

RESOLUTION NO. 07-2013

A RESOLUTION OF THE BOROUGH OF NEW OXFORD, ADAMS COUNTY, PENNSYLVANIA, ESTABLISHING FEES AND CHARGES FOR THE SUBMISSION, ADMINISTRATIVE PROCESSING, REVIEW AND APPROVAL OF APPLICATIONS, WORKSHEETS, PLANS AND RELATED MATERIALS PURSUANT TO THE BOROUGH OF NEW OXFORD STORMWATER MANAGEMENT ORDINANCE.

WHEREAS, on July 2, 2012, the Borough Council of the Borough of New Oxford enacted and ordained Ordinance No. 441, the Borough of New Oxford Stormwater Management Ordinance; and

WHEREAS, pursuant to Section 601 of the aforesaid Stormwater Management Ordinance, the Borough Council of the Borough of New Oxford shall establish and may amend from time to time by resolution a fee schedule to defray costs incurred by the Borough associated with the administration, review, inspection and enforcement of stormwater management matters and all related activities regulated by said Ordinance; and

WHEREAS, pursuant to Section 602 of the Ordinance, the fees established by the Borough Council of the Borough of New Oxford may include, but are not limited to: (1) the administrative, clerical, and legal costs incurred by the Borough of New Oxford; (2) the review of applications, worksheets and SWM Site Plans and the issuance of reports by the Borough, its engineers, representatives or counselors; (3) the attendance at meetings by the Borough, its engineers, representatives and counselors, as necessary or as requested; (4) the conduct of various inspections; and (5) the completion of any additional work required to administer and enforce any provisions regulated by the Ordinance; and

WHEREAS, the Borough Council of the Borough of New Oxford desires to adopt a resolution establishing all required fees, costs and other expenses imposed upon any person incurred in the submission, review, and decision on stormwater management site plans and/or other submissions made to the Borough of New Oxford pursuant to said Ordinance.

WHEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of New Oxford does hereby adopt the following fees and costs pursuant to its Ordinance regulating stormwater management activities:

1. The Borough of New Oxford hereby approves and adopts the Fee Schedule, including rate schedule and fee calculation based on the amount of impervious area, administrative fee, and deposit account with explanatory comments and notes, attached hereto as Exhibit "A" and made a part hereof.

2. All other resolutions or parts of resolutions inconsistent herewith are hereby repealed.
3. The provisions of this Resolution may be amended according to law by a resolution duly adopted by the Borough Council of the Borough of New Oxford and approved by the Mayor of the Borough of New Oxford.
4. This Resolution shall take effect upon enactment.

THIS RESOLUTION DULY ADOPTED according to law on the 4th day of NOVEMBER 2013, at a duly advertised regular meeting of the Borough Council of the Borough of New Oxford.

BOROUGH OF NEW OXFORD

By: Dorothy M. Robinson
Dorothy M. Robinson
President of Borough Council

Attest:

By: Tania K. Kepner
Tania K. Kepner, Secretary

APPROVED this 4th day of NOVEMBER, 2013.

By: Carrie Cserr
Carrie Cserr, Mayor

**BOROUGH OF NEW OXFORD
STORMWATER MANAGEMENT ORDINANCE
FEE SCHEDULE**

RESOLUTION NO. 07-2013

RATE SCHEDULE			
Amount of Impervious Area		Administrative Fee (2)	Deposit Amount (3)
From	To		
-	1,000 SF	\$50	none
1,001 SF	5,000 SF	\$50	\$250
5,001 SF	-	\$50	\$500

FEE CALCULATION			
Amount of Impervious Area	Administrative Fee (2)	Deposit Amount (3)	Total

EXPLANATORY COMMENTS AND NOTES:

1. Modification Requests - Submitted as part of subdivision, land development or storm water management plan, no additional fees.
Separate request, fee per individual request, \$50.
2. The administrative fee paid to the Borough is non-refundable.
3. The deposit amount to be paid to the Borough is for the payment of engineering, consultant and legal review fees and costs outlined in Section 602 of the Borough's Stormwater Management Ordinance. If actual costs incurred by the Borough are less than the deposit, a refund will be issued. If actual costs incurred by the Borough are higher than the deposit, the additional costs will be invoiced by the Borough and must be paid by the applicant prior to plans, permits or approvals being issued and released to the applicant.
4. The amount charged to the applicant for professional review fees shall be the equivalent of the total charged to the Borough by its respective engineers, consultants and legal counsel.
5. The amounts charged to an applicant shall be based on the ordinary and customary hourly rates charged to the Borough for the review, comments and report on the stormwater management submission by the Borough's engineers, consultants and/or legal counsel whom, depending on the complexity and nature of the submission, the Borough deems necessary to review the same on the Borough's behalf. The charges shall be for the amount of time devoted by the Borough's engineers, consultants and/or legal counsel on the requested review and recommendation. The rates charged by the Borough's engineers, consultants and/or legal counsel shall not exceed the rates charged by the respective consultants to the Borough for other work performed at the request of

the Borough for which there is no outside reimbursement. Such costs shall include, but shall not be limited to: the review of the submissions for conformity to the provisions of the Stormwater Management Ordinance, site inspections for conformity and compliance with the provisions of the Ordinance, the review of cost estimates for required stormwater management improvements, the preparation and review of required agreements, deeds or other legal instruments and such other fees incurred by the Borough to cover the actual costs of all necessary reviews, inspections and reports made by its engineers, consultants and/or legal counsel.

6. In all instances, the applicant shall pay in full all fees and costs incurred by the Borough prior to the release of the signed SWM site plans, permits, or any approvals or the issuance of any subsequent permits for construction, use and occupancy of any improvements on the applicant's property.
7. The fee for obtaining a copy of the Borough of New Oxford Stormwater Management Ordinance shall be \$15.00 for a full copy of the Ordinance or shall at the cost of 25 cents per page for the copying and reproduction of any portions of the Ordinance or appended worksheets or forms.