

ORDINANCE NO. _____ 2017

**AMENDING THE BOROUGH OF SOUTH GREENSBURG CODE TO PROVIDE FOR
A UNIFORM METHOD OF SETTING MUNICIPAL FEES**

WHEREAS, the Borough of South Greensburg charges a variety of administrative fees to process a variety of applications made to the Borough; and

WHEREAS, these fees are not organized in a single chapter of the Code, but rather are in each individual section of the Code that calls for the imposition of a fee; and

WHEREAS, the Borough recognizes that these fees change from time to time to reflect the change in the administrative costs involved in processing the applications required by the Code;

WHEREAS, to make the administrative business of the Borough more efficient and effective, the Borough desires to amend the South Greensburg Code to organize all of the fees into a single schedule, separate from the South Greensburg Code Book, that shall be available to the public and conspicuously posted at the municipal offices and the Borough's website, and to require that changes in the fees be done by way of resolution.

NOW, THEREFORE, be it enacted and ordained by Counsel of the Borough of South Greensburg in a regular meeting assembled and by authority of the same:

SECTION 1. The Borough of South Greensburg Borough Code is hereby amended by adding an Article III to Chapter 1, said article to be entitled "Fees" and shall contain the following sections, to be added to the Code:

A. §1-16. Fees.

The Council of the Borough of South Greensburg shall, from time to time by resolution, designate and impose municipal fees as required by any ordinance of the Borough. A comprehensive listing of the designated fees shall be conspicuously posted at the municipal offices, be posted on the Borough's Website, and made available to the public upon demand.

B. §1-17. Time and Manner of Payment.

All fees set forth herein shall be due and paid at the time any application and/or any bond required herein is accepted or otherwise shall be posted with the Borough prior to the issuance of any permit.

SECTION 2. The Borough of South Greensburg Borough Code is hereby amended by amending the following sections, in whole, as written below

A. § 51-4. Issuance of license; fee; effect of license.⁺

Following the waiting period provided in § 51-3, and upon payment by the applicant of the license fee as designated by Council pursuant to §1-16 herein, a license shall be issued by the Mayor to the applicant. Said license shall be valid for the entire year for which it is issued and shall expire following the last day of such year. Such license shall authorize the installation or location and use upon the premises specified therein of the number of pinball machines or any other electronic amusement devices for which the aforesaid license fee shall have been paid, but nothing herein shall prohibit the change or exchange of such pinball machines or electronic amusement devices so long as the total number of such machines installed or located in and about such premises shall not, at any time, exceed the number set forth in the original application. Whenever the total number of such machines installed or located in or about any premises shall exceed the total number for which the license was granted, application shall be made for a license for such additional number and fee shall be paid therefor.

B. § 61-2. Permit required; fees. [Amended 6-14-1982 by Ord. No. 82-10. Amended by Ord. No. 2002-04 on 7-8-2002, effective 7-8-2002]

No person shall cause or permit any building or part of a building to be erected or razed or any addition or enlargement to be made to any building upon any property owned by such person or upon any ground rented by him, in the case of a ground rental arrangement, without first having obtained a permit therefor. Such permit shall be issued by the South Greensburg Zoning Officer, upon the filing of an application with him, together with a description of the work to be done in the case of razing, erection, addition or enlargement to any building and the furnishing of evidence of intended compliance with the requirement of the law and of all other ordinances of the borough affecting building construction or razing and the use therein, such evidence to be given by specific information as may be prescribed by the application form. Notwithstanding the foregoing, prior to any building permit being issued by the South Greensburg Zoning Officer, the person requesting the issuance of the building permit must have secured a sewage tap from the Greater Greensburg Sewage Authority or other applicable sewage authority as a condition to the issuance of the building permit. The fee for the issuance of such permit shall be as designated by Council pursuant to §1-16 herein.

C. § 89.4. Fee for permit.

The fees for permits required by this Chapter shall be as designated by Council pursuant to §1-16 herein.

D. § 90-7. Collection charges.

The collection charges shall be as designated by Council pursuant to §1-16 herein.

³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

E. § 112-8. Permit fees.

The permit fee for a massage business shall be as designated by Council pursuant to §1-16 herein.

F. § 114-9. Permits; fees.

Any person desiring to construct, operate or maintain a mobile home park shall make application for a permit to the Secretary of the Borough Council. A permit to construct, operate or maintain a mobile home park shall be issued only after a plan, which has been approved by the Pennsylvania Department of Health, has been filed with and approved by the Borough Council. The fee for such permits shall be as designated by Council pursuant to §1-16 herein. This fee shall cover the cost of the services of borough officers and employees in making the necessary studies and investigations in connection with such application and shall be subject to revision by a resolution of the Borough Council.

G. § 114-12. Duration of permit; renewal; fee.

The permit issued by the Borough Council shall expire one (1) year from the date of issuance but may be renewed under the provisions of this chapter for additional periods of one (1) year each. A permit fee, as designated by Council pursuant to §1-16 herein, must be paid for each year that the permit is renewed.

H. § 122-4. Fees. [Amended 7-13-1981 by Ord. No. 81-12; 2-13-1984 by Ord. No. 84-6; 8-10-1992 by Ord. No. 92-6; 9-11-1995 by Ord. No. 95-5]
No license shall be issued under this Article until the proper fee, as designated by Council pursuant to §1-16 herein, is be paid to the Borough.

I. § 122-17. Fees. [Amended 9-11-1995 by Ord. No. 95-5]
Every applicant for a solicitation permit under § 112-14 of this Article shall pay a fee as designated by Council pursuant to §1-16 herein.

J. § 130-4(B)(2)

Upon application for a License and prior to issuance or renewal thereof, each applicant shall pay to the Borough an annual License and Inspection Fee, in an amount to be designated by Council pursuant to §1-16 herein. Such designation may provide for more than one fee scale for different categories of PREMISES, as defined in the resolution of Council making the designation. Such resolution shall also provide for the manner in which the initial Licensing of REGULATED RENTAL UNITS under this Ordinance will be administered.

K. § 135-1. Application for connection permit.
From and after the approval of this Article, any person who shall be the owner or lessee of

premises desiring to connect with any sewers of the borough by the "Y" connections now laid and established shall first make application to the Borough Secretary's office upon a book prepared for that purpose, and upon the receipt of such application, it shall be the duty of the Secretary to issue a permit for the tapping of the sewer, subject to the provisions of this Article, and to collect the fee as designated by Council pursuant to §1-16 herein, for the privilege; provided, however, that the permit shall be granted only upon the condition that the owner or lessee for whose benefit such connection is made and each succeeding tenant shall, in consideration of the privilege thereby granted and employed, hold the borough harmless from all and any loss or damage that may in any way result from or be occasioned by such sewer connections; and further provided, that they will not permit improper material to be thrown into the sewer inlets or openings, such as grease, rags, sweepings, shavings or kitchen refuse or solids of any kind, and will at all times keep these openings or inlets properly protected with grating or catch basins of description and form approved by the Borough Secretary. It shall moreover be a condition in the privilege granted that the party for whose use the attachment with the sewer is made shall have all downspouts, conductors or openings from buildings that discharge water or liquids upon the footwalks of the street connected with a private drain and the water or liquids carried underground to the sewer.

L. § 135-2. Installation.

Any person who shall be the owner or lessee of premises desiring to connect with the main sewer, other than the "Y" connection now laid and established, shall first make application to the Borough Council in meeting assembled and obtain its consent for such connections, which said consent or permit shall be subject to the provisions of this Article. Before any work shall begin under the provisions of this section, a license fee as designated by Council pursuant to §1-16 herein shall be paid to the Treasurer of said Council. No such tapping or connection shall be done by any other than a regular licensed plumber. Said tapping shall be made by a "Y" connection with the main sewer, and all the cost of said connection shall be borne by said owner or lessee. Said tapping or connection shall be made subject to the provisions in § 135-1 of this Article.

M. § 135-36. Charges for garbage grinders.

The additional charge for garbage grinders shall be as designated by Council pursuant to §1-16 herein.

N. § 135-52(B).

He shall pay a sewer connection charge or tap fee, said sewer connection charge or tap fee to be

based upon equivalent dwelling units (E.D.U.), and before any permit shall be issued, the applicant shall pay to the borough the fee as designated by Council pursuant to §1-16 herein, for each equivalent dwelling unit (E.D.U.).

O. § 142-4(B).

The Borough Secretary or his designee is authorized to issue permits in accordance with the terms hereof and with the approval of Council for the Borough of South Greensburg to suspend, revoke or deny permits to achieve the purposes of this Article. Any permit granted under this Article shall be valid for a period of thirty (30) days after its date of issuance, and each permit must be renewed monthly before the expiration date set forth on the permit. The fee to cover the cost associated with issuance of a permit or permit renewal shall be as designated by Council pursuant to §1-16 herein, which fee shall be paid immediately upon issuance or renewal of the permit. A permit shall be required for each roll-off container.

P. § 144-1(B).

A fee of in the amount designated by Council pursuant to §1-16 herein shall be paid to the Borough of South Greensburg for the obtaining of said permit in order to cover costs of administration.

Q. § 144-6. Duration of permit; fees. [Amended 10-12-2012 by Ord. No. 2012-09.]
No permit issued hereunder shall continue for a period longer than thirty (30) days. A permit shall be required for each separate opening, and a permit fee shall be paid in the amounts designated by Council pursuant to §1-16 herein.

R. § 163-30(D)(4).

Application for such permits shall be made to the Zoning Officer of the Borough of South Greensburg and shall be accompanied by plans and specifications showing the work to be done, such plan to be verified by the signature of either the Owner of the premises or the Contractor in charge of the operation and shall be accompanied by the payment of a fee as designated by Council pursuant to §1-16 herein

S. § 163-38.1(A).

Each sign requiring a permit as required by this Chapter shall be subject to payment of a fee as designated by Council pursuant to §1-16.

T. § 163-63. Fees.

The annual fee for a sexually oriented business permit shall be as designated by Council pursuant to §1-16 herein

SECTION 3. The Borough of South Greensburg shall, pursuant to § 1-16, prepare a fee schedule, including without limitation the following fees as identified in the Borough Code prior

to the passage of this Ordinance:

Pinball, machine, and electronic amusement devices. Reference: South Greensburg Code §51-4.

The pinball, machine, and electronic amusement device annual license fee shall be fifty dollars (\$50.) for each pinball, machine, and each other electronic amusement device sought to be licensed.

Building Construction. Reference: South Greensburg Code §61-2.

Building construction permits shall be as follows:

A. Building Permits

1. Residential:

(a) New dwelling, dwelling addition, including accessory building and structures with footers and pre-fab accessory buildings: \$14.00 per 1,000 cubic feet, the calculation of cubic feet being based in part upon the ceiling height, which shall not exceed nine feet for purposes of calculation of the building permit fee. Ceilings may be higher than nine feet, but any height over nine feet will not be used for the calculation of the cubic feet for purposes of calculation of the building permit fee.

2. Nonresidential:

(a) New buildings and additions: \$11.00 per 1,000 cubic feet, the calculation of cubic feet being based in part upon the ceiling height, which shall not exceed nine feet for purposes of calculation of the building permit fee. Ceilings may be higher than nine feet, but any height over nine feet will not be used for the calculation of the cubic feet for purposes of calculation of the building permit fee.

3. Moving a building: the same as new construction.

B. Demolition permit.

1. Accessory building: thirteen dollars (\$13.).
2. Residential building: sixty-five dollars (\$65.).
3. Other (commercial or industrial): one hundred thirty dollars (\$130.).

C. Grading permit: a flat fee of fifteen dollars (\$15.).

D. Use and occupancy permits.

1. Residential: none required.
2. Commercial and others: twenty-five dollars (\$25.).

E. Swimming pool.

1. Permit: a flat fee of twenty-five dollars (\$25.).
2. Use and occupancy fee (in-ground only): twenty-five dollars (\$25.).

Garage and Yard Sale Fees. Reference: South Greensburg Code § 89-4.

Fees for permits required under Chapter 89 are as follows:

- A. The fee for the first permit issued to a household within any 12-month period shall be Five (\$5.00) Dollars.
- B. The fee for the second permit issued to a household within the same rolling 12-month period as the first permit shall be Five (\$5.00) Dollars.
- C. All permit fees shall be paid prior to issuance of the permit.
- D. Duly qualified non-profit service organizations and charitable organizations may obtain up to two yard sale permits in any 12-month period without payment of any fee.
- F. Neighborhood groups of five families or more may conduct one garage/yard sale per year without payment of any fee; however, such neighborhood group must obtain a permit in accordance with this Part.
- G. Exceptions: Permit fees and permits are not required for those events sponsored by the Borough of South Greensburg or its departments.

Garbage, Rubbish, and Refuse Charges. Reference: South Greensburg Code §90-7.

Collection charges are as follows:

- A. In the event that the borough provides for the collection of garbage and refuse by using its own equipment and employees to accomplish the same, garbage and refuse service charges shall be levied at the following rates:
 1. Residential customers: One hundred forty Dollars (\$140.00) per annum.
 2. Commercial customer:
 - (a) These charges shall be made on the basis of the number of pickups per week and the volume of garbage and/or refuse collected by the Borough. The following chart shall indicate the annual charge based upon said factors of the number of pickups per week and the volume collected as determined by the capacity dumpsters utilized:

Capacity of Dumpsters Used

# of days	no dumpster	2 yards	4 yards	6 yards	8 yards	10 yards	12 yards	14 yards	16 yards
1	\$244	\$976	\$1,464	\$1,952	\$2,440	\$2,928	\$3,416	\$3,904	\$4,392
2	\$488	\$1,952	\$2,440	\$2,928	\$3,416	\$3,904	\$4,392	\$4,880	\$5,368
3	\$732	\$2,928	\$3,416	\$3,904	\$4,392	\$4,880	\$5,368	\$5,856	\$6,344
4	\$976	\$3,904	\$4,392	\$4,880	\$5,368	\$5,856	\$6,344	\$6,832	\$7,320
5	\$1,220	\$4,880	\$5,368	\$5,856	\$6,344	\$6,832	\$7,320	\$7,808	\$8,296

2 Yard Dumpster: \$352
 4 Yard Dumpster: \$704
 6 Yard Dumpster: \$1,056

All rates are expressed in annual terms. Basic charges are based upon four (4) bags per customer not utilizing a dumpster or sixteen (16) bags per customer using a dumpster.

- (b) The annual charge shall be that amount indicated in the particular box above which corresponds to the number of pickups per week as indicated in the left and the vertical column and the capacity of dumpsters utilized as indicated on the top of the chart and the horizontal column. By way of illustration, assuming there were two (2) days of pickup per week utilizing a four (4) yard dumpster, the charge would be two thousand four hundred forty dollars (\$2,440.00) per year. In another illustration, assuming that there were five (5) pickups per week and a two (2) yard dumpster utilized, the fee would be four thousand eight hundred eighty dollars (\$4,880.00) per year. The Borough of South Greensburg shall solely make the determination as to the number of days of pickup per week and the capacity of dumpsters to be utilized by each particular customer. Said determination shall be based upon factors of health, safety and public welfare.
- (c) In the event that any commercial customers use dumpsters for the collection of garbage, they must use dumpsters provided by the Borough of South Greensburg and pay the established rental rate as established by the Borough of South Greensburg.
- (d) Dumpster rental rates are three hundred fifty-two dollars (\$352.00) per year for a two-yard dumpster, seven hundred four dollars (\$704.00) per year for a four-yard dumpster and one thousand fifty-six dollars (\$1,056.00) per year for a six-yard dumpster..

3. Home Occupations: By obtaining a one-time occupation permit for major or minor home occupation business, if a property owner has indicated that the property use is commercial, then the property owner shall pay the commercial rate provided in Section A(2). Notwithstanding the foregoing, if a business operates out of a residential structure, but is not operated by the residents, then the residents will pay the residential rate provided in Section A(1) and the business shall pay the commercial rate provided in Section A(2).

Massage Parlors. Reference: Greensburg Code §112-8.

The permit fee for a massage business shall be fifty dollars (\$50.) per year or any part thereof.

The permit fee for masseurs shall be ten dollars (\$10.) per year or any part thereof.

Mobile Home Park Permit. Reference: South Greensburg Code §114-9.

The fee for a permit to construct, operate or maintain a mobile home park shall be five dollars (\$5.) per mobile home space, with a minimum of fifty dollars (\$50.) per mobile home park.

Mobile Home Park Permit Renewal. Reference: South Greensburg Code § 114-12.

A permit renewal fee of two dollars (\$2.) per mobile home space must be paid for each year that the permit is renewed.

Peddling and Solicitation. Reference: South Greensburg Code §122-4.

Fees for a peddling and solicitation license are as follows:

- A. Foot peddler: twenty dollars (\$20.) per day or fraction thereof.
- B. Peddler operating from a horse-drawn or motor vehicle: twenty dollars (\$20.) per day or fraction thereof.
- C. Each and every additional peddler employed by or with a foot peddler or peddler operating from a horse-drawn or motor vehicle: twenty dollars (\$20.) per day or fraction thereof.
- D. Notwithstanding the foregoing, no license fees shall be due from a qualified nonprofit organization engaged in peddling with the borough.

Soliciting and Canvassing. Reference: South Greensburg Code: §122-17.

Every applicant for a soliciting and canvassing permit shall pay a processing fee of ten dollars (\$10.), plus ten dollars (\$10.) for each person proposing to solicit as provided herein; however, no fee shall be due from a qualified nonprofit organization engaged in solicitation within the borough.

Vacant and Abandoned Property Registration. Reference: South Greensburg Code §125-

29(F).

The vacant and abandoned property registration fee shall be one hundred dollars (\$100.00) per property and shall be paid annually.

Rental Property License Fee. Reference: South Greensburg Code §130-4.

Each applicant for a rental unit license shall pay to the Borough an annual License and Inspection Fee, in an amount of \$100.00.

Sewer Connection Permit. Reference: South Greensburg Code §135-1.

Any person who shall be the owner or lessee of premises desiring to connect with any sewers of the borough by the "Y" connections now laid and established shall first make application to the Borough Secretary's office and pay an application fee in the amount of one dollar (\$1.00).

Sewer Installation and Connection. Reference: South Greensburg Code §135-2.

Any person who shall be the owner or lessee of premises desiring to connect with the main sewer, other than the "Y" connection now laid in and established, shall pay a license fee of one dollar (\$1.00).

Charges for Garbage Grinders. Reference: South Greensburg Code: §135-36.

The additional charge for garbage grinders shall be in accordance with the following schedule:

- A. Household garbage grinders. For each household garbage grinder in a private dwelling unit, forty cents (\$0.40).
- B. Other than household garbage grinders. For garbage grinders other than household grinders referred to in Subsection A of this section, five dollars (\$5.) per month per grinder of one (1) horsepower capacity, and a proportionately lower or higher charge per grinder of lesser or greater horsepower.

Sewage Connection Charge or Tap Fee. Reference: South Greenburg Code: §135-52(B).

The connection charge or tap fee shall be three hundred dollars (\$300.) for each equivalent dwelling unit (E.D.U.).

Solid Waste Roll Off Containers. Reference: South Greensburg Code §142-4(B).

The fee to cover the cost associated with issuance of a permit or permit renewal pursuant to Article 1 of Chapter 142 of the South Greensburg Code shall be twenty-five (\$25.) per permit. A permit shall be required for each roll-off container.

Curbing and Sidewalk Repair and Replacement. Reference: South Greensburg Code §144-1(B).

A fee of twenty-five dollars (\$25.) shall be paid to the Borough of South Greensburg for the permit required by §144-1 of the South Greensburg Code.

Street Excavation Permit. Reference: South Greensburg Code §144-6.

Street excavation permit fees shall be as follows:

- A. For the first one hundred (100) square feet (or part thereof) of any opening, there shall be paid a permit fee of two hundred and fifty (\$250) dollars.
- B. For each additional one hundred (100) square feet (or part thereof), the permit fee shall be increased by fifty (\$50) dollars.

Fence and Wall Permit Fee. Reference: South Greensburg Code §163-30(D)(4).

The fee for the filing of a fence and wall permit application shall be \$5.00.

Sign Permit Fee. Reference: South Greensburg Code §163-38.1.

Each sign requiring a permit as required by this Chapter shall be subject to payment of a fee hereby established as follows:

- A. For any sign under fifty (50) square feet in area, a fee of twenty-five dollars (\$25.) payable at time of obtaining the permit.
- B. For any sign over fifty (50) square feet in area, a fee of one (\$1.00) Dollar per square foot of sign area with no maximum, payable at time of obtaining the permit.
- C. For any billboard, as said term is hereinafter described, an annual fee shall be as follows:
 - 1. For every single face structure, a fee of Thirty (\$30.00) Dollars payable on or before February 1 of each calendar year.
 - 2. For every multiple face structure, a fee of Thirty-Five (\$35.00) Dollars payable on or before February 1 of each calendar year.

Sexually Oriented Business Permit. Reference: South Greensburg Code §163-63

The annual fee for a sexually oriented business permit is \$500.00.

SECTION 4. That the Mayor, Borough Council President, and Borough Secretary of the Borough of South Greensburg, and/or any other proper officer or employee of the Borough of South Greensburg, are hereby authorized and directed to take any and all action necessary to carry into effect this ordinance, including the ordering and placing of appropriate documentation evidencing the fees herein required, any and all other documents required to carry into effect this Ordinance.

SECTION 5. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 6. This ordinance is effective immediately.

ORDAINED AND ENACTED into an Ordinance of the Borough of South Greensburg this ___ day of _____, 2017, by Council for the Borough of South Greensburg.

BOROUGH OF SOUTH GREENSBURG

By: _____
Clentin C. Martin, President of Council

ATTEST:

Secretary

Examined and approved this _____ day of _____, 2017.

By: _____
Betty Dobies, Mayor