

Code of Ordinances of the Borough of Ivyland

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Code of Ordinances
of the
Borough of Ivyland
Bucks County, Pennsylvania

Published by Authority of the Borough

Adopted by *Ord. 2011-3*, 11/9/2011

KEYSTATE PUBLISHERS, INC.
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CONTENTS

Municipal Officials	v	
Foreword	vii	
Adopting Ordinance	ix	
Fee Schedule	xv	
Chapter 1	Administration and Government	1-1
Chapter 2	Animals	2-1
Chapter 3	[Reserved]	3-1
Chapter 4	Buildings	4-1
Chapter 5	Code Enforcement	5-1
Chapter 6	Conduct	6-1
Chapter 7	Emergency Management	7-1
Chapter 8	[Reserved]	8-1
Chapter 9	Grading and Excavating	9-1
Chapter 10	Health and Safety	10-1
Chapter 11	Housing	11-1
Chapter 12	[Reserved]	12-1
Chapter 13	Licenses, Permits and General Business Regulations	13-1
Chapter 14	[Reserved]	14-1
Chapter 15	Motor Vehicles and Traffic	15-1
Chapter 16	Parks and Recreation	16-1
Chapter 17	[Reserved]	17-1
Chapter 18	Sewers and Sewage Disposal	18-1
Chapter 19	[Reserved]	19-1
Chapter 20	Solid Waste	20-1
Chapter 21	Streets and Sidewalks	21-1
Chapter 22	Subdivision and Land Development	22-1
Chapter 23	Stormwater Management	23-1
Chapter 24	Taxation; Special	24-1
Chapter 25	Trees	25-1
Chapter 26	Water	26-1
Chapter 27	Zoning	27-1
 <u>Appendix</u>		
A	Annexation of Territory	A-3
B	Bond Issues and Loans	A-5
C	Franchises and Services	A-7
D	Governmental and Intergovernmental Affairs	A-9
E	Plan Approval	A-17
F	Public Property	A-19
G	Sewers	A-21
H	Streets and Sidewalks	A-23
I	Water	A-27
J	Zoning; Prior Ordinances	A-29
Table to Disposition of All Ordinances		K-1
Table to Disposition of Significant Resolutions		KR-1
Index		I-1

Officials
of the
Borough of Ivyland
County of
Bucks, Pennsylvania

ELECTED OFFICIALS

Mayor - Charles Ritter

Borough Council

President	- Robert Severn
Vice President	- Salvatore DiPaolo
	- Jennifer Armstrong
	- Deirdre McGlynn
	- Vince Mancinelli
	- Albert A. DeGideo
	- Bill Linwood
Tax Collector	- Linda Fanelli

APPOINTED OFFICIALS

Secretary/Treasurer	- Janet Pacchioli
Code Officer	- Frank Orfe
Solicitor	- Greg Sturn, Esquire, Harris & Harris
Engineer	- Mark W. Eisold, P.E.

FOREWORD

History

This comprises the codification of the ordinances of the Borough of Ivyland. The Borough of Ivyland was originally laid out about 1873 and incorporated in 1904 from parts of Warminster Township, Bucks County.

The Code of Ordinances of the Borough of Ivyland was prepared by Keystate Publishers, Inc., and adopted by the Borough of Ivyland Borough Council on November 9, 2011 by *Ord. 2011-3*.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Borough of Ivyland contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or "one time" nature, (3) the Table to Disposition of each ordinance ever enacted by the Borough of Ivyland, and (4) the Index, which is an alphabetical arrangement of subjects.

In the Code each Chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each Chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which Chapter the subject might be found. The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment, if known.

The Table to Disposition indicates what action has been taken by the Borough of Ivyland Borough Council with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Table. The Table is a cross reference to the original ordinance books of the Borough of Ivyland, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 2011-3

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF IVYLAND, BUCKS COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Borough of Ivyland hereby ordains:

Section 1. Adoption. The *Borough of Ivyland Code of Ordinances*, as prepared and published for the said Borough of Ivyland, is hereby adopted as a consolidation, codification and revision of the ordinances of the Borough of Ivyland. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Borough of Ivyland organized as follows:

TABLE OF CONTENTS

Chapter 1 Administration and Government
Chapter 2 Animals
Chapter 3 [Reserved]
Chapter 4 Buildings
Chapter 5 Code Enforcement
Chapter 6 Conduct
Chapter 7 Emergency Management
Chapter 8 [Reserved]
Chapter 9 Grading and Excavating
Chapter 10 Health and Safety
Chapter 11 Housing
Chapter 12 [Reserved]
Chapter 13 Licenses, Permits and General Business Regulations
Chapter 14 [Reserved]
Chapter 15 Motor Vehicles and Traffic
Chapter 16 Parks and Recreation
Chapter 17 [Reserved]
Chapter 18 Sewers and Sewage Disposal
Chapter 19 [Reserved]
Chapter 20 Solid Waste
Chapter 21 Streets and Sidewalks
Chapter 22 Subdivision and Land Development
Chapter 23 Stormwater Management
Chapter 24 Taxation; Special
Chapter 25 Trees
Chapter 26 Water
Chapter 27 Zoning

APPENDIX

A Annexation of Territory

- B Bond Issues and Loans
- C Franchises and Services
- D Governmental and Intergovernmental Affairs
- E Plan Approval
- F Public Property
- G Sewers
- H Streets and Sidewalks
- I Water
- J Zoning; Prior Ordinances

Table to Disposition of All Ordinances
 Table to Disposition of Significant Resolutions

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Borough of Ivyland shall be authoritative.

Section 2. Citation and Effective Date. The codification referred to in Section 1 of this ordinance shall be known and cited officially as the “Borough of Ivyland Code of Ordinances,” and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause. The provisions of the Borough of Ivyland Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Borough of Ivyland Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Consolidation and Revision. As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

A. *Consolidations.*

Section	Subject	Ordinance No., Section
15, Entire Chapter	Motor Vehicles and Traffic	1965-7; 1967-4; 1978-1; 1979-4; 1980-2; 1982-5; 1984-3; 1986-1; 1990-1; 1990-2; 1992-7; 1995-1; 2000-2; 2002-3; 2003-3; 2006-1; 2007-3; 2009-1, 2009-3; 2009-4

B. *Revisions.*

Section	Subject	Ordinance No., Section
	[Reserved]	

Section 5. New Enactments, Amendments and Repeals. As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

A. New Enactments.

Section	Subject
§§1-101–1-111	Preliminary Provisions
§§6-101–6-102	Disorderly Conduct
§§15-101–15-403, 15-405–15-1105	Motor Vehicles and Traffic

B. Amendments.

Section	Subject	Ordinance No., Section
§2-104	Penalties	1996-2, §4
§2-117	Fines and Penalties	2002-5, §7
§2-203	Penalties	2, §3
§4-105	Size of Numbers	72-02, §5
§4-107	Penalties	72-02, §7
§5-202	Additions, Insertions and Changes	2007-2, §2
§5-302	Definitions	2000-3, §2, 2002-6, §§1, 2
§5-307	Exceptions and Exemptions	2000-3, §7
§5-309	License Fees	2000-3, §9
§5-315	Fines and Penalties	2000-3, §15
§6-205	Penalties for Violation	1993-7, §4
§6-304	Violations and Penalties	2004-5, §4
§6-408	Enforcement	2003-2, 2005-10, §1
§6-409	Penalties	2003-2; 2005-10, §1
§7-102	Definitions	96-3, §2
§7-115	False Alarms; Responsibility for Costs	96-3, §15
§7-116	Penalties for Violation	96-3, §16
§7-203	Fines/Penalties	2005-1, §3
§7-407	Penalties for Violation	2009-2, §7
§9-105	Application for a Permit	2000-5, §5
§9-107	Specifications and Requirements	2000-5, §7
§9-113	Penalties	2000-5, §13
§10-112	Penalties	2000-4, §12
§10-204	Penalties for Violation	1993-5, §4
§10-304	Prohibited Storage	2005-9, §4
§10-309	Penalties for Violation	2005-9, §9
§10-401	Definitions	1993-3, §1

Section	Subject	Ordinance No., Section
§10-406	Penalties	1993-3, §6
§11-107	Penalties	1990-4, §107
§11-205	Inspections; Fees	2001-5, §5
§11-206	Violations and Penalties	2001-5, §6
§11-306	Penalties	2008-3, §6
§13-108	Penalty	2001-4, §8
§13-208	Enforcement and Termination of Part	2001-4, §8
§13-306	Fees	2010-5, §V
§13-321	Violations and Penalties	2010-5, §XX
§16-101	Parks	1979-2, §1
§16-102	Definitions	1979-2, §2
§16-104	Prohibited Acts Within Park Boundaries	1979-2, §4
§16-107	Penalties	1979-2, §8
§18-109	Violations and Penalties	1986-3, §9
Appendix 18-1-A	Ivyland Borough Holding Tank Rules and Regulations	1986-3, App.
§20-112	Penalty for Violation	2007-5, §2
§21-103	Penalties	1996-5, §3
§21-104	Exceptions	1996-5, §4
§21-209	Penalties	72-03, §9
§24-102	Definitions	1990-3, §2
§24-204	Imposition of Tax; Interest	Res. 1986-3, §4
§24-301	License	71-06, §1
§24-313	Method of Recovery	71-06, §13
§25-107	Violations and Penalties	2004-2, §7
§26-106	Penalties	2001-3, §6

C. Repeals.

Ord./Res.	Subject
<i>Ord. 10</i>	Board of Health
<i>Ord. 1979-2, §6</i>	Fires

Section 6. Adoption of Standard Codes by Reference. As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

Section	Short Title
	[Reserved]

Section 7. Land Use Amendments. The Borough of Ivyland Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made part hereof by reference hereto as if fully set out at length herein, with deletions shown by ~~strike-through~~ and additions shown by underline, all of which is briefly summarized hereinafter.

A. *New Provisions.* The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

Section	Subject
	[Reserved]

B. *Revised Provisions.* The following provisions of the Code are revised, the text of which indicates deletions by ~~strike-through~~ and additions shown by underline, and are summarized as follows:

Section	Subject	Ordinance No., Section
§22-202	Penalties	12/6/1995, §201
§22-301	General	12/6/1995, §301
§27-202	Definitions	1996-4, §201; 2001-2, §1; 2003-5, §2
§27-1304	Enforcement Remedies	1996-4, §1203

C. *Repealed Provisions.* The following provisions of the Code are repealed, the text of which indicates deletions by ~~strike-through~~, and are as follows:

Section	Subject	Ordinance No., Section
		[Reserved]

Section 8. Procedural Changes. The following minor procedural changes have been made to existing Borough of Ivyland ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Borough Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

Section 9. Amending the Code of Ordinances. The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

- A. Amendment or Revision - "Chapter ___, Article ___, Section ___, Subsection ___ is hereby amended [revised] to read as follows..."
- B. Additions - "Chapter ___, Article ___, Section ___, Subsection ___ is hereby amended by the addition of the following..."

C. Repeal - "Chapter ___, Article ___, Section ___, Subsection ___ is hereby repealed in its entirety."

Section 10. Responsibility for Code of Ordinances. It shall be the responsibility of the Borough of Ivyland Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Borough of Ivyland Code of Ordinances and shall be available for public inspection.

Section 11. Penalties. It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Borough of Ivyland. Whosoever shall violate this Section shall be guilty of an offense under §4911, "Tampering with Public Records or Information," of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

Section 12. Severability of Parts of Codification. It is hereby declared to be the intention of the Borough of Ivyland that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.

ENACTED AND ORDAINED this 9th day of November, 2011.

ATTEST:

Borough of Ivyland

/s/ Janet Pacchioli
Secretary

/s/ Robert Severn
President, Borough Council

APPROVED this 9 day of November, 2011.

/s/ Charles Ritter
Mayor

Fee Schedule

Subject

Fees

Part 1 Subdivision and Land Development

The following costs are applicable to applications for preliminary subdivision and/or land development that have not been accepted as complete by the Borough prior to the adoption of this fee schedule.

A filing fee and escrow deposit are payable at the time of each application (sketch, preliminary and final). Separate checks shall be submitted by the applicant to cover the amounts identified. In general, the filing fee will reimburse the municipality for indirect, unliquidated and overhead expense incurred during each review process for a particular application. The escrow deposit, established through the professional services agreement, will be held, in an interest bearing account, and will only be utilized if the applicant does not pay the invoices for the expenses of the Borough Council and/or the Planning Commission for advisory services. These services may include paid administrative staff, engineering, legal, site design, traffic design, landscaping, street lighting and any other consultant necessary, at the opinion of the Borough Council and/or the Planning Commission, to properly examine the proposed subdivision/land development application. To any fees incurred by the Borough, the sum of 10 percent shall be added as reimbursement to the Borough to cover administrative, overhead and other costs associated and incurred in processing the application and/or plan, and for the collection of such fees and their distribution.

Escrow amounts shall be established in accordance with this Resolution, all unused funds within the escrow account shall be returned to the applicant 18 months after completion of the project/development or upon written cancellation of the project/development upon approval by the Borough Council of the refund.

In the event the applicant disputes the amount of any such expense in connection with the review of applications, reports and inspections of the improvements, the applicant shall within 10 days of the billing date, notify the Borough that such expenses are disputed as unreasonable or unnecessary, in which event, the Borough shall not delay or disapprove a subdivision/land development application or any approval or permit related to the subdivision/land development due to the applicant's request over disputed fees.

In event that the Borough and the applicant cannot agree on the amount of the review fees which are reasonable and necessary, then the applicant and the Borough shall follow the procedure for dispute resolution set forth in 53 P.S. §10510(g), as amended; provided that the professionals resolving such dispute shall be of the same profession or discipline as the consultants whose fees are being disputed.

A. Residential Subdivision/Land Development Fees

	Preliminary Filing Fee	Escrow*	Final Filing Fee	Escrow*	Revised Final Filing Fee	Escrow*
Sketch Plan	NA	\$1,000	NA	\$1,000	NA	\$1,000
Minor Subdivision/ Land Development (1 to 2 Lots)	\$1,000	\$2,000	\$500	\$2,000	\$500	\$2,000
Major Subdivision/ Land Development "A" (3 to 5 Lots)	\$1,000 plus \$100 per lot	\$5,000	\$500 plus \$50 per lot	\$5,000	\$500 plus \$30 per lot	\$5,000

Subject	Fees					
Major Subdivision/ Land Development "B" (6 to 10 Lots)	\$1,250 plus \$100 per lot	\$5,000	\$1,000 plus \$50 per lot	\$5,000	\$1000 plus \$30 per lot	\$5,000
Major Subdivision/ Land Development "C" (11 Lots or more)	\$1,500 plus \$100 per lot	\$10,000	\$1,500 plus \$50 per lot	\$10,000	\$1500 plus \$30 per lot	\$10,000

B. Nonresidential Subdivision/Land Development Fees

	Preliminary	Escrow*	Final	Escrow*
Sketch Plan	NA	\$2,000	NA	\$2,000
Subdivision/Land Development	\$5,000 plus \$20 for each 2,500 sf of the gross building and site area to be altered, constructed and/or disturbed	\$15,000	\$2,500 plus \$20 for each 2,500 sf of the gross building and site area to be altered, constructed and/or disturbed	\$5,000

The Zoning Officer shall determine, at the time of the preliminary application, what classification a project is considered.

If a final plan for subdivision/land development is submitted more than 1 year after conditional approval of a preliminary plan, in addition to the applicable final plan application fees, an additional fee of one-half of the fee for the preliminary plan shall be paid to the Borough.

There is no application fee associated with a sketch plan application for subdivision/land development. However, the applicant shall establish a professional services agreement with the Borough for all costs incurred for engineering and legal fees incidental to the review of the sketch plan application.

*All escrow fees identified above are associated with a professional services agreement that is required to be established between the applicant and the Borough for all costs incurred for engineering and legal fees incidental to the review of any application indicated above.

C. Lot Line Change Application Fee \$200 \$1,500 Escrow

D. Professional Services Agreement

At the time of the preliminary and final application for subdivision/land development the applicant shall execute a professional services agreement with the Borough, a copy of which is attached¹ hereto and adopted as a part of this Resolution.

The professional services agreement includes the establishment of an escrow account. The escrow account covers the expenses of the Borough Council and/or the Planning Commission for advisory services. These services may include; paid administrative staff, engineering, legal, site design, traffic design, landscaping, street lighting and any other consultant necessary, at the opinion of the Borough Council and/or the Planning Commission, to properly examine the proposed subdivision/land development application. Escrow amounts shall be established in accordance with this Resolution, all unused funds within the escrow account shall be returned to the applicant 18 months after completion of the project/development or upon written cancellation of the project/development upon approval by the Borough Council of the refund.

The escrow account funds shall be replenished within 15 days when the applicant is notified by the Borough that the funds are depleted to 50 percent of the original amount.

At the time of filing the Zoning Officer shall verify that the application, plans and the professional

¹Editor's Note: The professional services agreement attached to the original of Res. 2008-2, 3/12/2008, is on file in the Borough office.

Subject**Fees**

services agreement are complete and all fees are paid and the escrow is established. All subdivision/land development applications are to be submitted to the Borough in person to the Zoning Officer, no mail or courier deliveries of these applications will be accepted.

Part 2 Zoning

All fees referenced within this Part shall be doubled if the project is started without the applicable permits and/or approvals.

A. Zoning Hearing Board Applications

Variance applications, special exception applications, interpretations and challenges of determinations of the Zoning Officer.

Zoning Hearing Board application	Fee	Escrow*
Individual residential uses	\$700	\$300
All other uses	\$1,000	\$500

The fees set forth above contemplate completion of proceedings with a single hearing lasting not longer than four hours. In the event that additional hearings are required, other than for the convenience of the Zoning Hearing Board, the Borough will charge an additional \$500 for each such additional hearing. At the time of application, the Borough may add the anticipated cost of additional hearings to the escrow amount to be posted, and may draw upon the escrow fund to pay additional hearing fee(s) as additional Borough expenses.

B. Applications to Borough Council

Conditional use applications, amendments to the zoning ordinance, curative amendments or amendments in the zoning map or planned residential development (PRD) application.

	Fee	Escrow*
Conditional use application	\$1,000	\$2,000
Zoning amendment	\$1,000	\$2,000
Curative amendments	\$10,000	\$5,000
Amendments to the zoning map	\$2,000	\$2,500
Planned residential development (PRD) application	\$2,000	\$2,500

Escrow deposit fees are to cover expenses incurred by the Borough incidental to the hearing. In the event these costs deplete the escrow fund in excess of 50 percent of the original escrow deposit, the escrow funds shall be replenished, within 15 days of notification, to the original escrow amount. If the expenses do not exceed the escrow deposit fee, the balance will be refunded to the applicant upon request within 12 months of the hearing.

C. Written Zoning Opinions—Upon Request

\$100 each

D. Sign Permits

Permanent signs

Public utility or municipal activity	No Cost
School, church, hospital, farm or club	\$50
Professional, commercial and all other uses permitted by Ivyland Borough Zoning Ordinance [Chapter 27]	
Window/wall signs	\$2 per sf, \$50 minimum
Free standing signs	\$2 per sf, \$75 minimum

Subject	Fees
Ground pole signs	\$2 per sf, \$100 minimum
Real estate development	\$2 per sf, \$50 minimum
Residential (when associated with an in-home occupation)	\$2 per sf
All others	\$50
(Additional fees may be imposed if on-site engineering inspection is required. In addition, the applicant shall provide an insurance certificate if requested.)	
Temporary signs	
Real estate for sale signs	\$50 per year per real estate broker (covers all signs during year for each broker)
Other temporary signs	\$1 per day
E. Zoning Permits for Construction Within the R-3 and R-4 Building Code Use Groups (in addition to any applicable subdivision and/or land development costs).	
New dwelling unit	\$100 each
Additions to existing dwelling unit	\$50
Accessory buildings/structures (This item includes storage sheds, detached garages, uncovered decks and patios, retaining walls, barns, silos, swimming pools, hot tubs, etc.) Patios that utilize interlocking pavers and do not require the placement of a foundation and/or frost wall and sheds, pole barns and temporary buildings 144 sf or less shall require a zoning permit only.	\$50
Fences within the building code R-3 and R-4 use groups	\$50
Replacement of existing sidewalks and curbs	\$0 although an application must be filed and a building permit must be issued before work begins. If work begins before a building permit has been issued, then the fee shall be \$50.
F. Zoning Permits for Construction within all other Building Code Use Groups (in addition to any applicable subdivision and/or land development costs).	
New construction	\$100 plus \$25 per 1,000 sf, or portion thereof, of the gross floor area
Additions to existing	\$50 plus \$25 per 1,000 sf, or portion thereof, of the gross floor area
Accessory buildings/structures (includes storage sheds, detached garages, uncovered decks and patios, retaining walls, barns, silos, swimming pools, hot tubs, etc.).	\$100
Fences within all other building code use groups	\$100

Subject	Fees
Replacement of existing sidewalks and curbs	\$0 although an application must be filed and a building permit must be issued before work begins. If work begins before a building permit has been issued, then the fee shall be \$50.
G. Home Occupation Registration (Occupant shall register each year with the Borough. Written approval from property owner shall accompany registration application, if occupant is not owner of property.)	\$0 per year
H. Well Permit (in accordance with Borough <i>Ord. 2001-3</i> [Chapter 26, Part 1] only)	\$25
I. Sewage Facility and Holding Tank Maintenance Agreement	\$250
J. Registration of Non-Conforming Use (Property owner shall register each year with the Borough.)	\$25 per year
K. Act 537 Revision	
Residential	\$1,000 plus \$2,500 engineer's escrow
Nonresidential	\$2,000 plus \$2,500 engineer's escrow
L. Temporary Construction Trailer (Permit may be renewed at the option of the Borough for each 6-month period.)	\$300
M. Grading Permit	
When associated with a land development or subdivision application	\$200
When NOT associated with a land development or subdivision application	\$250
N. Penalty for Misrepresentation	applicable permit fees doubled
O. Floodplain Determination Review (for new construction, the Borough engineer shall be included in the review of the request only if deemed necessary, at the sole discretion of the Zoning Officer, Borough Council and/or Planning Commission).	\$50 plus standard hourly fees of Borough Engineer

Part 3 Road Occupancy and Street Opening Permits

All fees referenced within this Part shall be doubled if the project is started without the applicable permits and/or approvals.

A. Road Openings	
Road openings and excavations in any Borough highway, roadway, right-of way, public ally, sidewalk, curb, footpath or bike path, having an improved or unimproved surface	\$200
B. Installation of New Driveway and Alteration of Existing Driveways	\$100 per driveway
C. Roadway Frontage/Storm Drainage Improvement Permit (Grading Permit)	

Subject	Fees
Permit Fee	\$250
D. Replacement of Utility Poles	\$10 per pole with a minimum fee of \$30

No permit within this Part shall be issued by the Zoning Officer without written approval of the Borough Engineer.

At the time of application for any Item identified within this Part, the applicant shall execute a professional services agreement with the Borough, a copy of which is attached² hereto and adopted as a part of this Resolution.

The agreement includes the establishment of a professional services escrow account. The escrow account covers the expenses of the Borough for advisory services in reviewing the application, all costs associated with necessary inspections, and any amount deemed necessary by the Borough Engineer to assure full restoration of Borough-owned or otherwise affected property not covered by the maintenance bond described below. Escrow amount shall be established by the Zoning Officer on a case by case basis, but shall not be less than \$500; all unused funds within the escrow account shall be returned to the applicant 18 months after completion of the project/development or upon written cancellation of the project/development upon approval by the Borough Council of the refund.

The professional services escrow account funds shall be replenished within 15 days when they are depleted to 50 percent of the original amount.

The applicant shall establish, at the time of substantial completion, a maintenance bond for the entire cost of any roadway restoration. This bond shall be in effect for a period of not less than 18 months.

Final approval will not be granted for any road opening application, driveway application or roadway frontage/storm drainage application until final wearing course is installed and inspected and the site is final graded and seeded and written approval of the Borough Engineer has been received by the Borough.

Part 4 Building Permit Applications

All fees referenced within this section shall be doubled if the project is started without the applicable permits and/or approvals.

Gross Floor Area (GFA)—In association with the referenced fees, the gross floor area shall be defined as the following; the total square feet of all floors within the perimeter of the outside walls, including basements, bays, cellars, attached garages, roofed patios, breezeways and covered walkways, halls, mechanical/utility areas, restrooms, stairs, stair towers, halls, covered decks and attics and crawl spaces having a minimum headroom of 6 feet. Attics and crawl spaces having minimum headroom of less than 6 feet are not included within the GFA.

Use Groups—In association with the referenced fees, the use Group designation is derived from the 2003/IBC-International Building Code. R-3 refers to structures arranged for occupancy as a one or two family dwelling unit where each unit has an independent means of egress and each unit is separated by a 2-hour fire separation assembly. R-4 refers to all detached one or two family dwellings not more than three stories in height. All other use groups refers to the following use groups: A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, I-1, I-2, I-3, M, R-1, R-2, S-1 and S-2.

A. New Construction and Additions

Building code use groups R-3 and R-4	\$100 plus \$0.25 per sf of gross floor area
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²Editor’s Note: The professional services agreement attached to the original of *Res. 2008-2, 3/12/2008*, is on file in the Borough office.

Subject	Fees
All other use groups	\$300 plus \$0.30 per sf of gross floor area or 1% of the construction cost, whichever is greater.
B. Alterations	
Building code use groups R-3 and R-4	2% of construction cost up to \$10,000 plus 1.50% of const. costs after \$10,000 minimum fee \$50
All other building code use groups	3% of construction cost up to \$10,000 plus 2.50% of const. costs after \$10,000 minimum fee \$100
C. Demolition	
Building code use groups R-3 and R-4	\$5 for each \$1,000 of costs with a minimum fee of \$50
All other building code use groups	\$100 for the first 1,000 sf plus \$10 for each 100 sf thereafter with a minimum fee of \$100.
(Demolition of structures within the Borough's Historic Overlay District is subject to the provisions of the Borough's Zoning Ordinance [Chapter 27] as amended by <i>Ord. 2004-4</i>)	
D. Accessory Structures (not associated with agricultural uses)	
Uncovered decks or patios (Individual applications for covered decks and covered patios shall be classified as an addition. Patios that utilize interlocking pavers and do not require the placement of a foundation and/or frost wall shall require a zoning permit only.)	\$0.20 per sf with a minimum fee of \$60
Sheds, detached garages, pole barns and temporary buildings (>1000 sf) (Sheds, pole barns and temporary buildings less than 1,000 sf shall require a zoning permit only. Sheds, pole barns and temporary buildings over 1,000 sf shall be considered new construction.)	See Section 4(A)
E. Accessory Structures (associated with approved agricultural uses)	
Barns, animal sheds, and similar structures when associated with properties identified as having an approved agricultural use as the primary use.	\$100 plus \$0.10 per sf
F. Use and Occupancy Certificate (new construction and changes in existing use and occupancy)	
Each individual unit requires a use and occupancy certificate (ex. residential units, multiple family dwelling units, condominium units and similar facilities that have separate and distinct individual units.)	
Building code use groups R-3 and R-4 and multi-family dwellings (new structure)	\$100 per dwelling unit

Subject	Fees
Additions to building code use groups R-3 and R-4 and detached accessory uses	\$50
All other building code use groups (new structure)	\$300 per unit
Temporary use and occupancy certificate for new construction	\$200 per unit in addition to all other applicable costs
Copy of use and occupancy certificate or letter	\$25 per copy after original is issued.
G. Miscellaneous Renovations	\$50
Includes roofing, doors, windows etc., requiring no structural changes to building or structure. Renovations requiring structural changes shall be considered alterations under Section 4(B).	
H. Swimming Pools (Pool fencing is included within permit cost)	
Aboveground/inground	\$25 for the first \$1,000 of construction cost plus \$10 for each additional \$1,000 of construction cost, or portion thereof, with a minimum fee of \$100
Use and occupancy permit for swimming pools	\$50
Certifications of pool bonding and electrical equipment grounding shall be provided by a third party electrical inspection agency licensed within the Commonwealth of Pennsylvania with notifications being provided to the Borough for pool steel grounding inspection, equipotential bonding and final inspection.	
I. Blasting Permit	\$100
Blasting permit approval shall be issued by Zoning Officer after review by Building Inspector, Borough Engineer and Fire Marshal. In addition to the permit fee, the Borough Engineer may require the applicant to post an escrow amount or other security deemed sufficient by him to guarantee restoration of any potentially affected property and removal of resulting debris.	
J. Storage Tanks (Nonresidential Aboveground/Underground)	
Tanks not associated with residential heating or cooking operations.	
Tank installation (aboveground/underground)	
0 to 10,000 gallons	Gallons x \$0.05 Minimum fee \$75
greater than 10,000 gallons	Gallons x \$0.05 Minimum fee \$750
Tank removal (underground)	\$100 per tank
Copies of soil and water test results, disposal ticket and closure report shall be provided to the Borough.	
K. Storage Tanks (Residential Aboveground/Underground)	
Oil/Propane tanks specifically associated with residential heating or cooking operations.	
Tank Installation (Aboveground/Underground)	

Subject	Fees
0 to 1,000 gallons	Gallons x \$0.05 Minimum fee \$60
greater than 1,000 gallons	Gallons x \$0.05 Minimum fee \$75
Tank removal (underground)	\$50 per tank

Copies of soil and water test results, disposal ticket and closure report shall be provided to the Borough.

L. Fireplaces

Masonry fireplaces	\$100
Pre-manufactured fireplace inserts/wood stoves	\$50

M. Elevators

\$50 each

Certificate of approval from PA Department Labor and Industry shall be provided to the Borough.

N. Mobile Home Unit Installation

Permanent residential	\$150 per unit
Temporary residential	\$50

(When associated with an application for a single-family detached dwelling application. Permit may be renewed at the option of the Borough each six-month period; each period shall be an additional application.)

O. Professional Services Agreement for Individual Lots

Individuals improving or developing a single lot, after subdivision has taken place, shall execute a professional services agreement with the Borough to cover all miscellaneous costs incurred with their project.

The agreement includes, the establishment of a Professional Services Escrow Account. The escrow account covers the expenses of the Borough for advisory services in reviewing the application. Escrow amount shall be established on a case by case basis, all unused funds within the escrow account shall be returned to the applicant 18 months after completion of the project/development or upon written cancellation of the project/development upon approval by the Borough Council of the refund.

The professional services escrow account funds shall be replenished within 15 days when they are depleted to 50 percent of the original amount.

P. Contractor Registration

Contractor registration is governed by Borough *Ord. 2000-3*, as amended by *Ord. 2002-6*. Generally, registration is required for all construction projects undertaken within the Borough including, new construction, remodeling, alterations and renovations where a building code permit or a zoning permit is required. In addition to the general contractor, all subcontractors employed by the builder and general contractor are also required to be registered, including but not limited to concrete, masonry, plumbing, HVAC, electrical, framing, roofing, sprinkler and landscaping contractors. Registration period is from January 1 to December 31.

Registration is for identification and insurance verification purposes only and should not be construed as an indication of the competency of any contractor or subcontractor.

Annual Registration	\$75 per year
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Part 5 Mechanical Permit Applications

All fees referenced within this Part shall be doubled if the project is started without the applicable

Subject**Fees**

permits and/or approvals.

Use Groups—In association with the referenced fees, the use group designation is derived from the 2003/IBC International Building Code. R-3 refers to structures arranged for occupancy as a one or two family dwelling unit where each unit has an independent means of egress and each unit is separated by a two hour fire separation assembly. R-4 refers to all detached one or two family dwellings not more than three stories in height. All other Use groups refers to the following use groups; A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, I-1, I-2, I-3, M, R-1, R-2, S-1 and S-2.

A. Replacement of Existing Equipment (In kind)

Units utilizing an existing chimney and/or vent pipe to have the existing chimney and/or vent certified by a qualified professional specializing in certification of chimneys and vents with written evaluation provided to the Borough.

Existing heater (gas, electric, oil) use groups R-3 and R-4 \$25

Existing residential air conditioning unit/condenser use groups R-3 and R-4 \$25

Existing heater (gas, electric, oil) or air conditioning unit/condenser all other use groups \$50

B. New Construction (Equipment Installation)

Heater (gas, electric, oil) in use groups R-3 and R-4 \$50 for the first \$1,000 of construction cost plus \$10 for each additional \$1,000 of costs with a minimum fee of \$50

Air conditioning unit/condenser in use groups R-3 and R-4 \$50 for the first \$1,000 of construction cost plus \$10 for each additional \$1,000 of costs with a minimum fee of \$50

Nonresidential heater (gas, electric, oil) or air conditioning unit/condenser \$100 for the first \$1,000 of construction cost plus \$10 for each additional \$1,000 of costs with a minimum fee of \$75 per unit

C. Alterations to Existing HVAC Systems

Use groups R-3 and R-4 \$25

All other use groups \$50

D. Commercial Kitchen Exhaust System \$200

Units utilizing an existing chimney and/or vent pipe to have the existing chimney and/or vent certified by a qualified professional specializing in certification of chimneys and vents with written evaluation provided to the Borough.

Part 6 Plumbing Permit Applications

All fees referenced within this Part shall be doubled if the project is started without the applicable permits and/or approvals.

Use Groups—In association with the referenced fees, the use group designation is derived from the 2003/IBC International Building Code. R-3 refers to structures arranged for occupancy as a one or two family dwelling unit where each unit has an independent means of egress and each

Subject**Fees**

unit is separated by a 2-hour fire separation assembly. R-4 refers to all detached one or two family dwellings not more than three stories in height. All other use groups refers to the following use groups: A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, I-1, I-2, I-3, M, R-1, R-2, S-1 and S-2.

If the structure is served by a municipal sewer authority, prior to a plumbing permit being issued for a proposed facility and/or residence, the applicant is required to present to the Borough written proof that the Sewer Authority has approved the application and all applicable fees have been paid in full, where applicable.

A. New Construction and Alterations (First seven (7) Fixtures)

Use groups R-3 and R-4	\$100 for first seven fixtures \$10 for each additional \$100 minimum per new dwelling unit
All other use groups	\$150 for first seven fixtures \$15 for each additional \$100 minimum per new dwelling unit within multi-family facilities \$200 minimum for new systems within all other use groups

B. Hot Water Generator/Domestic Water Heater or Coil (New or Replacement)

Use groups R-3 and R-4	\$20
All other use groups	\$30

C. Boiler to Potable Water Tie-In (All Use Groups)

\$20

D. Lawn Sprinkler System to Potable Water Tie-In (including backflow preventer)

Connections to the potable water system may only be performed by a registered master plumber.

Use groups R-3 and R-4	\$20
All other use groups	\$50

E. Fire Sprinkler System to Potable Water Tie-In

Connections to the potable water system may only be performed by a registered master plumber.

Use groups R-3 and R-4	\$20
All other use groups	\$50

F. Solar System to Potable Water Tie-In

Connections to the potable water system may only be performed by a registered master plumber.

Use groups R-3 and R-4	\$20
All other use groups	\$50

G. Circulator Pumps and Sump Pumps (All Use Groups)

Subject	Fees
Under 2 H.P.	\$20
2 H.P. to 6 H.P.	\$30
6 H.P. and Greater	\$60
H. Interceptors	
All interceptors shall be inspected by the Borough Engineer and are to be associated with a land development application with an associated approved developers agreement.	
I. Sanitary Sewer Rental Fees	Refer to Sewer Authority Fee Schedule
J. Sanitary Sewer Connection Fee	Refer to Sewer Authority Fee Schedule
K. Sanitary Sewer Customer Facility Fee	Refer to Sewer Authority Fee Schedule
L. Sewer Certification	Refer to Sewer Authority Fee Schedule
M. Mobile Home Units Installation	\$150 per unit
N. Sanitary Sewer Service Lateral Inspection	\$100 per unit
O. Sanitary Sewer System Standard Construction Specifications	Refer to Sewer Authority Fee Schedule
P. Sewage Holding Tank/Sewage Facility Operation and Maintenance Agreement	\$250

At the time of the sewage holding tank application the applicant shall execute an operation and maintenance agreement with the Borough, a copy of which is attached³ hereto and adopted as a part of this Resolution.

Part 7 Fire Protection and Hazardous Equipment

All fees referenced within this section shall be doubled if the project is started without the applicable permits and/or approvals.

A. Fire Suppression and Detection

1 to 20 sprinkler heads or smoke/heat detectors	\$50 plus plan review fee
21 to 100 sprinkler heads or smoke/heat detectors	\$100 plus plan review fee
101 to 200 sprinkler heads or smoke/heat detectors	\$150 plus plan review fee
201 to 400 sprinkler heads or smoke/heat detectors	\$200 plus plan review fee
401 and greater sprinkler heads or smoke/heat detectors	\$500 plus plan review fee

B. Plan Review Cost

In addition to the above-referenced per head costs, the applicant shall pay the Borough for the actual costs of plan review for each system proposed, plus a 10 percent administrative fee, that were incurred for engineering and/or third party plan review of the application. Plan review by the Borough's Building Code Official is charged at \$75 per hour.

³Editor's Note: The operation and maintenance agreement attached to the original of *Res. 2008-2, 3/12/2008*, is on file in the Borough office.

Subject	Fees
C. Nonresidential Kitchen Hood Suppression System	\$200
D. Fire Report from Fire Marshal or Fire Chief	\$60 per copy
E. Annual Inspection in Association with the Fire Safety and Emergency Equipment Inspection Program	
Inspection Cost	\$35 minimum per inspection; plus \$35 per hour, billed in ½ hour increments, for any inspection that exceeds 1 hour.
F. All other Inspections , not referenced herein, performed by Fire Inspector, Fire Marshal, or Fire Chief	
Inspection Cost	\$60 per hour
G. Fireworks Permit	\$50
Fireworks permit may be issued by Zoning Officer after review by Fire Marshal and/or Fire Chief and specific approval by Borough Council.	

Part 8 Electrical Permits

All fees referenced within this Part shall be doubled if the project is started without the applicable permits and/or approvals.

Use Groups—In association with the referenced fees, the use group designation is derived from the 2003 International Building Code. R-3 refers to structures arranged for occupancy as a one- or two-family dwelling unit where each unit has an independent means of egress and each unit is separated by a 2-hour fire separation assembly. R-4 refers to all detached one- or two-family dwellings not more than three stories in height. All other use groups refers to the following use groups: A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, I-1, I-2, I-3, M, R-1, R-2, S-1 and S-2.

The applicant shall obtain, at their own expense, certifications for all installed electrical work from a certified electrical underwriting agency licensed within the Commonwealth of Pennsylvania with notifications being provided to the Borough at the plan review, rough and final phases of construction. The fees identified below are for verification of these requirements, processing of the record file cards and related administrative activities.

A. New Construction

Use groups R-3 and R-4	\$25
All other use groups	\$50

B. Alterations to Existing Structures

Use groups R-3 and R-4	\$15
All other use groups	\$30

C. Temporary Electrical Hookup

\$50

Part 9 Control of Alarms

A. Fire Alarm Registration Fee—per Alarm

\$25 one time fee

Fire alarm registrations are issued through the Fire Marshal and by the Zoning Officer to qualified applicants

B. Emergency Alarm Registration Fee—per Alarm

\$25 one time fee

Emergency alarm registrations are issued through the Fire Marshal and by the Zoning Officer to qualified applicants.

Subject	Fees
C. Alarm Penalty Fee for False/Accidental Alarms with Police/Fire Response (Fee is assessed for a calendar year.)	
First false alarm	\$0 (zero–warning only)
Second and all subsequent false alarms	\$35 per alarm
D. Registration Fee for the Operation of an Alarm Business (Defined as a central station/office for receiving and distributing alarms signals.)	
First year	\$100
Succeeding years	\$50
Part 10 Peddling and/or Soliciting	
A. Peddler's/Solicitor's License	\$20 per day, per individual \$100 per month, per individual
Permit to be issued by the Zoning Officer.	
Part 11 Video and Pinball Machines	
A. Gaming Machine	\$25 per machine, per year
Application shall be approved by the Zoning Officer.	
There shall be a maximum of three machines per site.	
Part 12 Publications and Maps and Miscellaneous	
A. Zoning Ordinance	\$30
B. Zoning Map	\$15
C. Subdivision and Land Development Ordinance	\$25
D. Comprehensive Plan	\$25
E. Photo Copies	\$0.25 per page
F. Engineering Services	In accordance with Consultant Fee Schedule
G. Copies of Accident Report	\$15
Applicant must be involved party, involved party's attorney or insurance company.	
H. Copies of All Other Police Incident Reports	\$15
Release of information must be pre-approved.	
I. Inter-Municipal Liquor License Transfer and/or Economic Development Liquor License	
Non-refundable fee	\$500
Required escrow (hearing cost and fees)	\$4,500
J. Tax Certification	\$15
K. Occupancy Permit under <i>Ord. 2001-5</i>	\$50 plus the actual fees for the following certifications by

Subject	Fees
	independent contractors acceptable to the Code Enforcement Officer
(1) The actual charge for electrical inspection by a certified electrical inspection agency.	
(2) The actual charge for a safety certification by a reputable chimney inspection agency.	
L. Returned Checks	\$25
M. Trash Certification	\$15
N. Kennel Charges under <i>Ord. 1996-2</i>	Actual kennel charges plus 20% administration fee
O. Converting Physical Documents to Electronic Media under Open Records Request	For pages scanable by Borough office—\$0.10 per page plus cost of medium documents are to be transferred to. For documents that are not scanable by the Borough office, the actual cost of scanning plus 10% administrative fee plus cost of medium.
P. Converting Electronic Documents to Paper	Same as photocopying charge
Q. Certification of Documents by Borough Secretary	\$0.25 per page certified or minimum charge of \$10, whichever is greater

Part 13 Fees Not Otherwise Listed

Any fee not covered by this Fee Schedule or previously established by resolution and/or ordinance of Ivyland Borough shall be determined on a case by case basis by the Ivyland Borough Council.

All other fees established by resolution and/or ordinance of Ivyland Borough not in conflict with this Resolution shall remain in effect as previously adopted.

Part 14 Trash Collection

- A. Set the annual trash collection fee for residences in Ivyland Borough at a rate of \$247.40 per dwelling unit for 2009.
- B. Set the trash collection fee payment schedule so that the annual trash collection fee shall be payable at the same time as payment for municipal property tax.
- C. Establish a late charge or penalty charge equal to 10 percent of the annual collection fee for any trash collection fee that is not paid on or before July 1, 2009.
- D. Set a monthly interest charge of 1.5 percent on any unpaid balance of the trash collection fee, including unpaid late fees, that is not paid within 60 days following its due date.
- E. Designate the Borough's Tax Collector to act as the Borough's agent for transmitting trash bills to households within the Borough and for collecting the annual trash fees in accordance with the same procedures used by the Tax Collector in collecting and enforcing real estate taxes payable to the Borough.

Subject	Fees
Part 15 Taxation; Special	
A.	\$5
Part 16 Licenses, Permits and General Business Regulations	
B.	
Nonrefundable application and investigation fee	\$1,500
Annual nonrefundable license fee within 30 days of license issuance or renewal	\$750
Annual nonrefundable application, investigation and license fee	\$750

(Res. 2011-10,11/9/2011)