

FULTON TOWNSHIP

**SUBDIVISION AND LAND
DEVELOPMENT
ORDINANCE
OF**

1997

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APPENDIX

- No. 1 Application for Consideration of a Subdivision or Land Development Plan
- No. 2 Certification of Accuracy
- No. 3 Storm Drainage Plan Certification
- No. 4 Certificate of Ownership, Acknowledgment of Plan, and Offer of Dedication
- No. 5 Certificate for Preliminary Plan Approval by the Board of Supervisors
- No. 6 Certificate for Improvement Construction Plan Approval by the Board of Supervisors
- No. 7 Certificate for Final Plan Approval by the Board of Supervisors
- No. 8 Lancaster County Planning Commission's Review Certificate
- No. 9 Recorder of Deeds Certificate
- No. 10 Notice of Approval of New Street Names
- No. 11 Improvements Agreement
- No. 12 Performance Guarantee
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- No. 15 Declaration of Storm Water Easements and Maintenance Provisions for Non-Dedicated Storm Water Facilities
- No. 16 Illumination Guidelines for Street, Parking, and Pedestrian Areas
- No. 17 Curb Improvements
- No. 18 Sidewalk Improvements
- No. 19 Non-Motorized Vehicle Lanes
- No. 20 Runoff Coefficients "C" for Rational Formula
- No. 21 Rainfall Intensity-Duration-Frequency Chart
- No. 22 Runoff Curve Numbers "CN" for SCS Method
- No. 23 Time of Concentration Nomograph
- No. 24 Fee & Deposit Schedule (Resolution No. 97-3)

AMENDMENTS

FULTON TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2005- 4

**AN ORDINANCE AMENDING THE FULTON TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
OF 1997**

WHEREAS:

A. Act 206 of 2004 authorizes municipalities in their Subdivision and Land Development Ordinances to provide for the recovery of certain “Professional Consultant” fees;

B. While the Fulton Township Subdivision and Land Development Ordinance provides for the recovery of certain professional fees, it does not do so as broadly as contemplated by Act 206 of 2004;

C. Fulton Township desires to amend its Ordinance so that the Township can recover Professional Consultant fees in as broad a manner as authorized by Pennsylvania law and the Municipalities Planning Code, including as authorized in Act 206 of 1994;

NOW IT IS HEREBY ORDAINED AS FOLLOWS:

Section 1. The following definition is added to Section 203 of the Subdivision and Land Development Ordinance:

“Professional consultants,” persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.”

Section 2. The following is added as an additional paragraph of Section 404.06:

“In addition to applicable filing fees, for any application for development and any sketch plan filed by an applicant to the Township pursuant to the Fulton Township Subdivision and Land Development Ordinance of 1997, as the same may be amended from time to time, the applicant shall be responsible and liable to pay the Township for all Township professional consultant review fees incurred as a result of such application for development. All such fees shall be due and payable as incurred by the Township, and in any event such fees shall be paid not later than the date of execution of the recorded plan by the Township or the recording of such

plans by the applicant, whichever is earlier. The amount of fees reimbursable by applicants shall be the same as the amount charged to the Township by the professional consultant as established by the Township from time to time, provided such amount is otherwise in compliance with applicable provisions Section 2 of Act 206 of 2004. The Township intends that it be fully reimbursed for all professional consultant review fees of whatever nature to the maximum extent permitted by Act 206 of 2004 and other applicable law. The Township incorporates the procedures set forth in Section 2(i), (ii), and (iii) of Act 206 of 2004 as if fully set forth herein.”

Section 3. Repealer. Any resolution, ordinance or part of any resolution or ordinance inconsistent herewith and any amendments thereof are hereby expressly repealed.

Section 4. Severability. Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. This ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Fulton Township County of Lancaster, Commonwealth of Pennsylvania.

Enacted and Ordained this 1 day of September , 2005.

BOARD OF SUPERVISORS OF
THE TOWNSHIP OF FULTON

By: Kenn R. Arment
(Vice) Chairman

Attest: Margaret H. Gordon
(Assistant) Secretary

I, Margaret G Gordon, Secretary of the Board of Supervisors of Fulton Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of Fulton Township held on Sept 1, 2005, at which meeting a quorum was present and voted in favor thereof.

Margaret A Gordon
Secretary

#376762.1 (21910.010)

