

1996

AN ORDINANCE
(AS AMENDED)

AN ORDINANCE PROVIDING FOR THE REGULATION AND CONTROL OF THE SUBDIVISION OF LOTS AND THE DEVELOPMENT OF LAND; THE APPROVAL OF PLANS, PLOTS, OR REPLOTS OF LAND LAID OUT IN BUILDING LOTS; STANDARDS FOR THE DESIGN OF STREETS, LOTS, EASEMENTS, BLOCKS AND OTHER IMPROVEMENTS; CERTAIN MINIMUM IMPROVEMENTS AND CONSTRUCTION STANDARDS ON ALL STREETS AND REQUIRED DEDICATIONS; THE ADMINISTRATION OF THIS ORDINANCE BY THE CITY OF SCRANTON PLANNING COMMISSION; AND PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, the City of Scranton and the City Planning Commission are desirous of enacting a new Subdivision and Land Development Ordinance for the City of Scranton; and

WHEREAS, the City Planning Commission in cooperation with its consultant, Urban Research and Development Corporation, has held various public meetings in conjunction with the preparation of the Subdivision and Land Development Ordinance; and

WHEREAS, the City Planning Commission has completed the drafting of the new Subdivision and Land Development Ordinance, a copy of which is attached hereto and made a part hereof, marked as Exhibit "A", (as amended); and

WHEREAS, the City Planning Commission has recommended that the Subdivision and Land Development Ordinance be forwarded to the Governing Body for its approval and adoption.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON, that the City of Scranton Subdivision and Land Development Ordinance of 1996 is hereby adopted.

Introduced in Council on above date
and referred to Committee on JANUARY 3, 1996

Scranton, Pa. MARCH 27, 1996
Committee on Community Development
reports favorable with certain
ordinance. *Carol Moore*
Chairman

FIFTH ORDER:
JAN. 31, 1996

COMMUNITY DEVELOPMENT
Frank J. Naylton
City Clerk

COPY
Frank J. Naylton City Clerk

SECTION-1. All other City Ordinances or parts thereof that were adopted prior to this Ordinance and are clearly in conflict with this Ordinance, including the pre-existing City of Scranton Subdivision Ordinance, File of Council No. 47, 1966, as amended, are hereby repealed.

SECTION-2. This Ordinance shall be known and may be cited as "The City of Scranton Subdivision and Land Development Ordinance" of 1996.

SECTION-3. If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes & intent of this ordinance, & the effective administration thereof.

SECTION-4. This Ordinance will take effect immediately upon passage.

SECTION-5. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", Act 247 of 1968, as re-enacted and amended by Act 170 of 1988, known as the "Pennsylvania Municipalities Planning Code" and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by The Council

MARCH 27, 1996

receiving the affirmative votes of Council Persons

WALSH, BARRETT, HAZZOURI, NOONE & POCIUS

Negative - NONE

John J. Pocius

President

Approved *April 1* 19 *96*
James P. Connis May
Certified Copy
Frank J. Naughton City Cl.
4-1-96

*D. King, City Planner
OECA
City Eng. Dept.
Fin. City Apples
R. November, Council*

MAR 26 1996

DEPT. OF...
CITY OF SCRANTON

Introduced in Council on above date
and referred to Committee on JANUARY 3, 1995

FINANCE
Frank J. Naylth

Scranton, Pa. MARCH 13, 1996
Committee on Finance reports favorably
on the within ordinance

*Lizbeth Bider
January 31, 1996*

[Signature]

FILE OF COUNCIL NO. 13

1996

AN ORDINANCE
(AS AMENDED)

PROVIDING FOR THE ESTABLISHMENT OF FEES RELATED TO THE REVIEW OF PLANS FOR SUBDIVISIONS AND/OR LAND DEVELOPMENTS TO BE CONSIDERED BY THE CITY OF SCRANTON PURSUANT TO "THE CITY OF SCRANTON SUBDIVISION AND LAND DEVELOPMENT ORDINANCE" OF 1996.

WHEREAS, the City of Scranton incurs costs in its review of subdivision and development plans; and

WHEREAS, Act 247 of 1968, as re-enacted and amended by Act 170 of 1988, known as the "Pennsylvania Municipalities Planning Code" provides for the charging of reasonable and necessary review fees; and

WHEREAS, "The City of Scranton Subdivision and Land Development Ordinance" of 1996 requires a written schedule of fees be established.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Scranton that:

- A. Applications for review of any and all subdivisions and land developments shall be accompanied by the fee established by this Ordinance.
- B. If said fee is less than the actual cost of review to the City of

CERTIFIED COPY
Frank J. Naylth City Clerk

Scranton, applicant shall pay any excess cost prior to the release of any plan for recording of the issuance of any building permit.

C. If said fee is greater than the actual cost of review to the City of Scranton, the City will refund any excess monies to the applicant upon a final account of costs.

D. The cost of review shall include an administrative fee which shall cover the costs associated with the processing of the application by City of Scranton personnel other than the technical reviewers employed by the City.

E. Reviews will primarily be conducted by the City Engineer, City Planner, Fire Chief and their staffs. In instances deemed necessary by the City Engineer, other City of Scranton staff may be required to review the plans. When a conflict exists with City personnel, or when a skill not possessed by City personnel, or when a skill not possessed by City personnel is required to properly review a plan, a professional with the necessary review skills shall be hired pursuant to the City's normal selection process to complete the review.

F. The schedule of fees required at the time of submission of any subdivision or land development application are as follows:

PLAN TYPE	ADMINISTRATIVE FEE	REVIEW FEE ESCROW
Lot Line Adjustment	\$50.00	None
Minor Subdivision	\$100.00	\$100.00
Major Subdivision	\$150.00	\$200.00 + \$20.00/lot
Land Development	\$200.00	\$200.00 + \$0.10/sq.foot*

* \$3,000.00 shall be the maximum amount required to be escrowed initially by any applicant. If 75% or more of the original amount is used by the City then the full amount as computed from the above table shall be deposited unless a determination is made by the City that a lesser amount will be required to complete the review.

G. The fee charged to the applicant in addition to the Administrative Fee shall equal the hourly rate, including any and all fringe benefits, multiplied by the exact number of hours spent reviewing the plan by City Staff and/or the amount billed to the City of Scranton by any outside Professionals.

H. Annually, the Business Administrator shall determine the hourly rate to be charged by the City for each staff member involved in reviewing plans.

I. Each staff member shall keep a written record of the time spent reviewing particular plans and submit timely to the Ordinance Administrator a copy thereof for billing purposes.

J. A written invoice detailing each reviewer's hours shall be made available to the applicant when funds are drawn from the escrow and at the completion of the review.

K. Disputes over the amount of any review fee herein shall be settled pursuant to Sections 503 and 510 of Act 247 of 1968, as re-enacted and amended by Act 170 of 1988, known as the "The Pennsylvania Municipalities Planning Code".

L. The fees herein are related only to the review of Subdivision and Land Development Plans and are not in lieu of any other fee or cost associated with the development of land in the City of Scranton including but not limited to, the Inspection fee pursuant to Section 804.B.4 of "The City of Scranton Subdivision and Land Development Ordinance" of 1996, any Building Permit fee or Sewer

connection fee.

M. A Special City Account shall be created to accept and disburse the fees generated by this Ordinance.

SECTION 1. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2. This Ordinance shall take effect simultaneously with the effective date of "The City of Scranton Subdivision and Land Development Ordinance of 1996".

SECTION 3. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by The Council

MARCH 13, 1996

receiving the affirmative votes of Council Persons

WALSH, HAZZOURI, NOONE & POCIUS

Negative - NONE, (MR. BARRETT - ABSENT)

Approved

3/22 1996

James P. Connors

Certified Copy

Frank J. Naughton City C

3.22.96

John J. Piumi

President