

BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA

RESOLUTION NO. 2020-241

A RESOLUTION OF COUNCIL OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA, REESTABLISHING AND AMENDING FEES TO BE CHARGED IN CONNECTION WITH HEARINGS BEFORE THE LEESPORT BOROUGH ZONING HEARING BOARD AND BEFORE COUNCIL CONCERNING APPEALS FROM THE DETERMINATION OF THE ZONING OFFICER; APPLICATIONS FOR VARIANCES, SPECIAL EXCEPTIONS, CONDITIONAL USES AND CHALLENGES TO THE VALIDITY OF THE ZONING ORDINANCE

WHEREAS, zoning in the Borough of Leesport is governed by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et. seq.; and

WHEREAS, Section 908(1.1) of the Pennsylvania Municipalities Planning Code, 53 P.S. §10908(1.1) ("MPC"), authorizes a governing body to prescribe reasonable fees with respect to zoning hearings including necessary administrative overhead connected with the hearing; and

WHEREAS, pursuant to the MPC the Council of the Borough of Leesport, Berks County, Pennsylvania, may impose fees for hearings before the Zoning Hearing Board and fees for proceedings before the Council relating to conditional uses and amendments, including curative amendments, to the Zoning Ordinance of Leesport Borough, including the Zoning Map (the "Zoning Ordinance"); and

WHEREAS, upon consideration of the costs involved in hearings and processing zoning applications, appeals and petitions, the Council of the Borough of Leesport desires to establish reasonable fees for said zoning hearings.

NOW, THEREFORE, BE IT RESOLVED, pursuant to the authority afforded it by the Pennsylvania Municipalities Planning Code, Council for the Borough of Leesport, Berks County Pennsylvania, hereby establishes the following application and appeal fees in connection with the administration of the Leesport Borough Zoning Ordinance:

All Zoning Applications or Appeals to the Borough Zoning Hearing Board or Council, including challenges to the validity of the Zoning Ordinance:

Residential Property Fee	\$1,800/application or appeal
Commercial Property Fee	\$2,000/application or appeal

FURTHER RESOLVED, that an application shall not be accepted until the fee as established herein and as may be amended from time to time by Council for the Borough of Leesport is paid in full.

FURTHER RESOLVED, that should the fee for a zoning hearing as established herein and as may be amended by a Resolution of Council of the Borough of Leesport be insufficient to pay the expenses for performance of the hearing which are permitted by the Municipalities Planning Code to be charged to an applicant for a zoning hearing to the Leesport Zoning Hearing Board or Council, the applicant for the zoning hearing shall be responsible for payment of said expenses incurred by the Borough in excess of the application fee. The Borough's invoice shall be payable within thirty (30) days of receipt or upon the issuance of any permit authorized by the decision of the Zoning Hearing Board or Council, whichever date is earlier.

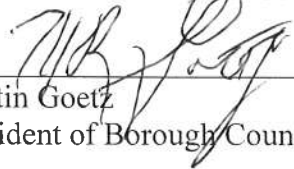
FURTHER RESOLVED, that this Resolution shall take effect immediately.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Borough Council of the Borough of Leesport that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

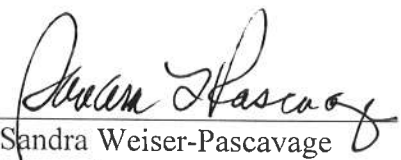
FURTHER RESOLVED, that all Resolutions or parts of Resolutions or policies inconsistent with this Resolution are hereby superseded.

IN WITNESS WHEREOF, the Borough Council of the Borough of Leesport has adopted this Resolution in lawful session this 16th day of September 2020.

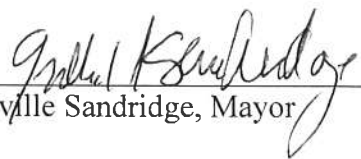
BOROUGH COUNCIL
BOROUGH OF LEESPORT,
BERKS COUNTY, PENNSYLVANIA



Martin Goetz
President of Borough Council

Attest: 

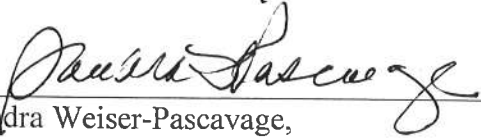
Sandra Weiser-Pascavage
Borough Secretary



Granville Sandridge, Mayor

CERTIFICATE

I hereby certify that the foregoing is a true and accurate copy of a Resolution of the Borough Council of Leesport, Berks County, Pennsylvania, which was fully adopted at a meeting, held pursuant to the requirements of the Sunshine Act on the 16th day of September 2020.



Sandra Weiser-Pascavage,
Borough Secretary

Dated: September 17, 2020