY TOWNSHIP

APPLICANT

\_\_\_\_\_  
By: Kathleen Howley, Manager