

RESOLUTION 2023-07

**TOWNSHIP OF PENN
LANCASTER COUNTY, PENNSYLVANIA**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PENN, LANCASTER COUNTY, PENNSYLVANIA, REESTABLISHING FEES FOR THE SUBMISSION AND REVIEW OF SUBDIVISION AND LAND DEVELOPMENT PLANS AND FOR THE INSPECTION OF IMPROVEMENTS REQUIRED TO BE CONSTRUCTED AS A PART OF A SUBDIVISION OR LAND DEVELOPMENT; REESTABLISHING FEES TO BE CHARGED IN CONNECTION WITH THE ADMINISTRATION OF THE PENN TOWNSHIP ZONING ORDINANCE; REESTABLISHING FEES IN CONNECTION WITH THE ADMINISTRATION OF THE PENN TOWNSHIP BUILDING CODE; AND ESTABLISHING FEES FOR MISCELLANEOUS TOWNSHIP PERMITS AND SERVICES

WHEREAS, the Board of Supervisors of the Township of Penn, Lancaster County, Pennsylvania, is required to review plans and documents submitted by developers to determine compliance with applicable township ordinances and regulations, including but not limited to the township's subdivision and land development regulations and storm water management regulations; and

WHEREAS, Section 2317 of the Second Class Township Code (the "Township Code") provides that no person may construct, open or dedicate any road or drainage facilities for public use unless the board of supervisors has reviewed and approved a plan; and

WHEREAS, the township incurs costs in the review of plans proposing the installation of new streets and drainage facilities and documentation necessary to ensure that the township will obtain clear title to such facilities upon dedication; and

WHEREAS, the township has enacted a Storm Water Management Ordinance in accordance with the authority of the Pennsylvania Storm Water Management Act and with Article XXVII of the Second Class Township Code; and

WHEREAS, the board of supervisors incurs costs in the administration of the Storm Water Management Ordinance; and

WHEREAS, the township engineer, township solicitor or other professional consultants retained by the Township perform technical reviews of such plans and documents at a cost to the township; and

WHEREAS, the inspection of improvements required to be installed in subdivisions or land developments may be performed by the township staff or by the township engineer or other professional consultants retained by the township; and

WHEREAS, the township engineer or other professional consultants perform such inspections at a cost to the township and when the township staff performs such inspections, there is a cost to the township as that employee is not performing general municipal work which may benefit the entire township but rather is providing services which benefit a particular developer; and

WHEREAS, the township has enacted zoning regulations and a building code, and the township incurs costs in the receipt of applications, issuance of permits, and inspection of construction authorized by such regulations; and

WHEREAS, the board of supervisors is authorized to adopt fees to be paid by applicants to reimburse the township for expenses incurred in the processing of applications, the review of plans and documents, and for expenses incurred in the inspection of improvements; and

WHEREAS, the township may impose fees for hearings before the zoning hearing board and fees for proceedings before the board of supervisors; and

WHEREAS, the township incurs costs in the publication of various documents and maps and in the provision of such publications and other services; and

WHEREAS, the board of supervisors desires to establish fees and costs for such applications, inspections, publications and services.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the board of supervisors of the Township of Penn, Lancaster County, Pennsylvania, as follows:

Section 1. Subdivision and Land Development Application Fee Established. The preliminary, improvement construction, final, minor, revised, and lot add-on plan filing fees shall consist of two parts, namely, a basic fee and a lot and/or unit of occupancy fee. The basic fee covers the cost of the initial lot (remaining acreage) or unit of occupancy based upon the type of development involved. The lot fee is charged towards each additional proposed lot and/or each existing lot that receives additional area (lot add-on). The unit of occupancy fee is charged for each proposed unit of occupancy in excess of one unit per lot. The amount of the above-mentioned fees shall be as follows: preliminary, improvement construction, final, minor, revised, and lot add-on plan filing fee:

Basic Preliminary, Improvement Construction, Final, Minor, Revised, and Lot Add-on Fees:

(a) Residential - **\$500.00**

(b) Non-residential - **\$500.00**

(c) Lot add-on - **\$300.00**

Additional Fees:

- (a) Residential - **\$25.00** per lot or unit of occupancy
- (b) Non-Residential - **\$10.00** per acre (or fraction thereof) and **\$10.00** per 1,000 square feet of building
- (c) Sketch Plan - **\$250.00**
- (d) Stand-alone waiver request of a specific ordinance requirement - **\$250.00** each
- (e) Stand-alone waiver request to defer plan approval to an adjoining municipality - **\$100.00**
- (f) Stand-alone waiver request of subdivision and land development plan processing - **\$250.00**

The filing fee shall be used to reimburse the township for its administrative expenses in connection with the processing of the application, including but not limited to receipt, transmittal, and storage of plans and reports, postage, and similar expenses.

Section 2. Stormwater Management Plan Application Fee Established.

- (a) Stand-alone Storm Water Management Plan (not involving a Land Development Plan) Filing Fee - **\$500.00**
- (b) Small Project Storm Water Management Plan Fee- **\$300.00**
- (c) Agricultural exemption - **\$400.00**
- (d) Small Project Stormwater Management Plan Exemption - **\$25.00**

Section 3. Posting of Escrow for Reimbursement of Township Expenses in Processing Subdivision and Land Development and Other Applications. Each applicant shall deposit with the township a sum in the amount as set forth below (the "Escrow Fund") at the time of filing an application for approval of a subdivision or land development plan, a public street plan, a storm water management plan, a separate public sewer or public water extension or connection project, a request to transfer a liquor license, and an appeal under local agency law. The Escrow Fund shall be used to reimburse the township for all engineering, inspection and legal fees incurred in the review of the plan, inspection of improvements, preparation and recording of any appropriate deeds or documents, the appearance fee for the stenographer, and any other expenses which the township may incur in the connection with the processing of the application and development of the property as set forth in Sections 5 through 11, 13, 20 and 21 below. The township is shall be irrevocably authorized to withdraw from time to time any monies deposited in the Escrow Fund by the applicant/developer in order to pay expenses and fees incurred by the township. At such point as the Escrow Fund has been reduced to one-half of the amount posted by the applicant at the time of filing the application or less as a result of withdrawals as herein provided, then, and in that event, and at that time, the township shall bill the applicant/developer an amount sufficient to

restore the Escrow Fund to the original sum. In the event the Escrow Fund is insufficient at any time to pay such costs, the township shall bill applicant/developer for the actual or anticipated additional costs. In the event the Escrow Fund is in excess of the township's costs, the township shall refund such excess monies, without interest, to Developer upon completion of the development of the property. The amount of the Escrow Fund shall be determined as follows:

- (a) Residential Subdivision, Land Development Plan, or Improvement Construction Plan (1 through 5 Lots or Units of Occupancy) - **\$1,500.00**
- (b) Residential Subdivision, Land Development Plan, or Improvement Construction Plan (6 through 20 Lots or Units of Occupancy) - **\$5,000.00**
- (c) Residential Subdivision, Land Development Plan, or Improvement Construction Plan (21 or more Lots or Units of Occupancy) - **\$10,000.00**
- (d) Non-Residential Subdivision, Land Development Plan, or Improvement Construction Plan - **\$7,500.00**
- (e) Sketch Plan - **\$500.00**
- (f) Lot Add-on Plan - **\$500.00**
- (g) Stand-alone Storm Water Management Plan (not involving a Land Development Plan) Fee - **\$500.00** plus **\$50.00** for each 1,000 square feet or portion thereof; over 2,000 square feet of land to be disturbed, **\$5,000.00** maximum
- (h) Stand-alone waiver request of a specific ordinance requirement - **\$250.00** each
- (i) Waiver request to defer plan approval to adjoining municipality - **\$100.00**
- (j) Waiver request of subdivision and land development plan processing - **\$250.00**
- (k) A separate public sewer or public water extension or connection project - **\$500.00**
- (l) Liquor License Transfer - **\$600.00**
- (m) Appeal Under Local Agency Law - **\$600.00**

Section 4. Fees and Escrow Payable with Application. All filing fees and any required escrow deposit must be submitted to the township with plan applications. Plan applications shall not be accepted without fees and required escrow deposits, and neither the Penn Township Planning Commission nor the Penn Township Board of Supervisors shall take action on a plan application submitted without a fee and, if required, an escrow deposit. The fees imposed by this resolution are in addition to any fees imposed by the Lancaster County Planning Commission pursuant to Section 502 of the Pennsylvania Municipalities Planning Code for its review of plans or by any municipal authority or public utility as established by such authority or utility for review

of plans showing improvements, extensions, or connections to the authority's or the utility's facilities. All fees and, if required, escrow deposits shall be paid by separate checks or money orders drawn to Penn Township.

Section 5. Recording Fees. Any costs relating to the reduction of final plans for recording the same with the Recorder of Deeds of the County of Lancaster and any recording fees shall be paid by the applicant.

Section 6. Payment of Fee in Lieu of Dedication. A developer who will pay a fee in lieu of dedication of park and recreational land shall either pay the fee in lieu of dedication in full or post an irrevocable letter of credit for the full amount of the fee in lieu of dedication before the township will execute the final plan to enable its recording. If the developer elects to post an irrevocable letter of credit, the letter of credit shall be in a form acceptable to the township solicitor. The developer shall pay the fee in lieu of dedication attributable to each lot or unit of occupancy at the time the developer makes application for a zoning permit or building permit for the lot or unit of occupancy. After the developer has made such application and paid such fee, the developer, not more frequently than monthly, may request that the board of supervisors authorize a reduction in the letter of credit for the portion of the fee in lieu of dedication which developer has paid. The developer shall submit this request in writing not less than ten business days before the meeting of the board of supervisors at which developer requests the board authorize the deduction. The letter of credit to secure payment of fees in lieu of dedication shall be in addition to any other financial security which developer is required to post in connection with developer's subdivision or land development plan.

Section 8. Reimbursement of Costs for Acceptance of Dedication of Street. If developer shall dedicate streets to the township, developer shall, at developer's sole cost and expense, provide the township with four copies of the recorded subdivision plan showing the streets to be dedicated; a copy of the recorded deed for the development (or portion thereof, which includes the streets to be dedicated) reflecting the current owner, previous owner, date of deed, and recording reference; a legal description for each street; the name and address of the legal owners of the land to be dedicated; total centerline length of each street; the beginning and ending points for each street; right-of-way width and cartway width for each street; a current title search or title binder; as-built drawings; and releases for any mortgages affecting the streets. The township solicitor, at the developer's cost, will prepare the required documentation to effect acceptance by the township. The developer shall pay all recording costs and other incidental costs associated with the transfer.

Section 9. Reimbursement for Plan and Document Review Expenses. Applicants shall reimburse the township for all reasonable and necessary charges incurred by the Township's professional consultants, including but not limited to the township engineer and the township solicitor, for the review and any report or reports to the township on an applicant's application, plans, supporting data, proposed agreements relating to the maintenance of improvements or open space, financial security, and similar matters if any, in connection with subdivisions and land developments, public street plans, and storm water management applications. Plan reviews may be conducted by the township planner concerning compliance with the requirements of the Township's Ordinances and the township zoning and codes officer for compliance with the zoning regulations. Reviews may also be conducted by the township engineer, the township solicitor, the

township manager, and other professional consultants retained by the township. Applicants shall reimburse the Township for all reasonable and necessary charges incurred by the Township's professional consultants, including, but not limited to, the township engineer and the township solicitor. Such review fee shall be the actual fees charged by the Township Engineer, township solicitor, or other professional consultant for the services performed. The fee schedule of the township engineer is attached hereto as Exhibit "A", and the fee schedule of the Township Solicitor is attached hereto as Exhibit "B", both of which are incorporated herein. Applicants shall reimburse the township at the hourly rate set forth in Exhibit "C" for services of the township planner and the zoning and codes officer related to reviews and reports on the applicant's plans and supporting documents. All fee schedules in Exhibits "A", "B", and "C" shall be revised from time to time to reflect changes in the rates charged to the township by the township engineer, township solicitor, the township manager or such other professional consultant, and to reflect changes in compensation, benefit costs and similar matters relating to the township planner and the township zoning and codes officer. The filing of a plan or application under the subdivision and land development regulations, storm water management regulations, road regulations, other governing regulations and/or Section 2317 of the Township Code shall constitute an implied agreement by the applicant to pay such expenses.

Section 10. Reimbursement for Inspection of Improvements when such Inspection is Performed by the Township Engineer or other Professional Consultant. Developers shall reimburse the township for all reasonable and necessary charges incurred by the township's professional consultants or the township engineer for inspection of the improvements required to be constructed under the subdivision and land development regulations or the storm water management regulations or the road regulations and any report or reports to the township thereon. Such inspection fees shall be the actual fees charged by the township engineer or other professional consultant for the services performed. The present fee schedule of the township engineer is attached hereto as Exhibit "A" and incorporated herein. Such schedule shall be revised from time to time to reflect changes in the rates charged to the township by the township engineer.

Section 11. Reimbursement for Inspection of Improvements when such Inspection is performed by Township Personnel. In some circumstances, inspection of improvements may be performed by personnel employed by the township. If the inspection is performed by township personnel, developers shall reimburse the township for all reasonable and necessary charges incurred by the township for inspection of the improvements required to be constructed under the storm water management regulations or the subdivision and land development regulations or the road regulations and any report or reports to the township thereon. When the inspection is performed by township personnel, the fee shall be the hourly cost to the township of employee performing the services (hourly wages plus costs of fringe benefits) for each hour or portion thereof. A minimum charge of **\$45.00** per hour per person will be billed for the first hour or any portion thereof. Any time in excess of one hour shall be billed at the same rate on a proportional basis. This charge shall be revised from time to time to reflect changes in the costs to the township of utilizing its personnel to perform such inspections.

Section 12. Resolution of Fee Disputes. In the event the developer disputes the amount of any plan review or inspection fees or expenses imposed pursuant to Sections 9, 10, or 11 above, the developer shall notify the township secretary that such fees are disputed as unreasonable or

unnecessary within such time period as may be established in the MPC (Pennsylvania Municipalities Planning Code), in which case the township shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the developer's dispute of the fees. Disputes shall be resolved in accordance with the procedure set forth in Article V of the MPC.

Section 13. Additional Expenses. All expenses incurred by the township prior to street dedication for the installation, maintenance or operation of street signs, traffic control signs, traffic control lights, street lights and any other signs or lights which are necessitated by the developer's land development or subdivision shall be charged to and paid by the developer. A charge for township personnel shall be billed to the developer for the costs of installing traffic control signs or performing other services for the development in accordance with Section 11 above. The actual cost of all supplies and equipment, including signs, poles, and other materials shall be paid by the developer. If the township is required to provide snow removal service on a street not accepted by the township, the developer shall be charged the reasonable and customary commercial rate for such service plus the actual cost of all materials used. Hourly (one-hour minimum billing) rates are as follows. Such rates shall also be applicable if township personnel and equipment is needed to remedy any property maintenance violation that is not remedied within a specified period of time after required notice is provided.

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| (a) Supervisor/Inspector - \$83.00 | (e) Truck with Snow Plow & Operator - \$72.00 |
| (b) General Laborer \$65.00 | (f) Backhoe with Operator - \$68.00 |
| (c) Single Axle Truck with Operator - \$71.00 | (g) Loader with Operator - \$68.00 |
| (d) Tandem Axle Truck with Operator - \$72.00 | (h) Mower with Operator - \$64.00 |
| | (i) Other fees - by quote |

Section 14. Payment Dates and Penalties for Late Payment. All invoices for reimbursement of costs and fees forwarded by the township shall be paid in full within 30 days of the date of the invoice. If any invoice is not paid in full within 30 days of the date of invoice, interest equal to ten percent annum shall be assessed and shall accrue on the amount of the invoice from the due date. No notice prior to the assessment or imposition of interest shall be required. Any delinquent account shall be subject to collection fees including all costs of mailing notices of the delinquency and reasonable attorney's fees incurred in the collection of the delinquency. An account shall be considered delinquent when payment in full on the balance has not been received within 30 days of the date of the bill. Payment on a delinquent account shall be credited as follows: (1) Collection fees and costs; (2) Interest; (3) Past-due invoices; and (4) Current invoice.

Section 15. Zoning Agency Application Fees. The following application and appeal fees shall be imposed in connection with the administration of the township zoning regulations:

Zoning Hearing Board:

- (a) Special Exception Application, Interpretation or Appeal - **\$600.00**
- (b) Variance Request - **\$600.00**
- (c) Validity Challenge of the Zoning Ordinance - **\$1,000.00**

Board of Supervisors:

(a) Conditional Use Application - **\$600.00**

(b) Rezoning, Text Amendment, or Curative Amendment Application - **\$1,000.00**

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 township, reimburse the township for one half of the court reporter's appearance fee attributable to the application or appeal. The township'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 board of supervisors, whichever date is earlier.

Section 16. Zoning and Related Permit Fees. The following permit fees shall be imposed in connection with the administration of the township code of ordinances, payable at the time of permit application:

(a) Residential and Agricultural Zoning Permit Fee per unit of occupancy, includes addition, demolition, excavation, grading, or paving - **\$60.00**

(b) Other, Nonresidential Zoning Permit Fee per unit of occupancy includes additions, demolition, excavation, grading, or paving - **\$130.00**

(c) Accessory uses and structures, includes fences, pre-built sheds, portable swimming pools - **\$30.00**

(d) Renewal of expired permits for an additional year - **\$30.00**

(e) Temporary permits for temporary signs, sale of seasonal items, and special events - **\$30.00**

(f) Replace or rebuild structure damaged by fire or natural disaster within six months - **\$0.00**

(g) Starting work without a required zoning permit or not in accordance with the approved permit - **\$300.00**

Section 17. Uniform Construction Code Permit and Appeal Fees. The following permit and appeal fees shall be imposed in connection with the administration of the township uniform construction code, payable before the permit is issued:

(a) All construction requiring a building permit per the PA Uniform Construction Code as adopted and amended by the township - **12 percent** of the fee charged by the 3rd party inspection agency. This includes a Pennsylvania-required building code education fee of **\$4.50** per permit.

(b) Appeal of Building Code Officials Decision or Application to Appeals Board for a Variance - **\$500.00** escrow, actual cost to the township, per the PA UCC.

Section 18. Expedited Processing Fee. If any person shall undertake any of the activities which require issuance of a permit under the Zoning Ordinance or the Uniform Construction Code

prior to obtaining such permit, the Applicant shall pay the permit fee set forth in Sections 16 and 17 of this resolution and shall in addition pay a fee to recover the increased administrative and inspection costs incurred by the township as a result of the necessity to expedite processing of the untimely filed application, perform inspections, etc. This additional fee shall be equal to the permit fee established in Sections 16, 17, and 22.

Section 19. Driveway and Highway Occupancy Permits.

- (a) Driveway permits - **\$40.00**
- (b) Surface (Street) openings per 100 linear feet (or each portion thereof):
 - 1. Opening in pavement - **\$75.00**
 - 2. Opening in shoulder - **\$35.00**
 - 3. Opening outside pavement and shoulder - **\$20.00**
- (c) Surface openings of less than 36 square feet:
 - 1. Opening in pavement - **\$75.00**
 - 2. Opening in shoulder - **\$35.00**
 - 3. Opening outside pavement and shoulder - **\$20.00**

Section 20. Liquor License Transfer. Each request for approval for an intermunicipal liquor license transfer or issuance of a liquor license for economic development shall be accompanied by a fee in the amount of **\$600.00** to cover administrative costs associated with the hearing on the request. A stenographic record of the proceedings shall be kept. The appearance fee for a stenographer shall be borne or reimbursed to the township entirely by the person or entity requesting approval. The cost of the original transcript shall be paid by the township if the transcript is ordered by the township or shall be paid by the person or entity appealing from the decision of the township 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 the cost thereof.

Section 21. Appeals Under Local Agency Law. Every request for a hearing under the Local Agency Law, 2 Pa.C.S. §551 et seq., for which the township has not established a specific fee by other resolution or ordinance shall be accompanied by a fee in the amount of **\$600.00**. A stenographic record of the proceedings shall be kept. The appearance fee for a stenographer shall be borne or reimbursed to the township entirely by the person or entity requiring a hearing. The cost of the original transcript shall be paid by the township if the transcript is ordered by the township or shall be paid by the person or entity appealing from the decision of the township 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 the cost thereof.

Section 22. On-Lot Sewage Disposal Systems. The following fees shall be imposed for tests, applications, reviews, and permits relating to on-lot sewage disposal systems. These fees are to be charged to the applicant and made payable to Penn Township. All designs for sewage systems

must be completed by the applicant or his or her designated agent for the review and approval by the SEO (Sewage). Fees presented do not cover any design work for the sewage system.

(a) Permit fees for sewage systems. These fees are to be charged to the applicant and made payable to Penn Township. The applicant or his or her designated agent for the review and approval by the SEO must complete all designs for sewage systems. Fees presented do not cover any design work for the sewage system.

1. Residential dwelling for installation of new or repair sewage permit and the renewal or reissue of a revoked or expired sewage permit - **\$250.00** includes up to three hours of the SEO's time; additional inspections and other services will be billed at a rate of **\$75.00** per hour.
2. Commercial, industrial or institutional structure for installation of new or repair sewage permit and the renewal or reissue of a revoked or expired sewage permit - **\$250.00** includes up to three hours of the SEO's time; additional inspections and other services will be billed at a rate of **\$75.00** per hour.
3. Special permit for a repair activity e.g., replacing a broken pipe, replacing a pump, replacing a cracked lid (tanks or on a riser top), replacing a gas deflector, replacing a solids retainer, etc. Note that this does not include the addition of an additional septic tank or pump tank nor the expansion of the absorption field - **\$75.00**.
4. Special permit for a modification activity when a structural change to an existing system that would not constitute a repair e.g., adding a riser, adding an effluent filter, adding an inspection port, etc. Note that this does _not include the addition of an additional septic tank or pump tank nor the expansion of the absorption field - **\$75.00**.

(b) Percolation Tests and Deep Probe Inspections. These fees are to be charged to the applicant and made payable to Penn Township. All designs for sewage systems must be completed by the applicant or his or her designated agent for the review and approval by SEO. Fees presented do not cover any design work for the sewage system.

1. SEO performs complete required percolation test per lot (6 holes-no digging or preparation of holes by the SEO) - **\$375.00** per 6-hole test; **\$550.00** for two simultaneous 6-hole tests.
2. Deep probe readings taken by the SEO (Does not include backhoe fee. The applicant shall be responsible for the hiring of the backhoe.) - **\$180.00** per hour for the first 3 probes. Additional probes if necessary are **\$90.00** each.
3. Dig perc holes, hole preparation and presoak (per 6 holes, if requested by applicant) **\$225.00**.

(c) Testing Necessary for Planning Module Development. These fees are to be charged to the applicant and made payable to Penn Township. All designs for sewage systems must be

completed by the applicant or his or her designated agent for the review and approval by SEO. Fees presented do not cover any design work for the sewage system.

1. SEO performs complete required percolation tests per lot (6 holes -no digging or preparation of holes by the SEO - **\$350.00** per 6-hole test.
2. Deep probe readings taken by the SEO (Does not include backhoe fee. The applicant shall be responsible for the hiring of the backhoe.) - **\$180.00** includes first 3 probes. Additional probes if necessary **\$90.00** each. Dig perc holes, hole preparation and presoak (per 6 holes, if requested by applicant) **\$150.00**.
3. Preparation of application and report - **\$75.00** per hour.
4. Other soil testing (1st probe and 1st infiltration test **\$475.00** each. All additional tests **\$100.00** each.
5. Planning Module Review. These fees are to be charged to the applicant and made payable to Penn Township - **\$75.00** per hour.
6. All Inspection Fees. These fees for the following services will be charged by the hour at a rate of **\$75.00**:
 - (d) Permitted Local Agency Waivers. These fees are to be charged to the applicant and made payable to Penn Township - **\$30.00** per waiver.
 - (e) Fees to be paid to the township for all activities not included in the above will be paid at a rate of **\$75.00** per hour.
 - (f) The cost of any professional services (e.g., engineers, soil scientists, etc.) rendered to provide additional soils information and other opinions shall be the responsibility of the applicant.
 - (g) All fees and charges required to be paid by the applicant shall be paid prior to the performance of the designated services by the Sewage and shall be made payable to Penn Township.
 - (h) The SEO shall submit a complete report each month for the payment and/or reimbursement of fees and charges due to them.
 - (i) A mileage expense at the rate allowed by the Pennsylvania Department of Environmental Protection will be claimed by the SEO on each monthly expense report submitted.
 - (j) The applicant shall reimburse the township for all costs associated with the preparation, negotiation, and recording of any agreement governing installation and maintenance of holding tanks, small flow treatment systems, or any other type of on-lot sewage disposal

system for which the Department of Environmental Protection of the township requires a recorded agreement

Section 23. Fees for Public Utilities and Associated Services. The following fees shall be imposed for township water, sewer, and streetlight services and associated work.

(a) Public Water Rate Schedule:

1. Quarterly commercial fire sprinkler hook-up fee - **\$23.48** per quarter annum. This fee is only for the township to recover its costs in ensuring adequate water capacity to operate the sprinkler system. Sprinkler systems are required to be metered and water usage will be billed at **\$0.00440** per gallon.
2. Customer Charge per EDU (Equivalent Dwelling Unit) - **\$23.48** per quarter annum; per every gallon of water use - **\$0.00440**.
3. In those cases where a meter is not installed or not functioning, a flat rate shall be charged. In such cases, the flat rate shall be **\$89.48** per quarter per EDU.
4. Cut-off water service - **\$50.00**
5. Turn-on water service - **\$50.00**
6. Repair Fee - **\$60.00**

(b) Public Sewer Rate Schedule:

1. Customer Charge per EDU - **\$46.81** per quarter annum; per every gallon of water consumption - **\$0.00820**.
2. In those cases where a meter is not installed or not functioning, a flat rate shall be charged. In such cases, the flat rate shall be **\$219.01** per quarter per EDU.
3. Repair Fee - **\$60.00**

Section 24. Fees for Streetlights within Developments. The cost of any street lighting which serves primarily a local area and which is installed at the request of the residents or developer of the area shall be financed through a uniform annual assessment of each area based on the average cost of the street lighting per resident:

Mountain View Estates	\$47.00
Hi View Estates	\$32.00
Mallard Ponds	\$32.00
Cedar Hollow	\$80.00
Baron's Ridge	\$80.00

Section 25. Fees for Use of Township Facilities. The following fee shall be imposed for use of the noted township-owned facilities and shall be made payable upon receipt of an invoice:

<u>Venue</u>	<u>Class A</u>	<u>Class B</u>	<u>Class C</u>
Township Meeting Room	No charge	No charge	\$50.00 per hour
Pavilion	No charge	No charge	\$75.00 per day
Recreation field	No charge	No charge	\$75.00 per hour up to a maximum of \$500.00 per day
Refundable security deposit	No charge	No charge	\$500.00 per use or event

No charge or payment of the applicable fee and security deposit shall in no way absolve the renter of the liability for the cost to repair damages in excess of the security deposit. Fees to repair damages shall be assessed at the actual cost of the repairs.

Class A shall be defined as all organizations affiliated with or supervised by the township.

Class B shall be defined as residents of the township and businesses and non-profit organizations (civic, fraternal, religious, educational, etc.) located in or supported by the township.

Class C shall be defined as all others.

Section 26. Other Township Fees. The following fees shall be imposed for the following township services and records:

(a) False alarm response fees per calendar year:

1. First false alarm - **\$0.00**
2. Second false alarm - **\$0.00**
3. Third false alarm - **\$35.00**
4. Fourth false alarm - **\$50.00**
5. Fifth false alarm - **\$50.00**

For each subsequent false alarm in a calendar year, the fee will be an additional **\$75.00** (e.g., sixth will be **\$125.00**, seventh will be **\$200.00**, and so on).

False alarm fee waiver. Payment of a response assessment fee may be waived by the township manager. Upon written notification by the owner of the alarm system and verification by the township manager that such false alarm was caused by an act of nature, such as an automatic protection device which has been installed or modified within 30 days prior to the false alarm or, the proprietor shows written verification that the alarm has been inspected, serviced and repaired post incident within 15 days of said incident, where the township manager concludes that the false alarm resulted from good-faith user familiarization process or the process of adjustment of mechanical malfunction.

(b) Copies:

<u>Record Type / Delivery Method</u>	<u>Fee</u>
Black & White Copies (first 1,000)	Up to \$0.25 per copy. (1)
Black & White Copies (beyond 1,000)	Up to \$0.20 per copy. (1)
Color Copies	Up to \$0.50 per copy. (2)
Specialized Documents (3)	Up to actual cost.
Records Delivered via Email or Other Electronic Method	No additional fee may be imposed. (4)
CD / DVD	Up to actual cost, not to exceed \$1.00 per disc.
Flash Drive	Up to actual cost.
Facsimile	Up to actual cost. (5)
Other Media	Up to actual cost.
Redaction	No additional fee may be imposed. (6)
Conversion to Paper	Up to \$0.25 per page. (7)
Photographing a Record	No additional fee may be imposed. (8)
Postage	Up to actual cost of USPS first-class postage.
Certification	Up to \$5.00 per record. (9)

Footnotes:

1. A "copy" is either a single-sided copy, or one side of a double-sided copy, on 8.5"x11" or 8.5"x14" paper.
2. A "copy" is either a single-sided copy, or one side of a double-sided copy, on 8.5"x11" or 8.5"x14" paper. A requester may ask for black and white copies even if the original is in color and color copies are available.
3. Including, but not necessarily limited to, non-standard sized documents and blueprints.
4. If a requester asks to receive records which require redactions in electronic format and the agency is unable to securely redact the records by electronic means, the township may print the records to provide for secure redaction, then scan them in for delivery by email. Accordingly, the township may charge the fees noted above for either black and white or color copies, as appropriate.
5. If the township must print records to send them by facsimile, the township may charge the fees noted above for black and white copies.
6. If a requester seeks records requiring redaction and the township is unable to securely redact the records by electronic means, the township may copy or print the records to provide for secure redaction. Accordingly, the township may charge the fees noted above for either black and white or color copies, as appropriate.
7. If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or

- the fee for duplication in the original media, unless the requester specifically requests for the record to be duplicated in the more expensive medium.
8. This assumes the requester is using his or her own camera, such as a cellphone camera, to photograph the records.
 9. Certification of any document as a true and correct copy of a township record and certification that the township has examined its records and an identified record does not exist. If redaction is required prior to the requester being granted access to photograph records and the township is unable to securely redact the records by electronic means, the township may copy or print the records to provide for secure redaction. Accordingly, the township may charge the fees noted above for either black and white or color copies, as appropriate.
 10. The township may impose reasonable fees for official certification of copies if the certification is at the behest of the requester and for the purpose of legally verifying the public record. Certification fees do not include notarization fees.

Additional Notes:

1. **Fees May Be Waived:** All fees established herein may be waived at the discretion of the township.
2. **Medium Requested:** A record being provided to a requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists.
3. **Other Statutory Fees:** If a statute governs the amount the township may charge for a certain type of record, the statute controls.
4. **Inspection of Redacted Records:** If a requester wishes to inspect, rather than receive copies of, records which contain both public and non-public information, the township may redact the non-public information. The township may not charge the requester for the redaction itself. However, if the township is unable to securely redact the records by electronic means, the township may charge for any copies it must make in order to securely redact the material before allowing the requester to view the records. If, after inspecting the records, the requester chooses to obtain the copies, no additional fee may be charged.
5. **Enhanced Electronic Access:** If the township offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a requester, the township may establish user fees specifically for the provision of the enhanced electronic access. The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access, or any other reasonable method and any combination thereof. Such fees shall not be established with the intent or effect of excluding persons from access to records or duplicates thereof or of creating profit for the township.
6. **Prepayment:** Prior to granting a request for access the township may require a requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed \$100. Once the request is fulfilled and prepared for release, payment will be required prior to releasing the records.

(c) Reproduction of record by third party when the township does not have the necessary equipment - **actual cost** incurred by the township.

(d) Shipping is available for an additional charge of the actual cost.

(e) Non-sufficient funds check fees - **\$25.00** plus all bank charges.

Section 27. No part of a fee established by this resolution is refundable.

Section 28. The board of supervisors reserves the right to revise the fees in this resolution at any time by resolution.

Section 29. This resolution shall not be deemed to repeal any other resolution of this township establishing fees or charges. This resolution shall be interpreted to amend only those fees expressly set forth in this resolution and all other fees and charges imposed by all other resolutions are hereby ratified and confirmed.

Section 30. The provisions of this resolution are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this resolution. It is hereby declared to be the intent of the board of supervisors that this resolution would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 31. This resolution shall take effect and be in force immediately as provided by law unless otherwise noted within this resolution.

Duly adopted on this the 3rd day of January, 2023 by the Board of Supervisors of PENN TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, in lawful session duly assembled.

TOWNSHIP OF PENN

Attest: *Maria Hancock*
(Assistant) Secretary

By: *B. B. J.*
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]

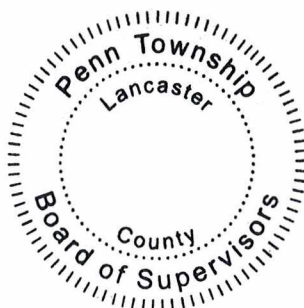


EXHIBIT A

Associated Building Inspections LLC Fees

Commonwealth Code Inspection Service, Inc. Fees

Becker Engineering 2023 Hourly Rate Schedule for Penn Township

McMahon Associates, Inc. 2023 Transportation Engineering Fees

Becker Engineering 2023 Hourly Rate Schedule for Northwestern Lancaster County Authority



Associated Building Inspections 2023 – FEE SCHEDULE

The below fees are a guide to our costs for Building Code enforcement and services. *Please feel free to reach out to us to request a quote for our services.* Additional information may be needed to properly build your quote.

ABI offers a team of plans examiners that are subject matter experts in their respective disciplines. **This affords us the ability to review most commercial plan submissions in 7-10 business days.** Residential plan reviews are typically turned around in 2-5 days. (Larger more complex jobs may require additional time).

RESIDENTIAL FEES

Code enforcement services:

Individual Inspections.....	\$59 (per inspection)
Re-Inspections.....	\$59 (per inspection)
Plan Review (alterations & renovations).....	\$59 (per review)
Administrative.....	\$45 (per hour)
Permit Courier	\$20
Expedited plan reviews (alterations & renovations).....	\$118
Emergency Inspections.....	\$75 (per hour/per inspection)
Legal proceedings/hearings.....	\$75/hr
Code Consultation services.....	\$59/hr
Pre-construction/site meetings.....	\$59/hr
Decks*.....	\$59 (per inspection)
Pools*.....	\$59 (per inspection)
New Mobile Homes.....	\$275
Used/Relocated Mobile Homes.....	\$350
Demolition.....	\$178
Generators.....	\$59 (per inspection)

**Decks and pools charged at our standard rate.*

Note: Blower door tests performed by others.

New construction: (for projects over 2600 sq. ft.)

Plan review.....	\$150 (per review)
Inspections	total square foot x .295

**These fees may be adjusted based upon the simplicity, complexity, or length of the project.*

SOLAR FEES

Plan review..... \$150/hr (pro-rated quarterly after the first hr)

Inspection fees - Inspections are calculated using the table below.

	<u>Solar</u> Size of solar system	Flat rate/ Cost per sf
1	Up to 10kw	\$75
2	11kw to 20kw	\$225
3	21kw to 50kw	\$.10
4	51kw to 100kw	\$.12
5	101kw to 250kw	\$.10
6	251kw to 500kw	\$.08
7	501kw to 1meg	\$.06
8	Over 1meg	\$.04

**These fees may be adjusted based upon the simplicity, complexity, or length of the project.*



Associated Building Inspections 2023 – FEE SCHEDULE

COMMERCIAL FEES

Code enforcement services:

Individual inspections	\$105 (per inspection/per hour)
Re-inspections.....	\$105 (per inspection/per hour)
Plan review.....	\$75 (per ½ hr)
Administration Services.....	\$45 (per hour)
Permit Courier	\$20
Certificate of Change of Use.....	\$155
Emergency Inspections.....	\$210 (per inspection/per hour)
Expedited plan reviews.....	Double standard rate.
Legal proceedings/hearings.....	\$75 (per ½ hr)
Code Consultation services.....	\$75 (per ½ hr)
Pre-construction/site meetings.....	\$75 (per ½ hr)
Property Maintenance Code/Rental Property	\$75 (per hr/per inspection prorated quarterly after the first hour)
Illuminated signs.....	\$225 minimum (additional inspections may be required)
Demolition.....	\$270 minimum (additional fees may be required)
Solar.....	See solar fee schedule
Decks.....	\$105 (per inspection)
Commercial pools.....	see below table, line #4
Commercial Pools 3-Year D.O.H. Electrical Renewal*.....	\$250 (\$100 each additional pool)

**These fees may be adjusted due to the complexity of the inspection*

Minimum Inspection fees:

Commercial	\$945 *
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**These fees may be adjusted based upon the simplicity, complexity, or length of the project.*

Standard Commercial Project Calculations:

Projects up to \$2,000,000.00.....	\$.51 per sq. ft + \$105 weekly per project timeline*
Projects above \$2,000,000.00.....	0.5% x construction cost + \$105 weekly per project timeline*

**These fees may be adjusted based upon the simplicity, complexity, or length of the project.*



Associated Building Inspections 2023 – FEE SCHEDULE

ELECTRICAL FEES

(for Electric only jobs)

Electrical services:

Residential inspections/re-inspections	\$59 (per inspection/per hour)
Residential Plan review	\$59 (per inspection/per hour)
Commercial inspections/re-inspections	\$105 (per inspection/per hour)
Commercial Plan review	\$75 (per ½ hr)

SERVICE - METER EQUIPMENT UP TO 600 VOLTS

Not over 400 Amp	\$105
Not over 600 Amp	\$120
Not over 800 Amp	\$135
Not over 1000 Amp	\$150
Not over 1200 Amp	\$175
Not over 1600 ampere	\$200
Over 1600 ampere	\$350

- \$10 for each additional meter
- Over 600 Volts - Add \$40 Per Category
- Ground fault protected services add \$125 to observe required testing!

PRIMARY TRANSFORMERS, VAULTS ENCLOSURES, SUB-STATIONS

Not Over 200 K.V.A.	\$125
Over 200 to 500 K.V.A.	\$175
Over 500 to 1000 K.V.A.	\$225
Over 1000 K.V.A.	\$275 Plus Consult Fee

NOTE: Above applies to each bank of transformers

PROPERTY MAINTENANCE / RENTAL INSPECTION FEES

Hourly Rate:	\$75
Inspections:	\$75
Re-Inspections:	\$75
Inspection No Shows:	\$75
Cancellation Fee:	\$40

Certified mailings:	\$37.50 (each)
PA Commonwealth Citation:	\$37.50 (each)
MDJ Hearing:	\$150/hr
Appeals Board Hearing:	\$150/hr

Consultation*:

*(scheduled meetings with municipal managers, staff & Council members)

After Hours Rate*:

*(Emergencies or approved scheduled inspection(s) Monday – Friday before 7AM or after 5PM & weekends.)

ZONING FEES

Please refer to the ABI zoning fees per Municipality.

Note: Associated Building Inspections (ABI) is a third-party inspection agency fully licensed, bonded and insured in the state of Pennsylvania. All services billed at net 30-day invoice. Mileage may be charged at standard IRS rate. For unusual circumstances where travel distance is an issue, special fees may apply. Commercial drawings, including decks and pools, shall be signed, and sealed by a licensed design professional registered in the Commonwealth of Pennsylvania. Special fee adjustments may be made for projects of repetitive design or complexity of construction. Phased projects will be billed according to number of phases, complexity, and proposed timeline. Deferred projects or components may be billed additionally at our standard rate. Please be informed if changes to the drawings occur that require an additional code review (including, but not limited to: RFIs, change orders, etc.). ABI may bill applicant additionally at our standard rate. Any alteration, or deviation from approved plans involving additional inspections shall be executed only upon written change orders and may become an extra fee. Pricing built per proposed construction timeline. All published fees are contingent upon site accessibility, accidents, and/or delays beyond our control. Project delays, timeline extensions, scope deviation or change orders may incur additional fees. Cancelled/Abandoned permit fees may be reduced by work completed, and all applicable taxes and transaction fees. Permit fees may not be returned after one year. \$30 fee will be assessed for any returned checks. Emergency inspections are outside normal business hours: M-F 7am-4pm. This fee schedule supersedes all other fee schedules and is effective January 1, 2023.

Commonwealth Code Inspection
Residential fee schedule 2023

New House

Plan review \$65

House up to 2500 sq ft \$550

10 per 100 sq ft over 2500

\$4.50 for L&I fee

\$15 for administrative fee

Total for new home \$634.50

Typical inspection Residential inspection Fees

Plan review \$65

Above Ground Pool \$75

In Ground Pool \$275

Mobile Home \$250

Decks \$150

Electric Services \$75

Additional fees for extra inspections not referred to on the permit \$65

Commonwealth Code Inspection Service, Inc.

176 Doe Run Rd.
Manheim, Pa. 17545

800-732-0043 Phone
717-664-4953 Fax

January, 6 2013

CONSOLIDATED COMMERCIAL FEE SCHEDULE

Commercial Inspection Fees

The fee schedule for inspections is based upon the latest building valuation data report of square foot construction costs published by the ICC valuation service, with a regional modifier applied. Actual cost submitted to, and accepted by, the Municipality may also be used.

Large projects that require long term multiple inspections (progressive inspections) are calculated as follows:

Projects with a total construction cost of \$0.00 to \$499,999.99*

Total construction cost X .002 = insurance cost
+ Estimated length of project in weeks X \$50. = labor & travel cost
= Total
or no less than \$30. Per trip based on scope and complexity of the project.

Projects with a total construction cost of \$500,000.00 to \$2,000,000.00*

Total construction cost X .002 = insurance cost
+ Estimated length of project in weeks X \$50. = labor & travel cost
= Total

Projects with a total construction cost of > \$2,000,000.00 to \$6,000,000.00*

\$4000.00 + [(Total construction cost - \$2,000,000) X .0009] = insurance cost
+ Estimated length of project in weeks X \$45. = labor & travel cost
= Total

Projects with a total construction cost of > \$6,000,000.00 to \$10,000,000.00*

\$7600.00 + [(Total construction cost - \$6,000,000) X .0008] = insurance cost
+ Estimated length of project in weeks X \$40. = labor & travel cost
= Total

Projects with a total construction cost of > \$10,000,000.00 to \$30,000,000.00*

\$10800.00 + [(Total construction cost - \$10,000,000) X .00075] = insurance cost
+ Estimated length of project in weeks X \$40. = labor & travel cost
= Total

Projects with a total construction cost of > \$30,000,000.00 to \$50,000,000.00*

\$25800.00 + [(Total construction cost - \$30,000,000) X .0007] = insurance cost
+ Estimated length of project in weeks X \$40. = labor & travel cost
= Total

Projects with a total construction cost of >\$50,000,000.00 to \$100,000,000.00*

$$\begin{array}{r} \$39800.00 + [(Total\ construction\ cost - \$50,000,000) \times .00065] = insurance\ cost \\ + \quad \quad \quad Estimated\ length\ of\ project\ in\ weeks \times \$40. = labor\ \&\ travel\ cost \\ = \quad \quad \quad Total \end{array}$$

Projects with a total construction cost of >\$100,000,000.00 to \$200,000,000.00*

$$\begin{array}{r} \$72300.00 + [(Total\ construction\ cost - \$100,000,000) \times .0006] = insurance\ cost \\ + \quad \quad \quad Estimated\ length\ of\ project\ in\ weeks \times \$40. = labor\ \&\ travel\ cost \\ = \quad \quad \quad Total \end{array}$$

Projects with a total construction cost of >\$200,000,000.00 to \$350,000,000.00*

$$\begin{array}{r} \$132000.00 + [(Total\ construction\ cost - \$200,000,000) \times .00055] = insurance\ cost \\ + \quad \quad \quad Estimated\ length\ of\ project\ in\ weeks \times \$40. = labor\ \&\ travel\ cost \\ = \quad \quad \quad Total \end{array}$$

Projects with a total construction cost of >\$350,000,000.00 to \$500,000,000.00*

$$\begin{array}{r} \$214500.00 + [(Total\ construction\ cost - \$350,000,000) \times .0005] = insurance\ cost \\ + \quad \quad \quad Estimated\ length\ of\ project\ in\ weeks \times \$40. = labor\ \&\ travel\ cost \\ = \quad \quad \quad Total \end{array}$$

* Pricing schedules assume that the project will not cause an increase in our insurance costs.

** Discounts may be given for warehouses, building shells, or repetitive work at the discretion of the plan review and inspection departments

Commercial Plan Reviews

We will perform commercial plan reviews. Our Commercial Plan review fees are calculated according to the ICC Valuation Service or actual cost of construction as follows:

Estimated Construction Value \$ 0. to \$ 1,250,000. = Construction value X .0015
(\$150 Minimum)

Estimated Construction Value \$ 1,250,000. to \$ 5,000,000. = \$1,875. + (.0005 X construction value over \$1,250,000.)

Estimated Construction Value over \$5,000,000. = \$3,750. + (.0004 X construction value over \$5,000,000.)

Special pricing may be given to buildings such as warehouses due to their relative simplicity or structures with repetitive features such as high rise buildings

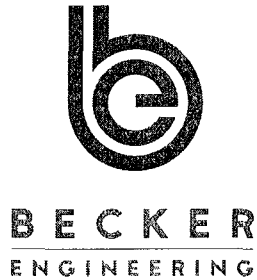
- This formula does not reflect changes that ICC may have made to their fee schedule. We will use other plan review services that meet our criteria for consistent quality and charge the same or less than ICC reviews.
-

Differed submittal plan reviews will be charged at 25% of the building plan review fee ,but not less than \$150.00

A preliminary plan review is available for a fee of 50% of the full plan review fee cost. Preliminary plan review addresses such code requirements as: use and occupancy classification, type of construction, height and area calculations, means of egress, and fire restrictive construction requirements.

The preliminary plan review fee shall be credited towards the cost of a complete building code plan review conducted by Commonwealth Code Inspection Service, Inc.

CHECKS FOR PLAN REVIEW FEES SHALL BE MADE PAYABLE TO: Commonwealth Code Inspection Service, Inc. (CCIS).



Penn Township 2023 Hourly Rate Schedule

- A. Compensation for labor shall be in accordance with the following average hourly rates

Position	Average Hourly Rate
Principal/Client Manager	\$141.00
Senior Project Manager/Engineer/Geologist/Engineering Observation	\$134.00
Engineering Project Manager	\$124.00
Engineering Technician	\$118.00
Construction Observation	\$94.00
Senior CAD Designer	\$94.00

- B. Compensation for expenses shall be as follows:

Mileage	\$0.625/mile*
Direct Expenses	At Cost

Labor rates and expense charges are subject to change without notice.

*Note: Mileage rate to be adjust to correspond with the current rate authorized by the IRS.

Effective 1/1/23

McMAHON
STANDARD PROVISIONS FOR PROFESSIONAL SERVICES
2023

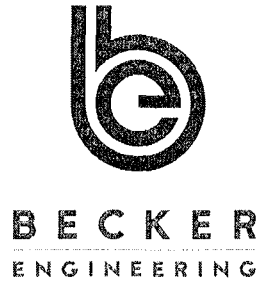
SERVICES

McMahon Associates, Inc. reserves the right to make adjustments for individuals within these classifications as may be desirable in its opinion by reason of promotion, demotion, or change in wage rates. Such adjustments will be limited to the manner in which charges are computed and billed and will not, unless so stated in writing, affect other terms of an agreement, such as estimated total cost. The following rates will apply to actual time devoted by McMahon Associates, Inc. staff to this project computed to the nearest one-half hour.

<u>PERSONNEL</u>	<u>HOURLY RATES</u>
Principal/Associate/General Manager/Service Leader	\$195
Senior Project Manager	\$175
Project Manager/Survey Manager (H. Scott Russell, P.E.)	\$165
Senior Project Engineer	\$140
Project Engineer	\$115
Staff Engineer/Survey Party Chief/FAA Certified Drone Pilot	\$100
Technician/Admin/Survey Tech	\$90
Field Personnel/Drone Field Spotter	\$50

TERMS

1. **Invoices** – Invoices will be provided on a monthly basis and will be based upon percentage of completion or actual hours, plus expenses. Payment is due to McMahon Associates, Inc. within 30 days of the invoice date. Unpaid balances beyond 30 days are subject to interest at the rate of 1.5% per month. This is an annual percentage rate of 18%.
2. **Confidentiality** – Technical and pricing information in this proposal is the confidential and proprietary property of McMahon Associates, Inc. and is not to be disclosed or made available to third parties without the written consent of McMahon Associates, Inc.
3. **Commitments** – Fee and schedule commitments will be subject to renegotiation for delays caused by the client's failure to provide specified facilities or information, or any other unpredictable occurrences.
4. **Expenses** – Automatic Traffic Recorder equipment usage will be billed at \$25.00 per 24-hour count. Drone equipment usage, inclusive of insurance costs, will be billed at \$250/day, or portion of a day. Incidental expenses are reimbursable at cost, plus an administration fee of 10%. These include subconsultants, reproduction, postage, graphics, reimbursement of automobile usage at the IRS-approved rate, parking and tolls. Expenses which by company policy are not billed as reimbursable expenses to clients and therefore, will not be billed as part of this contract include the following: air travel, rental car, lodging, meals, and long-distance phone charges between McMahon Associates offices. If it becomes necessary during the course of this project to travel elsewhere, those travel costs will be treated as reimbursable expenses. These expenses will be reflected in the monthly invoices.
5. **Attorney's Fees** – In connection with any litigation arising from the terms of this agreement, the prevailing party shall be entitled to all costs including reasonable attorney's fees at both the trial and appellate levels.
6. **Ownership and Use of Documents** – All original drawings and information are to remain the property of McMahon Associates Inc. The client will be provided with copies of final drawings and/or reports for information and reference purposes.
7. **Insurance** – McMahon Associates, Inc. will maintain at its own expense Workman's Compensation Insurance, Comprehensive General Liability Insurance and Professional Liability Insurance and, upon request, will furnish the client a certificate to verify same.
8. **Termination** – This agreement may be terminated by the authorized representative effective immediately on receipt of written notice. Payment will be due for services rendered through the date written notice is received.
9. **Binding Status** – The client and McMahon Associates, Inc. bind themselves, their partners, successors, assigns, heirs, and/or legal representatives to the other party to this Agreement, and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Contract.



Northwestern Lancaster County Authority 2023 Hourly Rate Schedule

- A. Compensation for labor shall be in accordance with the following average hourly rates

Position	Average Hourly Rate
Principal/Client Manager	\$141.00
Senior Project Manager/Engineer/Geologist/Engineering Observation	\$134.00
Engineering Project Manager	\$124.00
Engineering Technician	\$118.00
Construction Observation	\$94.00
Senior CAD Designer	\$94.00

- B. Compensation for expenses shall be as follows:

Mileage	\$0.625/mile*
Direct Expenses	At Cost

Labor rates and expense charges are subject to change without notice.

*Note: Mileage rate to be adjust to correspond with the current rate authorized by the IRS.

Effective 1/1/23

EXHIBIT B

Morgan Hallgren Crosswell & Kane, P.C.

2023 Fee Schedule

William C. Crosswell - **\$190.00** per hour

Josele Cleary - **\$185.00** per hour

Anthony P. Schimaneck - **\$185.00** per hour

Robert E. Sisko - **\$185.00** per hour

Jason M. Hess - **\$185.00** per hour

Other Attorneys - not to exceed **\$185.00** per hour

In addition, out of pocket expenses will be required to be reimbursed, including, but not limited to, photocopying, long distance telephone charges, fees paid to the Recorder of Deeds in and for Lancaster County, Pennsylvania, and travel expenses.

EXHIBIT C

Fees to be imposed for services of township employees to perform plan and document reviews

Township Planner - **\$77.00** per hour

Zoning and Codes Officer - **\$71.00** per hour

Township Manager - **\$85.00** per hour