

**UPPER PROVIDENCE TOWNSHIP
MONTGOMERY COUNTY, PA**

ORDINANCE #598

AN ORDINANCE AMENDING SECTION 154-71 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE WITHIN THE UPPER PROVIDENCE TOWNSHIP'S CODE, TO AMEND THE TRAFFIC IMPACT FEE FOR THE TWO SERVICE AREAS ESTABLISHED BY THE ACT 209 PLAN ADOPTED IN MAY 2019. THOSE FEES TO BE AMENDED TO \$2,293.46 FOR SERVICE AREA ONE AND \$3,243.43 FOR SERVICE AREA TWO, PER "NEW" AFTERNOON PEAK HOUR TRIP.

WHEREAS, Upper Providence Township is a Township of the Second Class organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Pennsylvania Municipalities Planning Code, Article V, Subdivision and Land Development, 53 P.S. § 10501, *et. seq.*, authorizes the Board of Supervisors of Upper Providence Township to regulate subdivisions and land development within the Township by enacting a Subdivision and Land Development Ordinance, and by making amendments thereto from time to time; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Upper Providence Township, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1. The Code of the Township of Upper Providence, Chapter 154 Subdivision and Land Development Ordinance, Article IX, Act 209 Traffic Impact Fees, Section 71, "Calculation of per-peak-hour-trip for transportation service area," is hereby amended to read as follows:

§ 154-71 Calculation of per-peak-hour-trip fee for transportation service area.

The amount of the per-peak-hour-trip fee for the transportation service area shall be \$2,293.46 for Service Area One and \$3,243.43 for Service Area Two, unless revised or amended in accordance with the provisions hereof and the Act, calculated in accordance with the Act as follows:

SECTION 2. Repealer. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.


SECTION 3. Severability. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of

competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining provisions of this Ordinance.

SECTION 4. Effective date. This amendment shall become effective five (5) days after its adoption.


ENACTED AND ORDAINED this 21st day of November, 2022.

**BOARD OF SUPERVISORS
UPPER PROVIDENCE TOWNSHIP**

BY: 

William Starling, Chair

ATTEST:



Timothy J. Tieperman,
Township Manager/Secretary