

BOARD OF SUPERVISORS
NORTH WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA



ORDINANCE NO. 2007-11

AN ORDINANCE TO AMEND ORDINANCE 98-2 AND THE FEE SCHEDULE OF THE TOWNSHIP TO PROVIDE FOR A PAYMENT OF A FEE IN LIEU OF PUBLIC LAND DEDICATION PURSUANT TO THE NORTH WHITEHALL TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

WHEREAS, the Township of North Whitehall ("Township"), a municipal corporation and a body both corporate and politic. is a political subdivision and Township of the Second Class, situated in Lehigh County, being duly organized and lawfully existing under the Second Class Township Code of the Commonwealth of Pennsylvania (53 P.S. Section 65101 et seq.), as amended; and,

WHEREAS, the "municipal governing body" of North Whitehall Township is the duly elected Board of Supervisors; and

WHEREAS, the Board of Supervisors of the Township have a formally adopted recreation plan known as the Comprehensive Parks, Recreation and Open Space Plan and have updated said plan in 2007; and

WHEREAS, cash in lieu of land dedication may be required by the Board of Supervisors. in accordance with the Township Subdivision and Land Development Ordinance,

particularly Section 9.18 "Open Space and Recreation Areas" and in accordance with 53 P.S. Section 10503(11).

NOW THEREFORE, BE IT ADOPTED, ENACTED, AND ORDAINED by the Board of Supervisors of North Whitehall Township that:

1. A fee of Two Thousand Five Hundred Dollars (\$2,500.00) per new dwelling unit or lot intended for a dwelling unit. and in the case of nonresidential land development Twenty-five Cents (\$0.25) per square foot of building floor area and impervious 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.
2. All other Ordinances or parts of Ordinances in conflict herewith in whole or in part are hereby repealed, but only to the extent of such conflict.
3. 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.
4. This Ordinance shall take effect five (5) days after the enactment thereof.

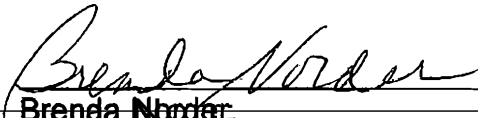
5. The Township Secretary to the Board of Supervisors of North Whitehall' Township shall certify to the adoption of this Ordinance, and shall cause the same to be filed and/or published as required by law.

DULY ENACTED AND ORDAINED THIS 18th DAY OF April, 2007,
BY THE BOARD OF SUPERVISORS OF NORTH WHITEHALL TOWNSHIP,
AT A DULY ADVERTISED, NOTICED, PUBLISHED AND LAWFULLY
ASSEMBLED REGULAR PUBLIC MEETING AND HEARING.

ATTEST:

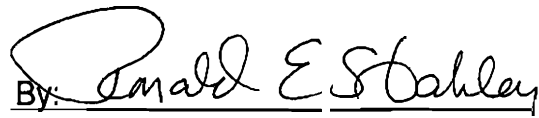
**BOARD OF SUPERVISORS OF
NORTH WHITEHALL TOWNSHIP**

By:



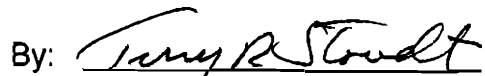
Brenda Norder
Secretary

By:



Ronald E. Stahley, Chairman

By:



Terry P. Stoudt, Supervisor

By:



Ronald J. Heintzelman, Supervisor