

BOROUGH OF BROOKHAVEN, DELAWARE COUNTY, PENNSYLVANIA

Ordinance No. 814

AN ORDINANCE OF THE BOROUGH OF BROOKHAVEN, DELAWARE COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING EXISTING REGULATIONS REGARDING PERMIT FEES FOR THE RESIDENTIAL INSTALLATION OF SOLAR, GEOTHERMAL, AND/OR WIND TURBINE ENERGY GENERATION SYSTEMS IN THE BOROUGH, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith TO THE EXTENT OF SUCH INCONSISTENCY ONLY, AND AMENDING CHAPTER 1408.01 "BUILDING PERMITS AND FEES – PERMITS REQUIRED; EXEMPTIONS; COMMENCEMENT OF WORK," AND REPEALING ALL ORDINANCES OR RESOLUTIONS DIRECTLY INCONSISTENT HERewith TO THE EXTENT OF SUCH INCONSISTENCY ONLY.

WHEREAS, Borough Council is empowered under the Borough Code to enact, revise, repeal, and amend ordinances and resolutions as it deems beneficial to the Borough; and

WHEREAS, the Codified Ordinances of the Borough of Brookhaven (the "Code") contains certain provisions imposing permit fees for construction in the Borough; and

WHEREAS, the Borough desires to set specific permit fees and maximum fees for the residential installation of solar, geothermal, and/or wind turbine energy generation systems;

BE IT ENACTED and it is hereby enacted and ordained by the Council of Brookhaven Borough, Delaware County, Pennsylvania, as follows:

1. Amendment to Section 1408.01 of the Code – Permits Required; Exemptions; Commencement of Work

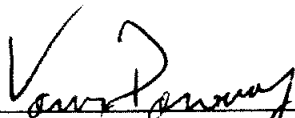
Section 1408.01 of the Code, regulating the permit requirements and permit fees for construction within the Borough, is hereby amended to add sub-section 1408.01(K) as follows:

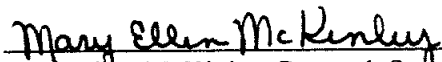
- (K) Notwithstanding anything to the contrary contained in this section or in Chapter 208 of the Administration Code, the permit fee for the residential installation of solar, geothermal, and/or wind turbine energy systems shall

be 2% of the contract value, up to a maximum permit fee of \$800, for each system installation.

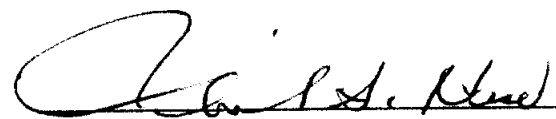
2. Effective Date. This Ordinance shall be effective upon its adoption by Brookhaven Borough Council and its approval by the Mayor.
3. Repealer. All Ordinances, Resolutions, or parts thereof, inconsistent herewith are repealed, rescinded, cancelled, and annulled to the extent of such inconsistency.
4. Severability. The provisions of this Ordinance and Code sections adopted hereby are severable, and if any clause, sentence, or section thereof shall be adjudged invalid or unconstitutional, such decision or judgment shall not affect the validity of the remaining provisions.

DULY ENACTED THIS 3rd DAY OF June,
2019, BY THE COUNCIL OF THE BOROUGH OF BROOKHAVEN.

By: 
Vawn Donaway, President
Brookhaven Borough Council

Attest: 
Mary Ellen McKinley, Borough Secretary

EXAMINED AND APPROVED THIS 3rd DAY OF
June, 2019.

By: 
Michael Hess, Mayor