

BOARD OF SUPERVISORS  
NORTH WHITEHALL TOWNSHIP  
LEHIGH COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2000-1

AN ORDINANCE REVISING SECTION 1.08 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REGARDING PLANS AND APPLICATION FEES, AND ALSO REVISING APPENDIX E ITEM E.02B - MINOR TRAFFIC IMPACT, REGARDING THE TRAFFIC IMPACT STUDY CONTRIBUTIONS PERTAINING TO NEWLY CREATED LOTS; AND REVISING ORDINANCE 98-2 AND AMENDING THE FEE SCHEDULE OF THE TOWNSHIP REGARDING PAYMENTS IN LIEU OF PUBLIC LAND DEDICATION.

**WHEREAS**, questions have arisen regarding the application of two sections of the North Whitehall Township Subdivision and Land Development Ordinance (“SALDO”), particularly with regard to Section 1.08 pertaining to application of fees and also with regard to Section E.02B of Appendix E regarding the traffic impact study contributions regarding plans filed within North Whitehall Township; and

**WHEREAS**, questions have arisen regarding the application of Ordinance 98-2 wherein a recreation fee may be paid to the Township in lieu of the public dedication of land as described in item 1 of Ordinance 98-2 and listed on the Township fee schedule; and

**WHEREAS**, the Board of Supervisors of North Whitehall Township desire to clarify Sections 1.08 and E.02B of the Subdivision and Land Development Ordinance and item 1 of Ordinance 98-2 and corresponding fee schedule listing; and

**WHEREAS**, the Board of Supervisors of North Whitehall Township believe certain minor revisions to the SALDO and Ordinance 98-2 enable clear application of those sections

of the SALDO and Ordinance for the citizens, residents and applicants of North Whitehall Township.

**NOW, THEREFORE**, be it enacted and ordained by the Board of Supervisors of North Whitehall Township, a municipal corporation and Township of the Second Class, duly organized and lawfully existing in the County of Lehigh, Commonwealth of Pennsylvania, that the aforementioned sections of the North Whitehall Township Subdivision and Land Development Ordinance and also item 1 of Ordinance 98-2 and fee schedule shall be amended and appear as follows:

**1.08 FEES.** Plans shall not be considered filed until all application fees are paid and the applications are properly signed.

#### **Appendix E - TRAFFIC IMPACT**

**E.02B - MINOR TRAFFIC IMPACT.** Any proposed subdivision which has estimated ADT of five hundred or less shall be considered to have a "Minor Traffic Impact", in which event the owner/developer of the proposed subdivision shall contribute \$200.00 per newly created lot to be used or intended to be used for a dwelling unit, to the Township Traffic Impact Study Account, prior to the recording of a subdivision plan. The Supervisors shall have the discretion to require a Minor Traffic Impact project to comply with the requirements of a Major Traffic Impact project, in lieu of the said contribution, if the Supervisors determine that traffic generation in the vicinity of the proposed subdivision warrants such a study.

#### **ORDINANCE 98-2**

1. A fee of One Thousand Dollars (\$1,000.00) per newly created lot to be used or intended to be used for a dwelling unit, and in the case of nonresidential land development Ten Cents (\$.10) per square foot of building coverage, shall be charged to the applicant in lieu of the requirement for public dedication of land, in accordance with the Township's Subdivision and Land Development Ordinance and pursuant to 53 P.S. Section 10503.

I. All other Ordinances or parts of Ordinances in conflict herewith in whole or in part are hereby repealed, but only to the extent of such conflict.

II. In the event that any provision, section, sentence, clause, or other part of this Ordinance, or any application thereof, is held to be invalid by a court of competent jurisdiction, then such invalidity shall not affect or impair any other remaining provision, section, sentence, clause, or other part of this Ordinance, or any application thereof, it being the express intent of the Township that the remainder of this Ordinance and its applications shall be and shall remain in full force and effect, as completely as if the part or parts or application held invalid had not been included herein.

III. This Ordinance shall take effect five (5) days after the enactment thereof.

IV. The Township Secretary to the Board of Supervisors of North Whitehall Township shall certify to the adoption of this Ordinance, and shall cause the same to be filed and/or published as required by law.

DULY ENACTED AND ORDAINED THIS 15 DAY OF NOVEMBER, 2000 BY THE BOARD OF SUPERVISORS OF NORTH WHITEHALL TOWNSHIP, AT A DULY ADVERTISED, NOTICED, PUBLISHED AND LAWFULLY ASSEMBLED REGULAR PUBLIC MEETING AND HEARING.

ATTEST:

BOARD OF SUPERVISORS OF  
NORTH WHITEHALL TOWNSHIP

BY: \_\_\_\_\_  
Barbara A. Schwartz,  
Secretary

BY: \_\_\_\_\_  
Janet L. Talotta, Chairperson

BY: \_\_\_\_\_  
Ronald E. Stahley, Supervisor

BY: \_\_\_\_\_  
Terry P. Stoudt, Supervisor