

ORDINANCE NO. 500
EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE OF EAST NORRITON TOWNSHIP AMENDING THE CODE OF THE TOWNSHIP OF EAST NORRITON, SPECIFICALLY THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, BY AMENDING THE TRAFFIC IMPACT FEE.

WHEREAS, Act 209 of 1990, and the subsequent amendments thereto, authorize municipalities to impose a traffic impact fee to ensure that transportation systems are adequate to support new growth;

WHEREAS, the Board of Supervisors of East Norriton Township (the "Board"), in order to ensure that the Township's transportation system was available and adequate to support new growth and development, adopted Ordinance 432 which imposed a traffic impact fee;

WHEREAS, after revisions to the Transportation Capital Improvement Plan through Resolution 2356, the Board finds it necessary to amend the traffic impact fee; and

WHEREAS, the Board has met the procedural requirements of the Second Class Township Code and the Municipalities Planning Code for the adoption of the proposed ordinance, including holding a public hearing.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION I:

The code of East Norriton Township, Chapter 175, Section 17.2 L, is hereby amended to the following:

Section 17.2 L- Calculation of peak hour trip fee for Transportation Service Area. The amount of the per-peak-hour-trip fee for the Transportation Service Area shall be \$2,123.00 until and unless revised or amended in accordance with the provisions hereof and the Act, calculated in accordance with §§504-A(e)(1)(iv)(c) and 505-A(a)(1) of the Act. This fee was calculated as follows:

(1) Total cost of road improvements included in the adopted Transportation Capital Improvement Plan attributable to and necessitated by new development within the Transportation Service Area including 50% of the estimated cost of improvements to highways, roads and streets qualifying as a State highway or portion of the rural highway system as provided in Section 102 of the State Highway Law and also the assumption was made that 50% of funding for County owned roads would come from other sources: \$4,368,007.00.

(2) Prorated share of costs of Roadway Sufficiency Analysis Report pursuant to Section 502-A(d)(5) of the Act (28% x \$35,000.00 = \$9,800.00).

\$4,368,007.00
+ 9,800.00

\$4,377,807.00

(3) Four Million Three Hundred Seventy-Seven Thousand Eight Hundred Seven Dollars (\$4,377,807.00) divided by 2062 total per peak hour trips = \$2,123.00 per peak hour trip.

SECTION II. REPEALER

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed, it being understood and intended that all ordinances and the Code of the Township of East Norriton Pennsylvania, such as are not otherwise specifically in conflict or inconsistent with this ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

SECTION III. REVISIONS

The Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its ordinance, including this provision.

SECTION IV. SEVERABILITY

If any sentence, clause, section, term, phrase or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, terms, provisions, or parts of this ordinance. It is hereby declared the intent of the Board of Supervisors of the Township of East Norriton that this ordinance would have been adopted had such an unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION V. EFFECTIVE DATE

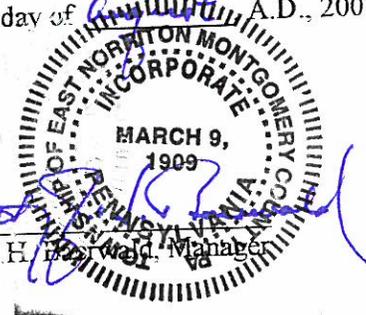
This Ordinance shall be effective five (5) days after enactment.

SECTION VI. FAILURE TO ENFORCE

The failure of East Norriton Township to enforce any provision of this ordinance shall not constitute a waiver by East Norriton Township of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of East Norriton, this 18th day of August, A.D., 2007.

ATTEST:


Helmut J. H. [Signature] Manager

EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS

By: [Signature]
Donald J. Gracia, Chairman