

## **RESOLUTION NO. 2019-11**

**WHEREAS**, pursuant to the Code of Ordinances of the Borough of Manor, Chapter 23, Stormwater Management, §23-114, entitled “Fee Schedule”, the Borough Council “may adopt, by resolution, from time to time, a reasonable schedule of fees to cover the cost of pre-submitted and pre-construction meetings, plan reviews, inspections and other activities necessary to administer, monitor and enforce the provisions of this part”; and

**WHEREAS**, pursuant to the Code of Ordinances of the Borough of Manor, Chapter 23, §23-112, entitled “Inspection of Stormwater Management and Erosion and Sedimentation Controls”, the Borough Engineer or a designated representative shall inspect the implementation, construction, condition, operation and maintenance of the temporary and permanent stormwater management system and erosion and sedimentation controls for the development site. The Borough or a designated representative shall have the right to temporarily locate on any BMP in the Borough such devices as are necessary to conduct monitoring and/or sampling the discharge from such BMP. The permittee shall notify the Engineer forty-eight (48) hours in advance of the completion of the following key development phases:

- A. At the completion of preliminary site preparation including stripping of vegetation, stockpiling of topsoil and construction of temporary stormwater management and erosion and sedimentation control facilities.
- B. At the completion of rough grading but prior to placing topsoil, permanent drainage or other site development improvements and ground covers.
- C. During construction of the permanent stormwater facilities at such times as specified by the Borough Engineer.
- D. Completion of permanent stormwater management facilities including established ground covers and plantings.

E. Completion of final grading, vegetative control measures or other site restoration work done in accordance with the approve plan and permit.

**WHEREAS**, the Borough Council of the Borough of Manor desires to change, alter and amend the Schedule of Fees for activities related to Stormwater Management.

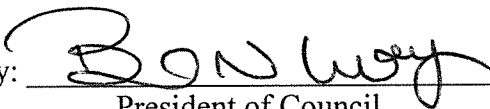
**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Borough Council of the Borough of Manor, that the Schedule of Fees for Stormwater Management activities, attached hereto, marked Exhibit "A", and expressly made a part hereof, are hereby adopted as the Stormwater Management Fees for reviews, inspections and maintenance activities; and

**BE IT FURTHER RESOLVED AND IT IS HEREBY FURTHER RESOLVED** that any resolutions, regulations, schedules or policies in opposite to the within Resolution are hereby repealed.

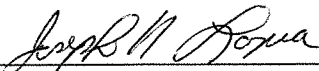
**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**DULY RESOLVED AND ENACTED** by the Borough Council of the Borough of Manor on the 16<sup>th</sup> day of October, 2019.

**THE BOROUGH OF MANOR**

By:   
President of Council

ATTEST: (SEAL)

  
Secretary-Treasurer

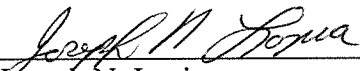
Date: October 16, 2019

**CERTIFICATION**

I, Joseph N. Lapia, duly qualified Secretary-Treasurer of the Borough Council of the Borough of Manor, Westmoreland County, Pennsylvania, do hereby certify that the attached Resolution No. 2019-11 is a true and correct copy of the Resolution, duly ordained and enacted by the Borough Council of the Borough of Manor, Westmoreland County, Pennsylvania, on the 16<sup>th</sup> day of October 2019.

**IN WITNESS WHEREOF**, I affix my hand and attach the seal of the Borough of Manor, this 16<sup>th</sup> day of October, 2019.

Certified to by:

  
\_\_\_\_\_  
Joseph N. Lapia  
Secretary-Treasurer

**FEE SCHEDULE  
STORMWATER MANAGEMENT  
AND EROSION SEDIMENTATION CONTROLS**

**Sites More than 2,500 SF and Less than 1 Acre (43,560 SF)**

Application Fee \$100.00

- 1-A. Review and Approval Fee - (Prepare review letter for all components of an Erosion and Sedimentation Control Plan and a Stormwater Management Plan and review the operation and maintenance agreement.)

\$600.00
  
- 1-B. Inspection Fees – (Pre-construction and construction meetings, and inspections of seepage pits, dry wells, pervious paving, storm tech chambers or similar Best Management Practice activities<sup>1</sup>, facilities, designs, measures or procedures, prior to backfilling).

\$600.00
  
- Total \$1,200.00
  
- 2. Post Construction Inspection Fees – (At the conclusion of all construction and every three years, thereafter for a period of 10 years.)

\$300.00/per inspection

Total deposits \$1,200.00 for 4 inspections.
  
- 3. Stormwater Management Facilities Maintenance Fee and Deposits. (See attached procedures and amounts.)

**Sites 1 Acre to 3 Acres (43,560 SF to 130,680 SF)**

Application Fee \$100.00

- 1-A. Review and Approval Fee - (Prepare review letter for all components of an Erosion and Sedimentation Control Plan and a Stormwater Management Plan, and review the operation and maintenance agreement.)

\$800.00
  
- 1-B. Inspection Fees – (Pre-construction and construction meetings, and inspections of seepage pits, dry wells, pervious paving, storm tech chambers or similar Best Management Practice activities, facilities, designs, measures or procedures, prior to backfilling).

\$800.00
  
- Total \$1,600.00

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<sup>1</sup> BMP (BEST MANAGEMENT PRACTICE) — Activities, facilities, designs, measures or procedures used to manage stormwater impacts from regulated earth disturbance activities, to meet state water quality requirements, to promote groundwater recharge and to otherwise meet the purposes of Chapter 23, Stormwater Management. BMPs include, but are not limited to, infiltration, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, forested buffers, sand filters and detention basins.

2. Post Construction Inspection Fees – (At the conclusion of all construction and every three years, thereafter for a period of 10 years.)

\$400.00/per inspection

Total Deposit \$1,600.00 for 4 inspections

3. Stormwater Management Facilities Maintenance Fee and Deposits. (See attached procedures and amounts.)

**Sites 5 Acres or Greater (217,800 SF)**

Application Fee \$100.00

- 1-A. Review and Approval Fee - (Prepare review letter for components of an Erosion and Sedimentation Control Plan and a Stormwater Management Plan and review operation and maintenance agreement.)\*
- 1-B. Inspection Fees – (Pre-construction and construction meetings, and inspections of seepage pits, dry wells, pervious paving, storm tech chambers or similar Best Management Practice activities, facilities, designs, measures or procedures, prior to backfilling).\*
2. Post Construction Inspection Fees – (At the conclusion of all construction and every three years, thereafter for a period of 10 years.)

\$600.00/per inspection

Total Deposit \$2,400 for 4 inspections

3. Stormwater Management Facilities Maintenance Fee and Deposits. (See attached procedures and amounts)

\*Inspection and review fees are to be charged at a rate of 8% of the total construction costs of the stormwater management system. Construction costs will include the following costs for:

All storm sewer installation, maintenance, repair, replacement and operation costs, including inlet costs, manhole costs, stone bedding & backfill costs, downspout lateral costs, pond or ponds costs includes excavation and embankment, riser structure, headwalls, access drives and related facilities.

Note - Whenever the 8% deposit money has been reduced to half, the developer, home owners association or property owners will be required to replenish the account to its full amount.

## **FEES and DEPOSITS – PROCEDURES and AMOUNTS**

1. Operations and Maintenance Agreement for Stormwater Facilities and BMPs. In addition to the Agreement with the Borough, the property owner or developer (hereafter, property owner or owner) shall, if required by the Pennsylvania Department of Environmental Protection, enter into and record in the Recorder of Deeds Office, an Operations and Maintenance Agreement.

A. Prior to final approval of the site's stormwater management plan the property owner shall sign and record an operations and maintenance agreement covering all stormwater management facilities which are to be privately owned and or maintained. The agreement shall stipulate that:

(1) The owner shall operate and maintain all stormwater management facilities in accordance with the approved operations and maintenance schedule and shall keep all facilities in a safe and attractive manner.

(2) The owner shall reserve and convey to the Borough easements and/or rights-of-way to assure access for periodic inspections by the Borough and maintenance, if required.

(3) The owner shall keep on file with the Borough the name, address and telephone number of the person or company responsible for operations and maintenance activities; in the event of a change, new information will be submitted to the Borough within 10 days of the change.

(4) If the owner fails to maintain the stormwater management facilities following due notice by the Borough to correct the problems or deficiencies, the Borough may perform the necessary maintenance work or corrective work at the owner's sole cost and expense. The Borough shall have the right to withdraw from any deposits held by the Borough; and, if the deposits are inadequate, the owner shall reimburse the Borough for any and all of such costs and expenses. Thereafter the owner shall provide to the Borough, the necessary funds, as determined by the Borough, to replenish the deposit fund.

B. Other items may be included in the agreement where determined necessary to guarantee the satisfactory operations and maintenance of all facilities. The operations and maintenance agreement shall be subject to the review and approval of the Borough Solicitor and the Borough Council and shall be in a form such as may be recorded in the Office of the Recorder of Deeds. The recording costs and expenses of the agreement or a memorandum of the same shall be paid by the owner.

2. Borough Stormwater and BMP Operation and Maintenance Fund.

A. Persons installing stormwater management facilities, whether private or to be dedicated to the Borough, shall be required to pay a specified amount to the Borough Stormwater Maintenance Fund for periodic inspections and operations and maintenance expenses. The initial amount of the deposit shall be \$10,000.00 and determined as follows:

(1) If the stormwater management facilities are to be privately owned and maintained, the deposit shall cover the cost of periodic inspections performed by the Borough for a period of 10 years, as estimated by the Borough Engineer.

(2) If the stormwater management facilities are to be owned and maintained by the Borough, the initial deposit shall cover the estimated costs for maintenance and inspections for 10 years. The Borough Engineer will consider the estimated costs utilizing information submitted by the applicant; provided however, that the Engineer shall make the final determinations.

B. If a stormwater management facilities are proposed that also serves as a recreation facility (e.g., ball field, lake), the Borough may reduce or waive the amount of the maintenance fund deposit based upon the value of the land for public recreation purposes.

C. If at some future time stormwater management facilities (whether publicly or privately owned) are eliminated due to the installation of storm sewers or other stormwater management facilities, the unused portion of the maintenance fund deposit will be applied to the cost of abandoning the facility and connecting to the storm sewer system or other facility. Any amount of the deposit remaining after costs of abandonment are paid will be returned to the depositor.

D. If stormwater BMPs are accepted by the Borough for dedication, the Borough shall require persons installing stormwater BMPs to pay a specified amount to the Borough Stormwater BMP Operation and Maintenance Fund, for costs of operations and maintenance activities. The initial amount of the deposit shall be \$10,000.00 and any additional deposits shall be determined as follows:

(1) If the BMP is to be owned and maintained by the Borough, the amount shall cover the estimated costs for operations and maintenance for 10 years, as determined by the Borough.

E. If a BMP is proposed that also serves as a recreation facility (e.g., ball field, lake), the Borough may adjust the amount due accordingly.