

12/07/09

**BIRMINGHAM TOWNSHIP, CHESTER COUNTY**  
**FEES RESOLUTION #091207**

A Resolution of the Board of Supervisors of Birmingham Township, Chester County establishing a Schedule of Fees for zoning permits, building permits, subdivision application, mobile home park applications, curative amendment applications, planned residential development applications, conditional use applications, applications and appeals to the Township Zoning Hearing Board and other charges and fines.

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

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

Now, Therefore, Be It Resolved that the Supervisors of Birmingham Township hereby establish the following Schedule of Permits and Fees:

**I. ZONING, SIGN AND LAND DISTURBANCE PERMITS**

Note: "Addition" shall mean increase in floor space

"Alteration" shall mean no increase in floor space

1. Single family residence, including additions and manufactured housing: Permit = \$100.00
2. Multi-family residential, including additions, including twins and townhouses: Permit = \$80.00
3. Apartments and motels, including additions:  
Permit = \$80 per unit
4. Residential accessory structures, sheds, garages, decks, etc.  
Including additions: Permit = \$75.00 per structure

5. Agricultural structures for working farms:  
Permit = \$75.00
6. Residential alterations, including multi-family, apartment and motel: Permit = \$75.00
7. Non-residential, including additions and alterations: Permit = \$20 per 100 square foot
8. Swimming pools, tennis courts, etc: Permit = \$30 per 100 sq ft
9. Signs: Permit = \$110      temporary = \$75.00
10. Tents: Permit = \$75.00
11. Driveways, for access to Township road if not part of a Building permit: Permit = \$60.00
12. Microwave antenna for satellites: Permit = \$65.00
13. Construction trailer: Permit = \$100.00 for one year with a new Permit required for each additional year or portion thereof
14. Playground structures over 300 sq. ft : Permit = \$50.00
15. Certificate of Occupancy: Permit = \$80.00 when not part of a building permit
16. Land Disturbance: Permit = \$100.00
17. Land Development Approval: All fees disbursed by the Township incident to a plan review as outlined in Chapter 103 of the Birmingham Township Code, titled "Subdivision and Land Development", specifically Section 103-53, must be paid by the Applicant as a condition of final land development approval, and all Resolutions, Orders and/or Decisions by the Board of Supervisors for final land development approval shall include such requirement as a condition.

## II. **BUILDING PERMIT FEES**

Section 703 of Act 13 of 2004, which amended Act 45 of 1999, the Uniform Construction Code Act (UCC), requires that municipalities administering and enforcing the UCC shall assess a fee of \$5.00 on each construction, building, demolition, plumbing, electrical or mechanical permit issued under the authority of the Act. The fee shall be in addition to any other fee imposed for the permit.

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

A. Single and multi-family dwellings (including attached garages) and buildings for commercial, institutional or professional use shall be the square footage, for all levels, as measured by the external dimensions, except that garages, attics and unfinished basements shall be measured at one-half actual size and crawl spaces and attics with a maximum vertical clearance of less than six feet shall not be measured.

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

Note: Cost shall be proven by submission of contract or \$60 per square foot shall be used for determination of cost in the area of the work involved.

1. Single family residence, including, decks, garages and additions to such structures: \$275 application fee plus \$40 per 100 sq. ft.
2. Multi-family residential, including semi-detached garages, and additions to such structures: \$250 application fee plus \$21 per 100 sq. ft.
3. Apartments and motels including additions to such structures: Fee = \$210 per unit plus, for other areas of the structure except hallways, \$420 for the first 1,000 sq. ft. or portion thereof, and \$14.00 per 100 sq. ft. for the next 4,000 sq. ft. and \$7.00 per 100 sq. ft. for all over 5,000 sq. ft.
4. Re-roofing: Fee = \$100.00
5. Sheds: Fee = \$100.00
6. Agricultural structures for working farms: Fee = \$20.00 per 100 sq. ft. of measurable floor space for single level only.

7. Residential alterations, including multi-family, apartments, and motels: Fee = \$150 for first \$1,000.00 of construction cost plus \$15.00 for each additional \$1,000.00 or fraction thereof.  
Construction cost is to be determined by the Township Building Code Official.
8. Non-residential, including accessory structures, additions, and alterations: Fee = \$420 for the first 1,000 sq. ft. or portion thereof, and \$20 per 100 sq. ft. for the next 4,000 sq. ft. and \$25 per sq. ft. for all over 5,000 sq. ft.
9. Swimming pools, tennis courts, etc.: Fee = in ground: \$400.00 exclusive of accessory buildings which are subject to the fee in (1) above Fee = above ground: \$150.00 exclusive of accessory buildings which are subject to the fee in (1) above. Above ground pools less than 42 inches high are exempt.
10. Fences: Above six feet - \$100.00
11. Above or underground fuel storage tanks: Fee = No fee for tanks of 550 gallons or less. Over 550 gallons: Fee = \$14 per each 1,000 gallon total capacity or portion thereof.
12. Demolition: Fee = Residential: \$150.00 for each 90 day period from issuance of permit to completion of the work. Fee = Non-residential: \$300.00 for each 90 day period from issuance of permit to completion of work. Other structures and swimming pools: \$100.00
13. Working without a Permit: Fee imposed is twice the normal permit fee.
14. Inspections: \$75.00 fee for a failed inspection or for an inspection that is scheduled but cancelled or not ready.
15. Pre-application meeting with the building inspector or zoning officer will be charged at the hourly cost of the inspector.

### III. **SEWER PERMIT**

Sewer permit application fee = \$75.00

### IV. **PLUMBING PERMIT**

1. Residential – alterations and new construction - \$8 per fixture unit
2. Non-residential – alterations and new construction - \$10 per fixture unit
3. Minimum of \$75 permit fee for any project

V. **ELECTRICAL PERMIT**

Permit fee per dwelling - \$40.00

Non-residential new or alterations will need a third party review.

VI. **MECHANICAL PERMIT**

1. Residential - \$150 per unit for new construction

2. Residential - \$100 for replacement per unit

3. Non-residential - \$50 per 1000 BTUs of heat or ac

4. Non-residential - \$25 per 1000 BTUs of heat or ac

VII. **PLAN REVIEW FEES FOR CONSTRUCTION PERMITS**

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

1. The estimated cost of the review must be deposited with the Township at the time plans are submitted for review.

2. Fees for specialized plan review are not refundable in the event the plans are not approved. Where funds were deposited in excess of the amount necessary to perform the review, the balance shall be returned. Should the amount deposited be less than the cost of the review, the balance due shall be billed to the applicant. No application will be complete until all fees are paid.

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

VIII. **SUBDIVISION/LAND DEVELOPMENT AND MOBILE HOME PARK APPLICATIONS**

1. Tentative Sketch Plan: No charge if submitted for informal discussion only. If tentative sketch plan is to be final plan, then the fee will be the same as for item (2) or (3) below.

2. Subdivision/Land Development Plan:
  - A. Preliminary Plan:
    1. Residential: Fee = \$300 plus \$25.00 per lot
    2. Non-residential: Fee = \$500 plus \$25.00 per every 1,000 sq. of the floor area. If both residential and non-residential, the total fee shall be calculated by ratioing the areas occupied.
  - B. Final Plan: \$100 fee where the Preliminary Plan fee has been paid. Otherwise the fee will be the same as in (2.a) above.
  - C. Plan Revision: \$100.00 fee for any plan revision after plan approval has been obtained.
  - D. Recording: It is the responsibility of the applicant to pay all costs associated with recording the Plan in the office of the Chester County Recorder of Deeds and to provide four recorded copies of the Plan to the Township.
  - E. Applicant shall pay all charges assessed by the Chester County Health Department and Chester County Planning Commission for review and acceptance of the Plan.
3. Mobile Home Park Application: Fee = \$200 plus \$25 per home site
4. Inspection
  - A. Applicant will reimburse Township, or if more appropriate, pay directly all expenses incurred in review of the Preliminary and Final Plans by the Township Engineer, and/or other specialists, plus the cost of continuing inspections during construction.
  - B. Applicant will, also, pay all fees and charges by the various Local, County, State and Federal Agencies involved such as, but not limited to, the Chester County Health Department, the Chester County Conservation District, the Pennsylvania Department of Environmental Protection and the Army Corps of Engineers.
  - C. Applicant shall, also, reimburse the Township for the total Cost of any tests or materials required.

IX. **APPLICATIONS AND APPEALS**

1. Such applications and appeals shall be accompanied by a non-refundable fee and a minimum deposit to defray the costs of public notices, court stenographers, engineering, expert witnesses and other expenses incurred by the Township. (If actual costs are less than the above specified minimum deposit, the balance will be refunded. If actual costs exceed the minimum deposit, the excess will be the obligation of the Applicant.)
2. The fees and deposits for the various types of applications and appeals are as follows:
  - A. Curative amendment applications:  
Non-refundable fee: \$1,000.00  
Minimum deposit: \$1,000.00
  - B. Planned Residential Development Applications:  
Non-refundable fee: \$1,500.00  
Minimum deposit: \$1,000.00
  - C. Zoning Hearing Board Applications or Appeals:  
Non-refundable fee: \$500.00  
Minimum deposit: \$500.00
  - D. Conditional Use Applications:  
Non-refundable fee: \$1,000.00  
Minimum deposit: \$1,500.00
  - E. All other Applications and Appeals:  
Non-refundable fee: \$500.00  
Minimum deposit: \$500.00
  - E. General:
    1. Where the land is vacant, the character of the use sought, residential or non-residential, will determine the fee.
    2. If the Applicant fails to appear without giving notice in sufficient time to effect cancellation of the hearing and to advise the Court Reporter not to appear, the fees already paid shall be forfeited.
    3. Notes of testimony shall be transcribed in all proceedings before a Board and a copy lodged with the Township. Any Applicant desiring a copy of the notes of the testimony shall pay the Court Reporter for such copy.

4. There shall be a charge of \$200.00 for each postponement requested by the Applicant in which the Board and its Solicitor must appear with the Court Reporter or which is necessitated by the failure of the Applicant to appear at the announced hearing. There will also be an additional charge of \$200.00 for each hearing beyond the initial hearing on the application.
5. All fees and deposits must accompany the application.

X. **FIRE PREVENTION & BLASTING**

There shall be a fee of \$25.00 for each examination, permit and inspection, including those inspections cancelled or not ready.

XI. **AUTOMATIC SECURITY SYSTEMS**

1. Installer's permit = \$50.00
2. Owner's permit = \$25.00
3. False Alarm
  - A. First false alarm in a calendar year – warning
  - B. Second & third false alarm in a calendar year - \$25.00 each alarm
  - C. All other alarms to occur in a calendar year shall be subject to fines and penalties as set forth in Section 711 of the Pennsylvania Crimes Code

XII. **FINES FOR CIVIL PENALTIES**

1. There shall be a fine imposed of not less than \$50.00 for the first offense.
2. There shall be a fine imposed of not less than half of the ordinance stated maximum for the second offence.
3. There shall be a fine imposed not to exceed the maximum fine for the third or subsequent offenses.

XIII. **OTHER CHARGES AND FINES**

1. Highway Occupancy Permit fee - \$300.00
2. Solicitation License
  - A. Application and license - \$10.00 per applicant for a 30 day period
  - B. Violations are subject to a fine of \$25.00 to \$300.00

3. License fee for off-site signs and posters - \$50.00
4. Accident or incident reports - \$15.00
5. Copying of Township records – the cost for the copying of Township records pursuant to the “Right to Know Law” Act 2100 of 2002, as amended shall be as follows:
  - A. Postage – the actual cost of mailing
  - B. Photocopy - \$.25/page
6. Return check charge per incident - \$15.00
7. Helicopter permit fee - \$500.00

**XIV. TOWNSHIP ORDINANCES**

1. Code Book = \$125.00
2. Official Map = \$3.00
3. Zoning Ordinance & Map = \$25.00
4. Zoning Map 3’ x 2’ = \$10.00
5. Subdivision and Land Development Ordinance = \$10.00
6. Storm Water Management and Land Disturbance Ord = \$10.00
7. Comprehensive Plan & Cultural Resources Plan = \$40.00
8. Brandywine Battlefield Study - \$50.00

**XV. COLLECTION CHARGES**

If any person shall fail to pay the fees, charges, costs and/or judgment that the Township has against such person for fees prescribed in this Resolution within the time period described above, the Township shall refuse to accept any additional applications for zoning, sign and land disturbance permits, building permits, plumbing permits, electrical permits, mechanical permits, subdivision and land development applications or any other applications submitted to the Township requiring the issuance of a permit or approval until such time as all delinquent fees, expenses, charges, costs and/or judgments are paid in full or satisfied.

**XVI. SUBDIVISION/LAND DEVELOPMENT ESCROW FUNDS**

1. Submission of sketch plan which is distributed to the Township Engineer, Solicitor, or other Township Consultants: = \$1,000.00 (One thousand dollars)

2. Submission of preliminary plan for a minor subdivision = \$1,000.00 (One thousand dollars)
3. Submission of preliminary plan for all other plans besides a minor subdivision: = \$5,000.00 (Five thousand dollars)
4. Submission of final plan for a minor subdivision: = \$1,000.00 (One thousand dollars)
5. Submission of a final plan for all other plans besides a minor subdivision: = \$5,000.00 (Five thousand dollars).

ADOPTED BY THE BIRMINHGAM TOWNSHIP, CHESTER COUNTY BOARD OF SUPERVISORS THIS 7<sup>th</sup> DAY OF DECEMBER 2009.

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John L. Conklin, Chairman

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William J. Kirkpatrick, Vice-Chairman

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Alfred W. Bush, Member

ATTEST:

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Quina Nelling, Secretary