

BOROUGH OF MILLERSVILLE

Lancaster County, Pennsylvania

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF MILLERSVILLE REESTABLISHING AND AMENDING FEES TO BE CHARGED IN CONNECTION WITH THE ADMINISTRATION OF THE MILLERSVILLE ZONING ORDINANCE AND OTHER BOROUGH ORDINANCES; AND REESTABLISHING AND AMENDING FEES FOR MISCELLANEOUS BOROUGH PERMITS AND SERVICES.

WHEREAS, Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, may impose fees for hearings before the Zoning Hearing Board and fees for proceedings before Borough Council relating to conditional uses and amendments, including curative amendments, to the Zoning Ordinance of Millersville Borough (the "Zoning Ordinance") and the Zoning Map; and

WHEREAS, upon consideration of the costs involved in hearing and processing zoning applications, appeals and petitions, Borough Council of Millersville Borough desires to establish reasonable fees; and

WHEREAS, the Borough incurs costs in the administration of other governing Ordinances; and

WHEREAS, the Borough incurs costs in the administration of the short term rental section of the Zoning Ordinance, and Borough Council believes that it is desirable to establish fees for the in order to recover the costs incurred by the Borough; and

WHEREAS, Borough Council desires to establish such fees and costs effective January 1, 2025 and thereafter.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, as follows:

Section 1: ARTICLE I: Fee Schedule

§ A395-3. Peddling and soliciting permits.

The application fee for a license required under Chapter 274 of the Code of the Borough of Millersville, also known as the "Millersville Borough Peddler and Solicitor Ordinance," shall be \$50. The term of the license granted pursuant to said chapter shall be 30 days. The fee for renewal of the license shall be the same as for initial application.

§ A395-4. Residential parking permits.

The following fees shall be imposed upon applicants for residential parking permits:

- A. Initial application: \$ 50.
- B. Renewal application: \$ 20.

§ A395-5. Use of Borough parks.

A. The following fees shall be imposed for use of facilities within Borough-owned and -operated parks:

- (1) Ball diamond fees.
 - (a) Ball Diamond 1:
 - [1] Per league per season: \$500.
 - [2] When reserved with pavilion rental: \$20.
 - (b) Ball Diamond 2:
 - [1] Per league per season: \$225.
 - [2] When reserved with pavilion rental: \$10.
- (2) Small pavilion (C) (flat amount): \$ 60.
- (3) Large pavilion (A) (flat amount): \$ 100.
- (4) Large pavilion (B) (flat amount): \$ 100.
- (5) Gazebo (when reserved with pavilion rental): \$ 50.

B. Changes made to reservations: Any date or pavilion change made to the original reservation will be assessed a fee of \$10.

§ A395-7. Streets and sidewalks.

A. The following fees are hereby established for the administration of the Code of the Borough of Millersville, Chapter 320, Streets and Sidewalks, Article I, Street Excavations:

- (1) Fees per location for one to 100 linear feet; excess over 100 prorated:
 - (a) Base permit fee for excavations: \$ 100.
 - (b) Expedited review fee: \$ 100.

- (c) Expedited inspection fee: \$ 100.
- B. The following fees are hereby established for the administration of the Code of the Borough of Millersville, Chapter 320, Streets and Sidewalks, Article II, Sidewalk and Curb Construction: \$ 100.
- C. Time of payment of fees.
 - (1) Base permit fees. The base permit fee shall be paid at the time application for a permit is submitted to the Borough. The permit shall not be issued until the base permit fee is paid in full. The base permit fee shall include the cost of inspections made in accordance with standard Borough practices.
 - (2) Fees for expedited review of applications. If any person shall undertake activities which require the issuance of a permit under Chapter 320 of the Code of the Borough of Millersville prior to obtaining such permit, the applicant shall pay both the base permit fee and the expedited review fee established in Subsection A(1) herein when application for a permit is made to recover the increased administrative costs of the Borough.
 - (3) Fees for expedited review of inspections. Should any person who has obtained a permit and paid the base permit fee proceed with work under such permit without obtaining the required inspections, such person shall be required to pay the expedited inspection fee established in Subsection A(1) herein in order to recover the increased cost to the Borough for the increased difficulty of the necessary inspection.
- D. Appeal fees. Any person who desires to appeal a determination or order relating to Chapter 320 of the Code of the Borough of Millersville shall be required to pay an appeal fee to the Borough in the amount of \$50. In addition, any person who desires to appeal any determination or order shall be required to pay the appearance fee for a stenographer and the cost of the original transcript (said original transcript to be retained by the Borough).

§ A395-9. Zoning fees.

- A. Zoning permit fees. Application for a zoning permit shall be accompanied by a payment of a minimum of \$100 for the first \$10,000, or fraction thereof, of the estimated value of the proposed improvements plus \$2 for every \$1,000, or part thereof, above \$10,000.
- B. Conditional use fees. Application for approval of a conditional use under the Zoning Ordinance (Chapter 380) shall be accompanied by a payment of \$ 800.
- C. Rezoning petition fees. Petition for an amendment to the Zoning Ordinance submitted to the Borough Council by a property owner shall be accompanied by a payment of \$1,000.
- D. Nonconforming use, lot and structure registration fees. Each application for the registration of a nonconforming use, lot or structure, provided under Chapter 380, Zoning, shall be accompanied by a fee of \$40.
- E. Zoning hearing fees (Chapter 380, Zoning). Applications for hearings before the Zoning Hearing Board shall be accompanied by payment of a fee of \$ 800.
- F. Fee for challenging validity of the Zoning Ordinance: \$800.
- G. In addition to the above fees to be paid at the time the application or appeal is filed, applicants and appellants shall, upon receipt of an invoice from the Borough, reimburse the Borough for 1/2 of the court reporter's appearance fee attributable to the application or appeal. The Borough's invoice shall be

payable within 30 days of receipt or upon the issuance of any permit authorized by the decision of the Zoning Hearing Board or Borough Council, whichever date is earlier.

§ A395-11. Residential rental units.

The following fees shall be imposed in connection with the administration of the Residential Rental Unit Regulation Ordinance:²

- A. License. The fee for a residential rental license shall be \$75 per residential rental unit per year where there are 20 or more residential rental units on a single property and \$100 per residential rental unit when there are fewer than 20 residential rental units on the same property. This fee shall include the administrative costs of the Borough, the inspection of the residential rental unit. The residential rental license shall be valid for a period of one year from the date of issuance and is nontransferable.
- B. Compliance reinspection. The fee for a reinspection of the residential rental unit to confirm that all deficiencies which may have been discovered in the initial inspection have been satisfactorily addressed shall be \$50 per inspection.
- C. Reinspection. The fee for any inspection after the compliance reinspection shall be \$ 100 per reinspection.
- D. Reinstatement. The fee to reinstate a revoked residential rental registration or a residential rental license shall be \$30 per residential rental unit.
- E. Appeals. The fee for an appeal to the Borough Council from a determination of the Enforcement Officer or from the issuance of a disruptive conduct report shall be \$ 150. If the appellant requests the presence of a court reporter or if there is a hearing after a remand by the Court of Common Pleas, the appearance fee for a stenographer shall be borne or reimbursed to the Borough entirely by the appellant. The cost of the original transcript shall be paid by the Borough if the transcript is ordered by the Borough or shall be paid by the person or entity appealing from the decision of the Borough if such appeal is made, and, in either event, the cost of additional copies shall be paid by the person or entity requesting such copy or copies. In all other cases the party requesting the original transcript shall bear.

§ A395-12. Property maintenance.

- A. "Quick ticket" violation of Property Maintenance Code imposed fees:
 - (1) High or noxious weeds and grass: \$ 100.
 - (2) Garbage and rubbish: \$50.
 - (3) Animal waste/accumulation: \$50.
 - (4) Snow and ice removal: \$50.
- B. Parking on the grass: \$ 100.

§ A395-14. Other Borough fees.

The following fees shall be imposed for the following Borough services and records:

- A. Individual copies of documents: \$0.25 per page.
- B. Search of Borough records by Borough employees, based on per hour, with a minimum charge of 1/2

hour: \$25 per hour.

- C. Tax certifications: \$ 25.
- D. Returned check charge: \$25.
- E. Annual Zoning Permit Application for Short-Term Rental: \$100.

Section 2. Severability.

In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Resolution, it being the intent of Borough Council that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 3. Repeals and Reaffirmation of Other Fees.

All provisions of Borough resolutions establishing fees for the items set forth in this Resolution are hereby repealed to the extent that they are inconsistent with the fees established by this Resolution. All Borough Resolutions imposing fees for items which are not addressed in this Resolution shall continue in full force and effect.

Section 4. Effective Date.

This Resolution shall take effect and be in force on January 1, 2025.

DULY ADOPTED this _____ day of _____, 2024, by Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF MILLERSVILLE
Lancaster County, Pennsylvania

Attest: _____
(Assistant) Secretary

By: _____
(Vice) President
Borough Council

[BOROUGH SEAL]