

ORDINANCE NO. 772

AN ORDINANCE AMENDING ORDINANCE NO. 407,
THE SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF PENN, YORK
COUNTY, PENNSYLVANIA.

BE IT ORDAINED AND ENACTED by the Authority of Penn Township, York County, Commonwealth of Pennsylvania, by the Board of Commissioners of Penn Township, and it is hereby Ordained and Enacted, as follows:

SECTION 1. ADDITIONS, INSERTIONS, DELETIONS

That the Township's Subdivision and Land Development Ordinance is amended and revised as follows:

SECTION 514. RECREATION DEDICATION

SUBSECTION M

Which currently reads:

Fee in lieu money authorized by this Ordinance shall, upon its receipt by the township, be deposited in an interest-bearing account, clearly identifying the specific recreation facilities and Recreation District for which the fee was received. Interest earned on the account shall become funds of that account. Funds from the account shall be expended only for the purpose of providing park or recreation facilities accessible to the development, and located in the District form which the funds were generated.

The Recreation Districts shall be as follows:

Recreation Planning District (RPD) #1 bounded to the west north and south by Township boundaries and to the east by Baltimore Street (PA Route 94).

RPD#2 is bounded to the west by Baltimore Street, to the north by the Western Maryland Railroad and to the east and south by Township boundaries.

RPD#3 is bounded to the west north and east by Township boundaries and to the south by the Western Maryland Railroad and the Township boundary.

Shall be deleted in its entirety.

SUBSECTION M

Shall now read:

Fee in Lieu money authorized by this Ordinance, shall upon receipt by the Township be deposited into a separate recreation account, interest bearing, if possible. Interest earned on the account shall become funds of that account. Funds from the account shall be expended only for the purpose of purchasing, providing, operating or maintaining Township-owned recreational park areas and/or facilities reasonably accessible to the development within Penn Township.

SUBSECTION N

Which currently reads:

Upon request of any person who paid fee-in-lieu under this Ordinance, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township has failed to utilize the fee paid for the purposes set forth in this Ordinance within three (3) years from the date such fee was paid.

Shall be deleted in its entirety.

SUBSECTION N

Shall now read:

Upon request of any person who paid any fee under this Ordinance, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township has used the fee paid for a purpose other than the purposes set forth in this Ordinance.

SECTION 2. SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, said invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application of this ordinance.

SECTION 3. EFFECTIVE DATE

This ordinance shall become effective upon final adoption and publication in the manner prescribed by law.

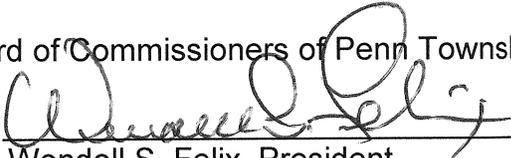
SECTION 4. AMENDMENT TO TOWNSHIP CODE

The Articles hereby adopted shall be deemed to be incorporated into the Penn Township Code so that reference to the Code shall be understood and intended to include such changes.

ENACTED AND ORDAINED this 18th day of May 2015.

Board of Commissioners of Penn Township

By:


Wendell S. Felix, President

Attest:


Melissa A. Miller, Secretary