

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 15-253

**AN ORDINANCE TO ESTABLISH TRANSPORTATION SERVICE AREAS
AND TO ENACT TRAFFIC IMPACT FEES IN ACCORDANCE WITH ACT 209 OF 1990**

WHEREAS, the Board of Supervisors of Worcester Township did, by Resolution 2002-07, establish the Worcester Township Act 209 Traffic Impact Fee Advisory Committee; and,

WHEREAS, said Committee, subsequent thereto, did work to prepare a Land Use Assumptions Report, a Roadway Sufficiency Analysis and a Transportation Capital Improvement Plan in accordance with Act 209 of 1990 as last amended, and pursuant to the Pennsylvania Municipalities Planning Code as last amended; and,

WHEREAS, the Board of Supervisors have adopted by Resolution the above-noted Land Use Assumptions Report, Roadway Sufficiency Analysis and Transportation Capital Improvement Plan in accordance with Act 209 of 1990 as last amended, and pursuant to the Pennsylvania Municipalities Planning Code as last amended; and,

WHEREAS, the Board of Supervisors now desires to amend the Township Code so to enact traffic impact fees applicable to certain development and redevelopment situated within established transportation services areas;

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of the Township, the Code shall be amended as follows:

SECTION I – Chapter 130, Section 55, *Establishment of transportation service areas*, shall be deleted in its entirety and shall read as follows:

1. There are hereby established two transportation service areas in the Township consisting of the North Transportation Service Area and the South Transportation Service Area. The boundaries of the North and South Transportation Service Areas are delineated on "Figure 1" of the Worcester Township Roadway Sufficiency Analysis and Transportation Capital Improvement Plan, dated June 2015, and are incorporated herein by reference.

SECTION II – Chapter 130, Section 56, *Establishment of impact fees for North and South Transportation Areas*, shall be deleted in its entirety and shall read as follows:

1. In accordance with the Worcester Township Roadway Sufficiency Analysis and Transportation Capital Improvement Plan prepared by McMahon Associates, Inc., dated June 2015, the traffic impact fee per p.m. peak trip generated by new development for the North Transportation Service Area shall be in the amount of \$3,977. The traffic impact fee for each p.m. peak trip in the South Transportation Service Area shall be \$3,125."

SECTION III – Chapter 130, Section 60, shall be re-titled *Credits; exemption from fee*, and shall be amended as follows:

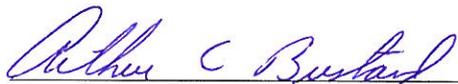
1. § 130-60.E shall be added and shall read as follows: "De minimus applications shall be exempted from the fee. De minimus applications shall mean those subdivisions and developments that can be shown to generate less than two (2) additional p.m. peak-hour trips, without rounding, using the most current version of the Institute of Transportation Engineers publication Trip Generation or a mutually agreed upon traffic study. To qualify for the exemption, applicants shall be required to place a waiver request on their final plat and submit information to support their request."

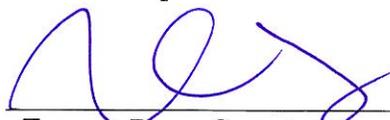
SECTION IV – Chapter 130, Section 64, shall be re-titled *Severability; validity; effective date*, shall be deleted in its entirety and shall read as follows:

1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.
2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
3. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of December, 2015.

FOR WORCESTER TOWNSHIP

By: 
Arthur C. Bustard, Chairman
Board of Supervisors

Attest: 
Tommy Ryan, Secretary