

The regular meeting of the **BOARD OF COMMISSIONERS** for December 2020 was held this evening via web-conference, President Daniel B. Norris presiding. Members present were Commissioners Holland, Rappoport, Areman, Pransky, Brockington and Zygmund-Felt.

Staff present via web-conference were Robert Zienkowski, Township Manager; Alyson Elliott, Assistant Township Manager; John Frye, Chief of Police; John Weed, Deputy Chief of Police; Scott Lynch, Fire Marshal; Christopher Clewell, Public Works Superintendent; Brian Hinson, Director of Parks and Recreation; Joseph Stuckert, Street Lighting and Traffic Signal Superintendent; Mike Fleming, Public Works Coordinator; Ken Hellendall, Director of Emergency Management; and Henry Sekawungu, Director of Planning and Zoning. Also present via web-conference was Joseph Bagley, Esq., Township Solicitor.

Mr. Bagley announced that the Board met in an Executive Session prior to this evening's meeting to discuss personnel matters, potential litigation, emergency preparedness and the protection of public safety, and matters which if discussed in public would violate a lawful privilege.

Mr. Norris took a moment to wish everyone a very happy and healthy Holiday and New Year and thanked Township staff and volunteers for their continued hard work.

1. The meeting was commenced by Mr. Norris at 7:36 pm.
2. Ms. Rappoport led the Pledge of Allegiance.
3. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated November 18, 2020, upon motion of Mr. Areman, the minutes were unanimously approved by the Board of Commissioners.
4. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of November 2020, upon motion of Mr. Pransky, the report was unanimously approved by the Board of Commissioners.
5. Each member having received a copy of the Accounts Paid Report for the month of November 2020, upon motion of Mr. Pransky, the report was unanimously approved by the Board of Commissioners.
6. **PUBLIC HEARING**: At 7:40 p.m., Mr. Bagley announced the opening of a Public Hearing to receive any and all comments and suggestions from the public regarding the Final Operating and Capital Budgets and State Liquid Fuels Budget for 2021 pursuant to 1205(d) of the Home Rule Charter.

Mr. Bagley read the following exhibits into the record:

- Exhibit 1: Attested 2021 Operating Budget Ordinance
- Exhibit 2: Attested 2021 Capital Budget Ordinance
- Exhibit 3: Advertisement in the *Times Herald*, Saturday, November 28, 2020
- Exhibit 4: Advertisement in the *Times Herald*, Saturday, December 5, 2020
- Exhibit 5: Email filing attested Ordinance with the Montgomery County Law Library, November 25, 2020
- Exhibit 6: Posting of Notice on Township Website (and Bulletin Board), November 25, 2020
- Exhibit 7: Board of Commissioners adoption of 2021 Preliminary Operating and Capital Budgets, November 18, 2020
- Exhibit 8: Finance Committee recommendation to adopt the 2021 Operating and Capital Budgets, December 9, 2020

Mr. Bagley provided an overview and asked for public comment on the proposed ordinances.

Seeing that there were no individuals who wanted to speak on the matter, Mr. Bagley advised Mr. Norris to close the hearing and return to the regularly-scheduled meeting of the Board of Commissioners. A motion was made by Mr. Zygmund-Felt and unanimously approved by the Board of Commissioners to close the Public Hearing at 7:43 p.m.

- a. Upon motion of Mr. Norris, the Board of Commissioners with a 7-0 vote approved the adoption of **Ordinance No. 2413-20** approving the 2021 Operating Budget (Ayes: Brockington, Norris, Rappoport, Pransky, Areman, Holland and Zygmund-Felt) (see attached).
- b. Upon motion of Mr. Norris, the Board of Commissioners with a 7-0 vote approved the adoption of **Ordinance No. 2414-20** approving the 2021 Capital Budget (Ayes: Brockington, Norris, Rappoport, Pransky, Areman, Holland and Zygmund-Felt) (see attached).
- c. Upon motion of Mr. Norris, the Board of Commissioners approved the adoption of **Resolution No. 32-20** approving the 2021 State Liquid Fuels Budget Allocation (see attached).

Mr. Zienkowski commended the Board of Commissioners for all of their time and dedication to helping prepare this year's budget.

7. **PUBLIC HEARING**: At 7:46 p.m., Mr. Bagley announced the opening of a Public Hearing to receive any and all comments and suggestions from the public regarding the adoption of an Ordinance amending Chapter 260, entitled SALDO Sections 260-103 "Purposes", 260-201 "Definition" of Terms", 260-304 "Preliminary Plan Requirements", and 260-409 "Preservation and Protection of Existing Vegetation" and to add new provisions including new Tree Replacement.

Mr. Bagley read the following exhibits into the record:

- Exhibit 1: Attested Ordinance
- Exhibit 2: Proof of Publication for Legal Notices published in the *Times Chronicle* on Sunday, November 15, 2020 and Sunday, November 22, 2020
- Exhibit 3: Email filing attested Ordinance with the Montgomery County Law Library, November 25, 2020
- Exhibit 4: Posting of Legal Notice on Township Website (and Bulletin Board), November 25, 2020
- Exhibit 5: Review Letter from the Montgomery County Planning Commission, October 23, 2020
- Exhibit 6: Email from Henry Sekawungu, Director of Planning and Zoning confirming the Ordinance was sent to the Montgomery County Planning Commission for review, November 6, 2020
- Exhibit 7: Cheltenham Township Planning Commission Recommendation, October 26, 2020
- Exhibit 8: Recommendation of the Building and Zoning Committee, December 2, 2020
- Exhibit 9: Board of Commissioners Authorization to Advertise a Public Hearing, September 16, 2020

Mr. Bagley provided an overview and asked for public comment on the proposed ordinances.

Public Comment

Robert Hyslop, 211 Harrison Avenue, Glenside, PA, commented on the definition of tree and mature tree and noted that invasive trees have been excluded. Since there are different varieties along the streambanks that seem to do more harm than good, has this been taken into consideration, even though the intent is to preserve trees. Mr. Bagley said there is a provision that states that if the above preservation measures are not appropriately given case, a mature

tree may be designated to be removed due to being an undesirable or nuisance tree (individual or species), for example diseased or insect infested, messy fruit trees, non-native or invasive. Mr. Hyslop asked if this was part of the new proposed Ordinance. Mr. Bagley confirmed that this is a new provision in the revised Ordinance being presented this evening.

Mr. Pransky expressed concerns with the definition of mature tree and the three-inch diameter, which is considered a sapling; it's not considered a mature tree. Mature trees start at over four inches. This becomes burdensome to developers and developing properties. Mr. Pransky asked that the three-inch diameter be increased before approving this Ordinance. Mr. Norris asked if this change can be made tonight and still adopt the Ordinance. Mr. Bagley said that since this is considered a substantial change, the ordinance would need to be amended and re-advertised in accordance with the requirements of the Municipalities Planning Code. Mr. Norris asked if pushing adoption of the ordinance back to accommodate the advertising requirements for an amendment creates any difficulties for the Township. Mr. Sekawungu said this could create some difficulties if someone submitted an application today or tomorrow, they would be submitting the application based on the existing Ordinance, which would not incorporate any of these proposed changes. Mr. Bagley suggested adopting this Ordinance as is and then write another Ordinance that addresses Mr. Pransky's concerns. Ms. Rappoport noted that developers could submit a waiver request if required. Mr. Pransky expressed concern that developers may look at that and be worried that after all the time and money spent, that their waiver request may not be granted. Mr. Norris suggested voting on the Ordinance this evening that an amendment with respect to the diameter of the trees be made at a future meeting.

PUBLIC HEARING

Above is a brief synopsis of the public comment. For a full transcript, see the "*Notes of Testimony*" taken by a court reporter which are available for review upon request at the Cheltenham Township Administration Building, 8230 Old York Road, Elkins Park, Pennsylvania 19027.

Seeing that there were no other individuals who wanted to speak on the matter, Mr. Bagley advised Mr. Norris to close the hearing and return to the regularly-scheduled meeting of the Board of Commissioners. A motion was made by Mr. Pransky and unanimously approved by the Board of Commissioners to close the Public Hearing at 7:53 p.m.

- a. Upon motion of Mr. Norris, the Board of Commissioners with a 7-0 vote adopted **Ordinance No. 2415-20** amending Chapter 260, entitled SALDO Sections 260-103 "Purposes", 260-201 "Definition" of Terms", 260-304 "Preliminary Plan Requirements", and 260-409 "Preservation and Protection of Existing Vegetation" and to add new provisions including new Tree Replacement, contingent upon amending the definition of mature trees (Ayes: Brockington, Norris, Rappoport, Pransky, Areman, Holland and Zygmond-Felt) (see attached).
8. **PUBLIC HEARING**: At 8:02 p.m., Mr. Bagley announced the opening of a Public Hearing to receive any and all comments and suggestions from the public regarding the adoption of an Ordinance amending Chapter 295, Zoning to Clarify and Modify the Definitions of "Dwelling," "Family," "Hotel," and "Motel" and to Enact Definitions of "Short-Term," "Short-Term Transient Lodging" and "Vacation Rental"; to Regulate the uses of Short-Term Transient Lodging and Vacation Rental; and to Modify the Use Regulations for a Bed and Breakfast

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November 25, 2020

- Exhibit 4: Posting of Legal Notice on Township Website (and Bulletin Board), November 25, 2020
- Exhibit 5: Review Letter from the Montgomery County Planning Commission, November 23, 2020
- Exhibit 6: Email from Robert Habgood, Assistant Director of Planning and Zoning confirming the Ordinance was sent to the Montgomery County Planning Commission for review, November 12, 2020
- Exhibit 7: Cheltenham Township Planning Commission Recommendation, November 23, 2020
- Exhibit 8: Recommendation of the Building and Zoning Committee, December 2, 2020
- Exhibit 9: Board of Commissioners Authorization to Advertise a Public Hearing, October 21, 2020

Mr. Bagley provided an overview and asked for public comment on the proposed ordinances.

Seeing that there were no individuals who wanted to speak on the matter, Mr. Bagley advised Mr. Norris to close the hearing and return to the regularly-scheduled meeting of the Board of Commissioners. A motion was made by Mr. Pransky and unanimously approved by the Board of Commissioners to close the Public Hearing at 8:05 p.m.

- a. Upon motion of Mr. Norris, the Board of Commissioners with a 7-0 vote adopted **Ordinance No. 2416-20** amending Chapter 295, Zoning to Clarify and Modify the Definitions of “Dwelling,” “Family,” “Hotel,” and “Motel” and to Enact Definitions of “Short-Term,” “Short-Term Transient Lodging” and “Vacation Rental”; to Regulate the uses of Short-Term Transient Lodging and Vacation Rental; and to Modify the Use Regulations for a Bed and Breakfast (Ayes: Brockington, Norris, Rappoport, Pransky, Areman, Holland and Zygmund-Felt) (see attached).

9. Consider approval of the recommendations of the Public Works Committee and acceptance of its Regular Meeting Minutes dated December 2, 2020:

- a. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously approved **Resolution No. 33-20** approving the Sewage Facilities Planning Module for Mr. Kim, 140 South Easton Road, Glenside, to permit the renovation of a second floor to include four efficiency and four one-bedroom apartments (see attached).
- b. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously approved **Resolution No. 34-20** approving the Sewage Facilities Planning Module for More Shopping Center, 7320 Old York Road, Elkins Park to permit the construction of a 633 square foot addition for storage space and a 6,870 square foot addition to the H-Mart grocery store (see attached).
- c. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously approved of James J. Clearkin, Inc. of Cheltenham, PA in the amount of \$7,500 for Option No. 2 to remove and replace 20 concrete blocks in the sidewalk at the base of the main staircase at the Glenside Library.
- d. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously approved of the trade-in of the old Fire Marshal vehicle for credit of \$500 which will be deducted from the purchase price of the new vehicle.
- e. Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously approved to table the authorization of the Township Solicitor and Township Manager to execute an agreement between the Township and Vivian C. and Edmund P. Dornheim for a permanent, 1,474 square foot Stormwater Maintenance Access Easement on, over, across and through the premises of 215 Harrison Avenue, Glenside, PA 19038.

Mr. Areman asked if there had been any conversation with Mr. Dornheim. Mr. Bagley said the Township Engineer did most of the groundwork on this. He and the Township Manager will reevaluate this and approach Mr. Dornheim to resolve any questions he has.

f. Approval for the Township Solicitor and Township Manager to execute the following agreements on behalf of the Township, subject to approval of revised language by the Township Solicitor:

1) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved an agreement with Provco Pinegood Glenside, LLC, owner 200 South Easton Road in Glenside, and Brian P. McVan and Michele B. McVan, owners of 160-162 South Easton Road in Glenside, to permit the relocation of a portion of West Waverly Road onto portions of the properties owned by Provco Pinegood Glenside, LLC and Brian P. McVan and Michele B. McVan (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

Mr. Bagley noted that after this agreement was circulated to the Board and recommended for approval, he looked at the new First Class Township Code, which will go into effect on December 28. The new Code eliminated the need to file a petition with the Court, which this current agreement requires. Mr. Bagley said counsel for Provco agreed to eliminate the need to petition the court if the agreement is executed by December 28.

2) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved a Deed of Dedication of Traffic Signal Easement from Ventura Real Estate LP for 201 South Easton Road in Glenside (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

3) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved a Deed of Dedication of Traffic Signal Easement from Provco Pinegood Glenside, LLC at 200 South Easton Road in Glenside (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

4) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved a Deed of Dedication from Provco Pinegood Glenside, LLC for required right-of-way at 200 South Easton Road in Glenside (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

Mr. Bagley noted that most of the changes he made after circulating to the Board were deleting any requirement that the Township be obligated to pay any attorney's fees and costs for all of the Deeds of Dedication.

5) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved a Temporary Construction Easement to Provco Pinegood Glenside, LLC to permit the construction, alignment/realignment of the road, sidewalk and traffic signals on Township lands located near the intersection of West Waverly Road and Harrison Avenue (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

Mr. Zygmund-Felt noted that there has been a lot of discussion on this item and the applicant is waiting on the approval of the Highway Occupancy Permit.

6) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved a Sidewalk Easement Agreement from Brian P. McVan and Michele B. McVan at 160-162 South Easton Road in Glenside (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

- 7) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved a Financial Security Reduction Agreement with Provco Pinegood Glenside, LLC for County Improvements, with the provision that reflects the amended language from Commissioner Areman (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

Mr. Areman stated that there was discussion about the approvals and what would happen if the County does not approve the improvements within a certain period of time. He wanted to make sure agreement was revised to reflect that the Township would have the ability to make the approvals or review them before the funds were released. Mr. Bagley suggested that we make the motion to approve subject to that change.

- 8) Upon motion of Mr. Zygmund-Felt, the Board of Commissioners with a 6-1 vote approved authorizing execution of a Deed of Dedication of Traffic Signal Easement from Provco Pinegood Glenside, LLC at Wells Fargo (Ayes: Brockington, Holland, Norris, Areman, Pransky, Zygmund-Felt; Nays: Rappoport).

Upon motion of Mr. Zygmund-Felt, the Board of Commissioners unanimously accepted the Public Works Committee Meeting Minutes of December 2, 2020.

10. Consider approval of the recommendations of the Building and Zoning Committee and acceptance of its Regular Meeting Minutes dated December 2, 2020.

- a. Upon motion of Mr. Pransky, the Board of Commissioners with a 5-2 vote approved of a Cooperation Agreement between Salus University, Cheltenham Township and the Redevelopment Authority (Ayes: Brockington, Norris, Pransky, Zygmund-Felt, Holland; Nays: Rappoport, Areman).

Mr. Bagley noted that he has received this agreement, which is contingent on receipt of the original letter of credit from Salus University.

- b. Upon motion of Mr. Pransky, the Board of Commissioners unanimously authorize advertisement of the Board of Commissioners intention to consider the adoption of an Ordinance amending Section 5-19.B., "Finance Officer Compensation," of the Cheltenham Township Code, to modify the compensation and benefits of the Elected Finance Officer at its regularly-scheduled meeting on December 16, 2020.
- c. Upon motion of Mr. Pransky, the Board of Commissioners unanimously authorize advertisement of a Public Hearing to consider Public Comment and its intention to consider the adoption of an Ordinance amending Chapter 295, Zoning, of the Cheltenham Township Code to re-categorize the use of Tobacco Store/Smoke Shop as an Industrial Use and otherwise amend the definition of the Tobacco Store/Smoke Shop Use at its regularly-scheduled meeting on February 17, 2021.

Ms. Rappoport asked about the Finance Officer compensation and thought that this needed to be accomplished by the end of this year. Mr. Holland said that this item is listed on the Finance agenda to vote on this evening. Mr. Bagley clarified that this is ratifying an advertisement that already took place.

Upon motion of Mr. Pransky, the Board of Commissioners unanimously accepted the Building and Zoning Regular Meeting Minutes of December 2, 2020.

11. Consider approval of the recommendations of the Public Safety Committee and acceptance of its Regular Meeting Minutes dated December 9, 2020.

- a. Upon motion of Mr. Brockington, the Board of Commissioners with a 7-0 vote approved the adoption of **Ordinance No. 2417-20** amending Chapter 285, Vehicles and Traffic,

Section 285-43, Street and Parking Regulations, of the Cheltenham Township Code to amend traffic regulations to add Handicapped Parking in front of 473 Valley Road (Ayes: Brockington, Norris, Rappoport, Pransky, Areman, Holland and Zygmund-Felt) (see attached).

- b. Upon motion of Mr. Brockington, the Board of Commissioners unanimously approved to recognize Mr. Tom Sullivan upon his retirement after more than 19 years of dedicated service as the Director of Public Safety for Montgomery County at a future in-person meeting of the Board of Commissioners.
- c. Upon motion of Mr. Brockington, the Board of Commissioners unanimously approved of the purchase of solar powered LED stop sign panels for three (3) intersections.

Mr. Pransky expressed concerns about committing to an undetermined amount of stop signs. Mr. Brockington confirmed that it is 12 signs at the cost of \$600 per sign, which has been budgeted in the Traffic Calming Committee budget. Mr. Norris said that this is being done on a trial basis and the intersections will be picked at a later date. Mr. Zygmund-Felt asked if these stop signs could be distributed throughout multiple wards. Mr. Areman asked who makes the final determination as to where these signs are placed. Mr. Brockington said that it will come from the Police Department with assistance from the Traffic Calming Committee. Mr. Holland said that he feels like this does not need to be brought back to the Commissioners. This decision should be made by the Manager, Committee and Police Department. Ms. Rappoport concurred with Mr. Holland.

Upon motion of Mr. Brockington, the Board of Commissioners unanimously accepted the Public Safety Regular Meeting Minutes dated December 9, 2020.

12. Consider approval of the recommendations of the Public Affairs Committee and acceptance of its Regular Meeting Minutes dated December 9, 2020.

- a. Upon motion of Ms. Rappoport, the Board of Commissioners unanimously authorize advertisement of the Board's intention to consider the adoption of an Ordinance amending Chapter 9, Advisory Boards and Committees, Section 9-7.A., Human Relations Committee, to increase the number of members from seven to nine at its regularly-scheduled meeting on January 20, 2021.

Upon motion of Ms. Rappoport, the Board of Commissioners unanimously accepted the Public Affairs Committee Regular Meeting Minutes of December 9, 2020.

13. Consider approval of the recommendations of the Finance Committee and acceptance of its Regular Meeting Minutes dated December 9, 2020.

- a. Upon motion of Mr. Holland, the Board of Commissioners with a 7-0 vote unanimously approved the adoption of **Ordinance No. 2418-20** to increase the Township's share of the Earned Income Tax by 0.50% (Ayes: Brockington, Norris, Rappoport, Pransky, Areman, Holland and Zygmund-Felt) (see attached).
- b. Upon motion of Mr. Holland, the Board of Commissioners with a 7-0 vote approved the adoption of **Ordinance No. 2419-20** amending Chapter 5, Administration of Government, Section 5-19.B, Elected Finance Officer, of the Cheltenham Township Code to modify the compensation of the Finance Officer (Ayes: Brockington, Norris, Rappoport, Pransky, Areman, Holland and Zygmund-Felt) (see attached).
- c. Upon motion of Mr. Holland, the Board of Commissioners unanimously approved the adoption of **Resolution No. 35-20** amending and establishing certain fees, deposits and escrows payable to the Township, effective January 1, 2021 (see attached).
- d. Upon motion of Mr. Holland, the Board of Commissioners unanimously approved of the engagement of Kilkenny Law, LLC as Legal Counsel for the Cheltenham Township Zoning Hearing Board from January 1, 2021 until December 31, 2021 at a rate of \$135.00 per hour.

Mr. Holland said that while the Township pays for the Zoning Hearing Board (ZHB) counsel, it is the choice of the ZHB members. Mr. Bagley said that based on comments received, language be added to state: “with legal services provided primarily by David Sander, Esquire and secondarily by John Walko, Esquire.” Mr. Sander and Mr. Walko are the attorneys who provide services to the ZHB.

- e. Upon motion of Mr. Holland, the Board of Commissioners unanimously approved of the engagement of Clark Hill, PLC as Legal Counsel for Cheltenham Township Labor Matters for a two-year term beginning December 17, 2020 until December 31, 2022.
- f. Upon motion of Mr. Holland, the Board of Commissioners with a 6-1 vote approved of purchasing a three-year subscription license renewal for Symantec Endpoint Protection Security Suite in the amount of \$5,292.00 (Ayes: Brockington, Norris, Areman, Pransky, Holland, Rappoport; Nays: Zygmund-Felt).

Mr. Pransky said that this contract was brought to the Township Manager very late in the process and we will be looking into why this was brought up so late.

- g. Upon motion of Mr. Holland, the Board of Commissioners unanimously approved the purchase of a new pump and motor for the Brookdale Pump Station from Mid Atlantic Pump & Equipment Company of Elverson, PA in the amount of \$56,997.00.
- h. Upon motion of Mr. Holland, the Board of Commissioners unanimously authorize the engagement of KBX Golden, LLC of Kennett Square, PA to remove the existing pump and install the new pump fabricated by Mid Atlantic Pump Company at the Brookdale Pump Station in the amount of \$9,784.23.

Mr. Bagley emailed comments to Mr. Zienkowski and Mr. Clewell. Mr. Clewell said he would have changes to the documents made by Mid Atlantic Pump and if they make those changes, Mr. Bagley is satisfied with this contract.

Upon motion of Mr. Holland, the Board of Commissioners unanimously accepted the Finance Committee Regular Meeting Minutes of December 9, 2020.

14. Old Business:

- a. Scott Lynch, Township Fire Marshal, made a presentation on the state of the Township fire companies (see attached). Mr. Lynch shared that the objective of this presentation is to help improve fire protection services to the residents, businesses and visitors of Cheltenham Township, as well as maintaining fiscal responsibility in providing high level of fire service and protection for the community. Due to the diminishing of responses to calls and lack of leadership, to formally decertify the Ogontz Fire Company was recommended.

Mr. Zienkowski asked how this area would be covered if Ogontz Fire Company was no longer recognized. Mr. Lynch said it would be dispatched to the closest surrounding Fire Company.

Mr. Brockington asked if there is any other company that has this certification. Mr. Lynch said that Cheltenham Fire Company has similar rescue equipment on its trucks.

Mr. Areman asked how the information from the Cheltenham Township Recording System gets put into the system. Mr. Lynch said this is put in by individuals from each of the Fire Companies. Mr. Areman asked in terms of staffing at Ogontz, is there any potential liability associated with this situation. Mr. Lynch said yes, not only on the Township, but the Fire Company itself.

Mr. Zygmund-Felt said that he spent the last two and half years attending a majority of the Fire Board meetings and this is not a new issue; it has been raised consistently. Representations were made from leadership of the Ogontz Fire Company to the Fire Board, but there have not been actions to support these representations. This matter could have been resolved, but it has not and at this time, he said the Township needs to take the appropriate action.

Mr. Holland asked about the entities that the Township has mutual aid agreements with. Mr. Lynch said that there will be no impact on Cheltenham Township.

Public Comment

Ted Cerebi, asked what happens to the facility and equipment if the Company is decertified. Mr. Lynch said that the Organization will still be there, as it owns the building and the equipment, it just will not respond to calls. Mr. Cerebi asked if the station could be reactivated if there were people who wanted to become members. Mr. Lynch said if there is an uptick in membership in the future, this is something that could be discussed with the Board about how to move forward.

Mr. Norris stated that these issues are happening worldwide and it has become very challenging to find volunteers. Decertification is being considered with the full understanding that there will be no impact to safety within the Township. It will improve the efficiency of fire services, as determined by the DCED Fire Study. The Board of Commissioners, Township Staff, and all Township residents express their great deal of thanks to the Ogontz Fire Company, to its Board, and current and previous volunteers for the many years of service to the Township. The Board encourages current volunteers to transfer to one of the four remaining Fire Companies.

Upon motion of Mr. Norris, the Board of Commissioners with a 6-0-1 vote, made a motion to no longer recognize Ogontz Fire Company as an operating Fire Protection entity of the Township effective immediately (Ayes: Norris, Brockington, Holland, Areman, Zygmund-Felt, Pransky; Abstained: Rappoport).

Mr. Zienkowski said a press release will be going out immediately on behalf of this decision.

Mr. Norris thanked all of the Township's Fire Companies for their valued service throughout the Township.

15. New Business:

- a. Upon motion of Mr. Norris, the Board of Commissioners unanimously approved to roll over unused vacation time for non-union/non-uniformed employees for 2020.
- b. Upon motion of Mr. Norris, the Board of Commissioners unanimously approved to replace the StartAll for the Roadside #73 truck in an amount not-to-exceed \$8,000.

Mr. Clewell said that this is to help jump start the Township's large equipment through the colder, winter months. It is crucial for any types of storms and big weather events. This replaces an old piece of equipment that is more than 20 years old.

- c. Upon motion of Mr. Norris, the Board of Commissioners unanimously approved a not-to-exceed expenditure \$10,000 to Indian Valley Appraisers to appraise three properties associated with the DEP Flood Control Project, contingent upon staff reaching out to another appraiser to see if a lower price can be found.

Mr. Zygmund-Felt asked if other companies have been solicited for the appraisal. Ms. Elliott said that we are currently using them for another project for the Tookany Creek

Trail, as well as we have used them in the past and we get a good quality of appraisals from them. Indian Valley Appraisers is one of the few Penn Dot-approved appraisers in the area and generally has reasonable rates.

- d. Mr. Zienkowski asked the Board to consider a motion to terminate the contract with Boucher & James and Carroll Engineering. Mr. Bagley read a statement from Attorney General Josh Shapiro who announced the arrest of three former company executives from Boucher & James, Inc., headquartered in Doylestown, PA, for allegedly billing Municipalities and other clients the cost of fictitious time and for covering up their scheme. The Township has sustained a loss of \$63,000.00. The Attorney General has entered into an agreement with Boucher and James that the Township is not privy too, and as a result of this agreement, Boucher and James has reimbursed some funds to the Attorney General and the Township will be receiving \$44,177.00 from the fund that the Attorney General has established. The Township has already begun to exercise its legal options with regards to the shortfall.

Upon motion of Mr. Norris, the Board of Commissioners unanimously approved the termination of the contract between Boucher & James and Carroll Engineering, as well as all the staff associated with these firms.

Upon motion of Mr. Norris, the Board of Commissioners unanimously approved to withhold payment of any invoices or outstanding items from Boucher & James and Carroll Engineering until all of the invoices have been investigated.

- e. Mr. Zienkowski asked for approval of payment to Porter and Curtis, LLC who handles the Cheltenham Township Volunteer Fire Department's State Workers Insurance Fund and Workman's Compensation Policy Renewal Premium in the amount of \$55,093.00. Mr. Pransky asked if there is an official list of who is covered. Mr. Zienkowski said he will follow up on this. Mr. Zygmund-Felt asked if this falls under the Delaware Valley Health Insurance Trust. Mr. Zienkwoski said it does not.

Upon motion of Mr. Norris, the Board of Commissioners unanimously approved the payment of an invoice to Porter and Curtis, LLC in the amount of \$55,093.00 for the Cheltenham Township Volunteer Fire Department's State Workers Insurance Fund and Workman's Compensation Policy Renewal Premium.

16. Citizens Forum:

Robert Hyslop, 211 Harrison Avenue, Glenside, PA, commented that on the November Board of Commissioners meeting minutes under item 12a, it lists a 6-0 vote, but also one nay and asked if that could be amended. Mr. Hyslop also commented on the adoption of the SALDO Ordinance and as he heard, there was a motion made by the Ward 4 Commissioner, which appeared to be identical to the Ward 5 Commissioner and he asked that this be confirmed.

Edie Cerebi, commended the Board and the Township Manager for their transparency and quick and decisive action on the Boucher & James situation.

On behalf of the Board, Mr. Norris wished everyone a happy, healthy and safe New Year.

There being no further business, Mr. Norris adjourned the meeting at 9:56 p.m.



Robert Zienkowski
Township Manager

per Ashley Lupino



**CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS**

ORDINANCE NO. 2413-20

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2021 AND APPROVING AND ADOPTING THE OPERATING BUDGET WHICH APPROPRIATES THE SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSE OF OPERATING THE TOWNSHIP GOVERNMENT HEREINAFTER SET FORTH DURING THE CURRENT FISCAL YEAR

The Board of Commissioners of Cheltenham Township hereby ordains:

SECTION 1. That a tax be established and hereby levied on all real property within Cheltenham Township that is subject to taxation for Township purposes for the Fiscal Year 2021, as follows:

- For General Purposes, the sum of 5.6466 mills on each one thousand dollars of assessed valuation.
- For Debt Purposes, the sum of 0.1940 mills on each one thousand dollars of assessed valuation.
- For Fire Protection purposes, the sum of 0.7743 mills on each one thousand dollars of assessed valuation.
- For Parks and Recreation purposes, the sum of 1.0363 mills on each one thousand dollars of assessed valuation.
- For Library purposes, the sum of 0.9183 mills on each one thousand dollars of assessed valuation.
- For Ambulance purposes, the sum of 0.5000 mills on each one thousand dollars of assessed valuation.
- For Pension purposes, the sum of 0.5000 mills on each one thousand dollars of assessed valuation.

The same being summarized in tabular form as follows:

<u>Purpose</u>	<u>Mills</u>
Tax Rate for General purposes	5.6466
Tax Rate for Debt purposes	0.1940
Tax Rate for Fire purposes	0.7743
Tax Rate for Parks and Recreation purposes	1.0363
Tax Rate for Library purposes	0.9183

Tax Rate for Ambulance purposes	0.5000
<u>Tax Rate for Pensions</u>	<u>0.5000</u>
TOTAL	<u>9.5695</u>

SECTION 2. That for the expenses of the Township for the Fiscal Year 2021, the following amounts are hereby appropriated from the revenues available for the current year for the specific purposes set forth below, which amounts are more fully itemized in the Budget Form.

**GENERAL OPERATING FUND
SUMMARY OF ESTIMATED RECEIPTS**

Receipts from Taxes	\$29,498,466
<u>Other Revenue Receipts</u>	<u>\$ 9,807,735</u>
TOTAL Estimated Fund Balance & Revenue	<u>\$39,306,201</u>

SUMMARY OF APPROPRIATIONS

	<u>Operation Maintenance</u>	<u>Capital Outlay</u>	<u>Total</u>
<u>General Government:</u>			
Administration	\$ 1,667,606		\$ 1,667,606
Treasurer and Tax Collector	\$ 105,575		\$ 105,575
Township Buildings	\$ 282,726		\$ 282,726
<i>Subtotal</i>	<i>\$ 1,773,181</i>		<i>\$ 1,773,181</i>
<u>Protection to Person & Property:</u>			
Police	\$ 9,248,162		\$ 9,248,162
Fire	\$ 1,442,742		\$ 1,442,742
Building: Planning and Zoning	\$ 469,140		\$ 469,140
<i>Subtotal</i>	<i>\$11,160,044</i>		<i>\$11,160,044</i>
<u>Health and Sanitation:</u>			
Emergency Medical Services/ Emergency Management	\$ 1,217,608		\$ 1,217,608
Refuse	\$ 1,915,386		\$ 1,915,386
Stormwater Management.	\$ 334,587		\$ 334,587
<i>Subtotal</i>	<i>\$ 3,467,581</i>		<i>\$ 3,467,581</i>
<u>Highways:</u>			
Streets and Bridges	\$ 1,666,033		\$ 1,666,033
Street Lights and Traffic Signals	\$ 434,370		\$ 434,370
<i>Subtotal</i>	<i>\$ 2,100,403</i>		<i>\$ 2,100,403</i>
<i>Libraries:</i>	<i>\$ 1,729,250</i>		<i>\$ 1,729,250</i>
<u>Recreation:</u>			
Parks & Playgrounds	\$ 1,694,886		\$ 1,694,886
Swimming Pools	\$ 292,560		\$ 292,560
<i>Subtotal</i>	<i>\$ 1,987,446</i>		<i>\$ 1,987,446</i>

Miscellaneous Administration:

Bank-Bond Issue Pay Agent Fees	\$ 5,875	\$ 5,875
Health Insurance, Pensions & Social Security		
	\$11,928,281	\$11,928,281
Fire Insurance, Workers' Compensation and General Liability	\$ 1,295,689	\$ 1,295,689
Transfers to Sinking Fund	\$ 689,526	\$ 689,526
Unemployment Compensation	\$ 20,000	\$ 20,000
Hourly Legal Fund	\$ 21,000	\$ 21,000
Unappropriated/Reserves	\$ 62,500	\$ 62,500
Military and Civil Celebrations	\$ 0	\$ 0
Transfer to Capital	\$ 2,782,699	\$ 2,782,699
	<i>Subtotal</i>	<i>Subtotal</i>
	<u>\$16,805,570</u>	<u>\$16,805,570</u>
TOTAL All Functions	<u>\$39,306,201</u>	<u>\$39,306,201</u>
TOTAL for Operations, Maintenance, Interest & Capital Outlay	<u>\$39,306,201</u>	<u>\$39,306,201</u>

SECTION 3. An estimate of the specific items making up the amounts appropriated to the respective departments is on file at the offices of the Township Manager, 8230 Old York Road, Elkins Park, Pennsylvania.

SECTION 4. That any Ordinance, or part of Ordinance, conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

DULY ORDAINED AND ENACTED into an Ordinance this **16th day of December, 2020**, by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

ATTEST:



Robert A. Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: 
Daniel B. Norris, President



**CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS**

ORDINANCE NO. 2414-20

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY,
PENNSYLVANIA, APPROVING AND ADOPTING THE
CAPITAL BUDGET FOR 2021, PURSUANT TO SECTION 1205
OF THE HOME RULE CHARTER**

The Board of Commissioners of Cheltenham Township hereby ordains:

SECTION 1. A Summary of the Capital Budget as follows:

INCOME:

Estimated Cash and Investments for January 1, 2021 \$ 2,132,676

Anticipated Income:

Amounts Provided by Others \$ 5,509,725

Amounts Provided by Borrowings \$ 10,000,000

Amounts Provided by Assessments \$ 0

Amount Transferred to/from General Fund Budget \$ 2,782,699

TOTAL Anticipated Cash and Receipts \$ 20,425,100

EXPENSES:

2021 Project Costs \$ 12,482,183

Estimated Cash Balance at Year Ending 12/31/21 \$ **7,942,917**

SECTION 2. That any Ordinance, or part of Ordinance, conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

DULY ORDAINED AND ENACTED into an Ordinance this **16th day of December, 2020**, by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Robert A. Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By:
Daniel B. Norris, President



**CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS**

RESOLUTION NO. 32-20

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP, MONTGOMERY
COUNTY, PENNSYLVANIA, APPROVING AND
ADOPTING THE FINAL STATE LIQUID FUELS BUDGET
FOR 2021, PURSUANT TO SECTION 1205 OF THE HOME
RULE CHARTER**

WHEREAS, the Board of Commissioners of Cheltenham, Township Montgomery County Pennsylvania hereby determines the following funding earmarked by the Commonwealth of Pennsylvania will be used for its State Liquid Fuels program for maintenance of streets, snow removal and the construction and reconstruction of streets, and

SECTION 1. A Summary of Appropriations as follows:

<u>DEPARTMENT:</u>	<u>AMOUNT</u>
State Liquid Fuels	<u>\$928,591</u>

I HEREBY CERTIFY that the foregoing Resolution by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania., was adopted at its meeting held at Curtis Hall 1250 West Church Road, Wyncote, Pennsylvania 19095 on this **16th day of December, A.D. 2020**, in the year of the Township of Cheltenham the one hundred and twenty-first.

ATTEST:

Robert A. Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By:
Daniel B. Norris, President



**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2415-20

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF CHELTENHAM AMENDING SECTIONS 260-103, "PURPOSES", 260-201, "DEFINITION OF TERMS", 260-304, "PRELIMINARY PLAN REQUIREMENTS", 260-409, "PRESERVATION AND PROTECTION OF EXISTING VEGETATION", OF THE 2020 SUBDIVISION AND LAND DEVELOPMENT ORDINANCE/CODE TO ADD NEW PROVISIONS INCLUDING NEW TREE REPLACEMENT PLANTING REQUIREMENTS

WHEREAS, the Board of Commissioners of the Township of Cheltenham have repealed the existing Subdivision and Land Development Ordinance and adopted a new Subdivision and Land Development Ordinance on February 19, 2020; and

WHEREAS, the Cheltenham Township Shade Tree Advisory Committee ("STAC") has recently made certain recommendations with regard to the provisions on preservation and protection of existing vegetation; and

WHEREAS, the Board of Commissioners recognizes and values the recommendations of the STAC on this particular area within their proficiency; and

WHEREAS, the proposed amendments have been reviewed by the Township Planning Commission and the Montgomery County Planning Commission, both of whom have noted their recommended approval.

NOW, THEREFORE, the Board of Commissioners of the Township of Cheltenham hereby ordains and enacts as follows (matter to be omitted in strike-out type and new matter underscored):

SECTION I. Amendment to the Code.

The 2020 Subdivision and Land Development Ordinance enacted February 19, 2020, is hereby amended as follows:

...

SECTION 260-103. PURPOSES.

...

R. To preserve the existing trees and vegetation; and where land development requires the removal, to encourage and require replacements, so that present and future generations may enjoy the benefits of an attractive, healthy and green environment.

...

SECTION 260-201. DEFINITION OF TERMS.

...

Arborist. ISA Certified arborist.

...

Limit of Disturbance. The boundary within which it is anticipated that earth disturbance activities will take place.

...

Mature Tree. Any tree three (3”) inches DBH or greater, whether standing alone or in a tree mass or woodlands. See also diameter at breast height (DBH).

~~Mature Tree.~~ Any tree six (6”) inches or more in diameter, measured at breast height, whether standing alone or in a tree mass or woods.

...

Street Tree. A tree whose trunk is in the street right-of-way, or in the verge or within ten (10') feet of the curbline.

Tree. Any tree three (3”) inches DBH or greater, whether standing alone or in a tree mass or woodlands. See also diameter at breast height (DBH).

...

SECTION 260-304. PRELIMINARY PLAN REQUIREMENTS.

C. Existing Features Plan.

...

7. Existing Vegetation. Only vegetation within the tract boundaries need be shown on the plan. This includes over-hanging branches from neighboring tracts. The following information shall be gathered ~~required, the preparation of which shall be carried out by~~ and attested to by an Arborist, or other professional who is certified.

- a. Information about the location, size, species, condition and possible remediation of all trees three (3”) inches DBH or greater. Trees shall be given an identification number and located on the Existing Features Plan with the identification number and a symbol that represents the canopy of the tree. This symbol can be based on a standard-sized tree of similar DBH, or preferred, on the actual dripline. This symbol shall also indicate whether the tree is to remain (to be preserved) or to be removed. Tree size (DBH), species, condition and possible remediation shall be entered on the plan in table form, similar to Fig. 3.1-Tree Inventory. Existing trees and vegetation proposed to comply with any landscaping requirements of this Chapter shall be indicated as such on the plan.
- a. ~~Location, size, species, condition and health of all trees three (3”) inches in diameter at breast height (DBH) or greater, and indicating all trees “TO REMAIN” or “TO BE REMOVED”. Existing trees or other vegetation proposed to be used to~~

b. Measures shall be taken to preserve live trees, especially unique or specimen trees, as well as trees 24" DBH or greater. Examples of such measures are:

1. Rerouting proposed overhead utilities for less branch interference and underground utilities for less root disturbance.
2. Determining that, in certain cases, the proposed excavation or grade change will have minimal impact on tree health per an Arborist.
3. Trimming of branches to clear proposed buildings, parking lots, overhead utilities, site triangles, solar access, etc. An Arborist shall determine if the trees will be viable after such trimming.
4. Routine tree maintenance (pruning, dead wood removal, cabling) to remediate an unsafe or unhealthy tree.

c. If the above preservation measures are not appropriate in a given case, then a mature tree, tree mass or woodland may be designated "TO BE REMOVED" based upon any of the following criteria, but in no case (especially for undesirable trees) shall the live tree count be reduced for their removal:

1. The outermost branches of the tree(s) are within five (5') feet of, or the trunk of the tree is within twenty (20') feet from any proposed building, structure, paving, parking or utilities (overhead or underground).
2. The outermost branches of the tree(s) are within five (5') feet of, or the trunk of the tree is within twenty (20') feet from any proposed changes in grade or drainage such as excavations, mounding, impoundments, or any utility installations or easements.
3. The tree(s) interfere with traffic safety or are located within proposed sight triangles.
4. The tree(s), by its location or apparent health, poses any undue threat to the health, safety and welfare of the community.
5. The tree blocks required solar access.
6. Undesirable or nuisance trees, either individual or species; for example, diseased or insect infested, messy fruiting trees, non-native, or invasive.

bd. Mature trees, tree masses, or woodlands that do not fit the above criteria shall be designated "TO REMAIN" or "TO BE PRESERVED".

~~c. Notwithstanding §260-409.A.4.a above, Unique or Specimen Trees, as well as any trees measuring at least 24" DBH, shall be preserved and not destroyed.~~

...

C. Credit for Preserved Trees. Tree plantings as required by this Chapter are permitted to be satisfied, whenever possible, by utilizing or preserving the existing non-invasive, healthy trees. To receive credit, an Applicant must demonstrate that the trees intended to be preserved are located in areas of the site suitable to otherwise satisfy the replacement ~~respective~~ landscape requirement; and Applicant must stipulate exactly what replacement ~~respective~~ landscape requirement is proposed to be credited. Credit for existing trees which

are "TO REMAIN" or "TO BE PRESERVED", as determined in §260-409.A.4 above, to offset the replacement ~~respective~~ tree requirement shall be calculated as follows:

Preserved Tree (DBH)	Number of Trees Credited (3 1/2 " caliper)
<u>18" and greater</u> 18-24"	4 trees*
12-17"	2 trees*
8-11"	1 tree*

* Only one tree shall be credited for each preserved street tree.

D. Tree Replacement Planting Requirements.

1. Any subdivision or land development proposal which will result in the destruction of any trees (dead or alive) three inches (3") dbh or greater that would result in the reduction of 25-ten percent (10%) or more of the total tree DBH in the limit of disturbance (LOD) area shall replace all of the tree DBH removed in excess of 10% as reduced by the appropriate credit for preserved trees in the LOD area. If the LOD area does not reasonably contain enough space for the required replacement trees, they may be planted elsewhere on the subdivision or land development tract. "Existing trees" shall also include all trees which existed on the site two (2) years prior to the submission of the application for subdivision or land development approval. The total tree removal impact of woodland areas designated "TO BE REMOVED" shall be measured by a forest density survey that calculates the approximate quantity of trees (3" DBH or greater) (with 3" or greater DBH) per square foot area. Calculated woodland tree removals and individual mature tree removal shall be listed on the plan. Required tree replacements shall be calculated by the following formula: Tree replacement shall occur in the following manner:
 - a. Each tree three (3") inches DBH or greater that is destroyed shall be replaced with a sufficient number of trees whose total caliper measurement equals the DBH measurement of the tree which is destroyed or removed minus the credit for preserved trees pursuant to §260-409.C Credit for Preserved Trees. Each individual replacement tree intended to satisfy this requirement shall have a minimum two-and-a-half inch (2 1/2") caliper.

...

Figure 4.1. Calculation of Required Replacement Trees

Total DBH of Existing, Live Trees, 6" DBH or greater, TO BE REMOVED	_____
MINUS CREDIT FOR PRESERVED TREES	
[No. of Live, Preserved Trees, 8" - 11" DBH	= _____] x [1] x [2.5] = (minus) - _____
[No. of Live, Preserved Trees, 12" - 17" DBH	= _____] x [1] x [2.5] = (minus) - _____
[No. of Live, Preserved Trees, 18" & up" DBH	= _____] x [1] x [2.5] = (minus) - _____
[No. of Live, Preserved Street Trees	= _____] x [1] x [2.5] = (minus) - _____
REQUIRED REPLACEMENT TOTAL DBH	(sum) _____
<hr/>	
PROPOSED REPLACEMENT TOTAL DBH	_____

[Fig. 4.1 not underscored for clarity]

SECTION II. Disclaimer. Nothing in this Ordinance shall limit, in any manner whatsoever, the Township's right to enforce any ordinance or law of Cheltenham Township, Montgomery County or Commonwealth of Pennsylvania. Nothing in this Ordinance shall be a defense of any citation issued by any municipal corporation or the Commonwealth pursuant to any other law or ordinance.

SECTION III. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. Failure to Enforce Not a Waiver. The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V. Repealer. All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

SECTION VI. Effective Date. This Ordinance shall take effect and be in force from and after its approval as required by the law.

ENACTED and ORDAINED this 16th day of **December, 2020**.

ATTEST:



Robert A. Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: 
Daniel B. Norris, President



**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2416-20

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING CHAPTER 295, ZONING, TO CLARIFY AND MODIFY THE DEFINITIONS OF “DWELLING,” “FAMILY,” “HOTEL,” AND “MOTEL” AND TO ENACT DEFINITIONS OF “SHORT-TERM,” “SHORT-TERM TRANSIENT LODGING” AND “VACATION RENTAL”; TO REGULATE THE USES OF SHORT-TERM TRANSIENT LODGING AND VACATION RENTAL; AND TO MODIFY THE USE REGULATIONS FOR A BED AND BREAKFAST

WHEREAS, Cheltenham Township adopted a comprehensive Zoning Ordinance in November 2017 which sought, among other declared purposes, to promote a comprehensive land-use pattern which recognizes the unique cultural, historical, and natural features of Cheltenham Township and provides for the preservation of such features, and to encourage the most appropriate uses of land throughout the Township and community development objectives including, but are not limited to, maintaining and enhancing the Township’s diverse residential neighborhoods and housing stock; and

WHEREAS, Cheltenham Township, as have other communities in Pennsylvania, has encountered a number of nuisance situations involving the short-term rental of individual dwellings by owners causing public disturbances, overcrowded parking, disturbance of the peace, the assembly of large numbers of people in confined residential neighborhoods and on individual residential properties, and the summoning of police from other duties to disperse such crowds and return neighborhoods to normalcy; and

WHEREAS, such situations have included renters who charge fees for the admission of partygoers to residential properties; and

WHEREAS, such situations have even included advertising parties on social media with admission fees to residential properties; and

WHEREAS, such situations have caused, among other things, disturbances in otherwise peaceful neighborhoods, overburdening of police resources, unnecessary use of the Township Planning and Zoning Department resources, encroachment upon the Township’s residential neighborhoods and the transformation of individual residential properties into *de facto* event facilities, open-air bars, discotheques, motels and parking lots within residential neighborhoods thereby converting residential properties into commercial properties in violation of Chapter 295 “Zoning”; and

WHEREAS, the Pennsylvania Municipalities Planning Code (“MPC”) authorizes zoning ordinances to permit, prohibit, regulate, restrict and determine, among other things, the uses of structures and land, and the intensity of uses; and

WHEREAS, the MPC authorizes zoning ordinances to be designed to prevent overcrowding of land and to promote the public health, safety, morals and general welfare, to coordinate community development and proper density of population, and to provide for adequate vehicle parking; and

WHEREAS, bed and breakfast as a use is expressly permitted in the Township in conformance with certain requirements in the Zoning Code; and

WHEREAS, the uses of short-term transient lodging and vacation rental are commercial in nature; and

WHEREAS, contemporaneously with the adoption of this Ordinance, the Board of Commissioners shall be implementing an amendment of the Taxation Code, Chapter 270, Article III entitled “Business Privilege Tax” to clarify that vacation rental and short-term transient housing are part of the definition of “business, trade, occupation and profession”.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Cheltenham Township, duly assembled, as follows (new text underlined):

SECTION I. - Amendment to the Code

Chapter 295 entitled “Zoning”, of the Cheltenham Township Code, Article III entitled “Definitions”, Section 295-301 entitled “Definitions” is hereby amended as follows:

DWELLING: A building or structure designed, arranged, intended to and used as the living quarters for one or more families living independently of each upon the premises, as applicable by individual dwelling arrangement further defined below. The term “DWELLING” shall not be construed to include short-term transient lodging, vacation rental, hotel/inn, motel, or bed and breakfast (the last except as expressly permitted in conformance with Section 295-405.B.4). Individual dwelling arrangements are further defined below:

A. Single-Family Detached Dwelling

A dwelling designed for and occupied exclusively as a residence for one family and not attached to any other building or dwelling units, including trailers or mobile homes.

B. Two-Family Building

A residential building containing two dwelling units and which is not attached to any other building. A two-family building counts as two dwelling units for density purposes.

C. Twin (Single-Family Semi-Detached)

A two-family building with dwelling units placed side-by-side, and joined to each other by a vertical, common wall, but otherwise surrounded by yard areas. When lotted, each dwelling unit shall be on a separate lot, with the common boundary between the two lots running along the common wall. Each unit shall have individual outside access.

D. Duplex (Two-Family Semi-Detached)

A two-family building with one dwelling unit placed above the other so that they share a common horizontal partition. When lotted, a duplex shall be entirely on one lot. Each unit shall have individual outside access.

E. Single-Family Attached Dwelling Unit

A dwelling unit having its own independent outside access, with no other dwelling units located directly and totally above or below it, and having vertical common walls with adjacent similar dwelling units, and located in a building comprised of at least three

dwelling units. Each include, but not limited to, dwelling units commonly known as townhouses or rowhouses.

F. Townhouse (Rowhouse)

A single-family attached dwelling in a row of at least three but not more than six units, with one dwelling unit from ground to roof, each with individual outside access.

G. Multiplex

An attached dwelling arranged in a variety of configurations: side by side, back to back, or vertically. Because of the variety of configurations, a multiplex can be designed to look like a large, single-family detached house.

H. Multifamily Building (Multiple Dwelling)

A detached residential building containing three or more dwelling units. Units are not arranged entirely in horizontal rows (like townhouses), and are generally located entirely above or below one another. Units may share outside access and/or internal hallways, lobbies, and similar facilities. The dwelling units cannot be individually lotted, but instead share the lot or tract on which the building containing them is located. The development is usually under one operating unit, as a rental or condominium development. This dwelling type includes, but it is not limited to, garden apartments, apartment houses, and multifamily conversions defined below.

I. Multifamily Conversion

A multifamily dwelling that results from the conversion of a single-family or two-family dwelling or the adaptive reuse of a nonresidential building.

...

FAMILY: Any number of individuals living and cooking together as a single housekeeping unit, provided that not more than one is unrelated to all of the others by blood, marriage or legal adoption. As a special exception, the Township Zoning Hearing Board may interpret the term "family" to apply to a group of individuals, not exceeding three, not related to each other by blood, marriage or legal adoption, living and cooking together as a single housekeeping unit; provided, however, that the applicant for the special exception shall dedicate one off-street parking space (See Section 295-2401.D.2.a) for each adult (18 or over) proposed as part of the group of individuals, while complying with all other dimensional criteria of the applicable district as a reasonable accommodation as set forth in the Federal Fair Housing Amendments Act, 42 U.S.C.A. § 3601 at seq., and in order to enable persons with handicaps equal access to housing in residential districts, the Township Zoning Hearing Board may interpret the term "family" to apply to a group of more than one individual, not related to each other by blood, marriage or legal adoption, qualified by their handicap as defined herein. Domestic workers shall not be included in the number of individuals counted in the term "family."

The term "Family" shall not include any renter or occupant who rents or occupies a dwelling or property on a short-term transient lodging basis or who rents or occupies as a vacation rental. The term "Family" shall also not include anyone who claims the right to visit or occupy a dwelling or property through or by one who rents on a short-term transient lodging basis or who rents as a vacation rental.

...

HOTEL: A series of three or more dwelling units devoted mainly to the housing of transients and having on-site parking space and commercial facilities for the use of its occupants. Access

to rooms shall be through a central lobby only and not directly to the parking facilities. “Hotels” shall include apartment hotels and boutique hotels, but not motels, motor inns or motor lodges. None of the following shall constitute a Hotel: single-family detached dwelling; two-family building; twin; duplex; single-family attached dwelling unit; townhouse; multiplex; multifamily building; multifamily conversion; or village dwelling unit.

...

MOTEL: A series of attached, semidetached or detached fixed dwelling units containing bedroom, bathroom and closet space where each unit has convenient access to on-site parking space for the use of the unit’s occupants by way of separate, exterior entrances to each unit. The units, with the exception of the apartment of the manager or caretaker, are devoted to the use of automobile transients, shall not offer cooking facilities and shall not offer long-term residency to transients (more than 30 days occupancy). Motor courts, motor inns and motor lodges are included in this definition of a “motel.” None of the following shall constitute a Motel: Single-family detached dwelling; two-family building; twin; duplex; single-family attached dwelling unit; townhouse; multiplex; multifamily building; multifamily conversion; or village dwelling unit.

...

SHORT-TERM: The rental or exchange of any dwelling or dwelling unit for a duration of six (6) months or less.

SHORT-TERM TRANSIENT LODGING: Any use of a dwelling or dwelling unit rented or exchanged as a short-term transient or recurrent lodging, regardless of whether there is concurrent or partial occupancy or full occupancy by the owner or another when not in use as a short-term transient lodging.

...

VACATION RENTAL: Any use of a dwelling or dwelling unit rented or exchanged as a short-term transient or recurrent lodging, regardless of whether there is concurrent or partial occupancy or full occupancy by the owner or another when not in use as a short-term transient lodging.

SECTION II. - Amendment to the Code.

Chapter 295 entitled “Zoning” of the Cheltenham Township Code, Article IV entitled “Use Regulations”, Section 295-405 entitled “Categories of Permitted Uses” is hereby amended as follows (new text underlined, deleted text by strike-out type):

...

B. Commercial Uses.

...

- (4) Use B-4: Bed and Breakfast: An owner-occupied single-family dwelling where limited lodging is offered for compensation, having no more than seven (7) sleeping rooms for this purpose. A bed and breakfast operation ~~may~~ shall offer a morning meal for overnight guests only. All of the following conditions shall be met: ;

...

(40) Use B-40: Short-term Transient Lodging or Vacation Rental. Any use of a dwelling or dwelling unit rented or exchanged as a short-term transient lodging or vacation rental, regardless of whether there is concurrent or partial occupancy or full occupancy by the owner or another when not in use as a short-term transient lodging or vacation rental.

SECTION III. - Amendment to the Code.

Chapter 295 entitled “Zoning” of the Cheltenham Township Code, Article XI entitled “C1 Commercial Districts”, Section 295-1101 entitled “Permitted Uses” is hereby amended as follows (new text underlined):

Section 295-1101. Permitted Uses.

A. A building may be erected or used and a lot may be used or occupied for any of the following purposes and no other, subject to the guidelines herein:

...

(33)Use B-40: Short-term Transient Lodging or Vacation Rental.

SECTION IV. - Amendment to the Code.

Chapter 295 entitled “Zoning” of the Cheltenham Township Code, Article XII entitled “C2 Commercial Districts”, Section 295-1201 entitled “Permitted Uses” is hereby amended as follows (new text underlined):

Section 295-1201. Permitted Uses.

A. A building may be erected or used and a lot may be used or occupied for any of the following purposes and no other, subject to the guidelines herein:

(1) Class 1 uses permitted by right. The following uses are permitted by right, and shall not include A-12: Drive-Through Facility as an accessory use:

...

(aa) Use B-40: Short-term Transient Lodging or Vacation Rental.

SECTION V. - Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION VI. - Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VII. - Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VIII. - Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

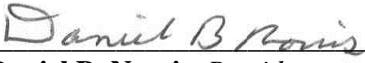
ORDAINED and **ENACTED** by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, in lawful session duly assembled this **16th** day of **December, 2020**.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**



Robert A. Zienkowski
Township Manager and Secretary

By: 
Daniel B. Norris, President

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE ~~(SUPERVISORS)~~ (COMMISSIONERS) ~~(COUNCILMEN)~~ of CHELTENHAM
(TOWNSHIP) ~~(BOROUGH)~~ ~~(CITY)~~, MONTGOMERY COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS KIM HOUT NGOV has proposed the development of a parcel of land identified as
land developer
140 S Easton Road, and described in the attached Sewage Facilities Planning Module, and
name of subdivision
proposes that such subdivision be served by: (check all that apply), sewer tap-ins, sewer extension, new treatment facility, individual onlot systems, community onlot systems, spray irrigation, retaining tanks, other, (please specify) _____

WHEREAS, Cheltenham Township finds that the subdivision described in the attached
municipality
Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the ~~(Supervisors)~~ (Commissioners) ~~(Councilmen)~~ of the (Township) ~~(Borough)~~ ~~(City)~~ of Cheltenham hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I Robert A. Zienkowski, Secretary, Cheltenham
(Signature) Commissioners
Township Board of ~~Supervisors~~ ~~(Borough Council)~~ ~~(City Councilmen)~~, hereby certify that the foregoing is a true copy of
the Township ~~(Borough)~~ ~~(City)~~ Resolution # 33-20, adopted, December 16, 2020.

Municipal Address:

Township of Cheltenham
8230 Old York Road
Elkins Park, PA 19027
Telephone (215) 887-1000

Seal of
Governing Body



DEP Code No.
1-46003-222-3J

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE ~~(SUPERVISORS)~~ (COMMISSIONERS) ~~(COUNCILMEN)~~ of CHELTENHAM _____
(TOWNSHIP) ~~(BOROUGH)~~ ~~(CITY)~~, MONTGOMERY _____ COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS YONG CHOI _____ has proposed the development of a parcel of land identified as
land developer

More Shopping Center _____, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), sewer tap-ins, sewer extension, new treatment facility, individual onlot systems, community onlot systems, spray irrigation, retaining tanks, other, (please specify). _____

WHEREAS, Cheltenham Township _____ finds that the subdivision described in the attached
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the ~~(Supervisors)~~ (Commissioners) ~~(Councilmen)~~ of the (Township) ~~(Borough)~~ ~~(City)~~ of Cheltenham _____ hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I, Robert A. Zienkowski _____, Secretary, Cheltenham _____
(Signature)

COMMISSIONERS
Township Board of ~~Supervisors~~ ~~(Borough Council)~~ ~~(City Councilmen)~~, hereby certify that the foregoing is a true copy of the Township ~~(Borough)~~ ~~(City)~~ Resolution # 34-20 _____, adopted, December 16 _____, 2020 _____.

Municipal Address:

Township of Cheltenham _____
8230 Old York Road _____
Elkins Park, PA 19027 _____
Telephone (215) 887-1000 _____

Seal of
Governing Body



**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2417-20

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY,
PENNSYLVANIA, TO AMEND THE CODE OF THE TOWNSHIP
OF CHELTENHAM, CHAPTER 285 THEREOF, ENTITLED
VEHICLES AND TRAFFIC, BY AMENDING CERTAIN STREET
AND PARKING REGULATIONS**

The Board of Commissioners of the Township of Cheltenham hereby ordains:

SECTION 1. The Code of the Township of Cheltenham, Chapter 285, entitled “Vehicles and traffic,” Article IV, entitled “Schedule of traffic regulations,” Section 285-43, entitled “Street and parking regulations” thereof is hereby amended by **ADDING** the following:

Valley Road (22) Handicapped Parking in front of 473 Valley Road

SECTION 2. That in all other respects Chapter 285 of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

SECTION 3. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED into an Ordinance this 16th day of **December 2020**.

ATTEST:

Robert A. Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By:
Daniel B. Norris, President



**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2418-20

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF CHELTENHAM, MONTGOMERY
COUNTY, PENNSYLVANIA PURSUANT TO ACT 76 OF 2020 TO
AMEND CODE SECTION 270-52 OF THE TOWNSHIP CODE TO
INCREASE THE EARNED INCOME TAX LEVIED BY THE
TOWNSHIP BY ONE-HALF PERCENT (1/2%)**

WHEREAS, Cheltenham Township adopted a Home Rule Charter in 1976 in order to exercise the right of self-government to the extent permitted by state law; and

WHEREAS, the Board of Commissioners of Cheltenham Township (“Board of Commissioners”) and its staff and consultants have identified a compelling need to increase the earned income tax for residents and nonresidents by ½ percent to address serious financial shortfalls; and

WHEREAS, the Board of Commissioners has determined that it is in the best interests of the Township to moderately increase the earned income tax rather than increasing the millage for real estate taxes as an equitable and more substantial revenue source; and

WHEREAS, a home rule community is permitted to tax earned income at any rate, 53 Pa. C.S. §2962(b), and Act 76 of 2020 was recently enacted by the General Assembly authorizing an increase in the earned income tax if enacted by the Board of Commissioners.

NOW, THEREFORE, the Board of Commissioners of the Township of Cheltenham hereby ordains and enacts as follows:

Section 1. Cheltenham Township Ordinance No. 1740-91, Article III, codified at Section 270-52 of the Township Code, is hereby amended as follows:

- A. Residents. A tax at the rate of ~~one-half of one percent (1/2 of 1%)~~ is hereby imposed on each dollar of earned income received and net profits earned by residents of the Township.
- B. Nonresidents. A tax at the rate of ~~one percent (1/2%)~~ is hereby imposed on each dollar of earned income received and net profits earned by nonresidents of the Township for work done or services performed or rendered in the Township.

Section 2. Notice. A copy of this Ordinance shall be posted on the Township website promptly.

Section 3. Disclaimer. Nothing in this Ordinance shall limit, in any manner whatsoever, the Township's right to enforce any ordinance or law of Cheltenham Township, Montgomery County or Commonwealth

of Pennsylvania. Nothing in this Ordinance shall be a defense of any citation issued by any municipal corporation or the Commonwealth pursuant to any other law or ordinance.

Section 4. Severability. The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 5. Failure to Enforce Not a Waiver. The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

Section 6. Repealer. All Ordinances, or parts of Ordinances, of the Township which shall be inconsistent with this Ordinance shall be, and the same expressly are, repealed.

Section 7. Effective Date. This Ordinance shall become effective on January 1, 2021.

ADOPTED by the Board of Commissioners of Cheltenham Township, in lawful session duly assembled, this 16th day of December, 2020.

ATTEST:



Robert A. Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: 
Daniel B. Norris, President



**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2419-20

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY,
PENNSYLVANIA AMENDING THE CHELTENHAM
TOWNSHIP CODE TO MODIFY THE COMPENSATION OF
THE TOWNSHIP ELECTED FINANCE OFFICER**

WHEREAS, the Board of Commissioners of Cheltenham Township (“Board of Commissioners”) wishes to modify the compensation of the elected Finance Officer.

NOW, THEREFORE, it is hereby **ADOPTED** and **ENACTED** as follows:

SECTION I. - Amendment to the Code

Section 5-19.B. in Chapter 5, “Administration of Government,” Article III. “Township Officials,” Section 5-19, “Elected Finance Officer,” of the Cheltenham Township Code is amended to read as follows (deleted words in cross out, added words underlined):

§5-19.B. Compensation.

- (1) The annual compensation of the Finance Officer for the collection of Township taxes (the real estate tax, the mercantile tax and the business privilege tax) and the oversight of third party agencies retained by the Township Board of Commissioners to administer the collection of the earned income tax shall be ~~\$33,500~~\$20,000.
- (2) The annual compensation of the Finance Officer for performing the duties of the Controller at the request of the Board of Commissioners shall be ~~\$5,000~~\$3000.

SECTION II. - Disclaimer

Nothing in this Ordinance shall limit, in any manner whatsoever, the Township's right to enforce any ordinance or law of Cheltenham Township, Montgomery County, Pennsylvania.

SECTION III. - Severability

The provisions of this Ordinance are severable, and if any Section, sentence, clause or phrase shall be held by a court of competent jurisdiction to be illegal, invalid, or unconstitutional, the remaining portions of this Ordinance shall not be affected or impaired thereby.

SECTION IV. - Repealer

Any ordinance or part of any Ordinance conflicting with the provisions of this Ordinance shall be deemed and the same are hereby repealed to the extent of such conflict.

SECTION V. - Failure to Enforce Not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VI. - Effective Date

This Ordinance shall take effect and be in force as soon after adoption as is permitted by law.

DULY ORDAINED AND ENACTED this 16th day of December, 2020, by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**



Robert A. Zienkowski
Township Manager and Secretary

By: 
Daniel B. Norris, President

**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 35-20

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
CHELLENHAM TOWNSHIP, MONTGOMERY COUNTY,
PENNSYLVANIA AMENDING, ESTABLISHING, AND
RATIFYING CERTAIN FEES, DEPOSITS, AND ESCROW
PAYABLE TO THE TOWNSHIP**

BE IT RESOLVED, and it is hereby resolved this 16th day of December, A.D. 2020, by the Board of Commissioners of Cheltenham Township that:

WHEREAS, Cheltenham Township desires to hereby amend and establish all fees and escrows currently as set forth in Chapter A300 of the Code of Ordinances of the Township of Cheltenham as hereinafter referenced by this Resolution; and

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Cheltenham that all fees and escrows set forth within the Township Code of Ordinances are repealed and replaced with the following fees *effective January 1, 2021*:

Chapter A300. Fees

§ A300-1. Alarms. [Amended 11-16-2011 by Res. No. 35-11]

- A. Pursuant to Chapter 86, Alarms, Article II, False Alarm Notification Control, the following fees are hereby established:
- (1) Permit fee for new alarm systems: \$50.
 - (2) Charge for alarm users who fail to obtain an alarm user's permit within 60 days of the activation of a new alarm system: \$35, in addition to permit fee.
 - (3) Annual renewal of alarm user's permit: \$35.
 - (4) Annual renewal of alarm user's permit for users 65 and older: \$30.
 - (5) Discount for renewal of alarm user's permit if paid before March 1 of each year: \$10.
 - (6) Late fee for users who fail to renew their annual alarm user's permit by March 31 of each year: \$35, in addition to permit fee.
 - (7) Fee for response to an alarm call to a location without a valid alarm user's permit: \$600.

§ A300-2. Amusements and amusement devices.

- A. Pursuant to Chapter 94, Amusements and Amusement Devices, Article I, Carnivals, Circuses and Picnics, of the Code of the Township of Cheltenham, the following fees are hereby established:
- (1) Any carnival or circus: \$1,000.
- B. Pursuant to Chapter 94, Amusements and Amusement Devices, Article II, Amusement Devices, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Annual license fee for each amusement device: \$115.
- (2) The license fee for any license issued in any calendar year after July 1 shall be 1/2 of the annual license fee.
- (3) Entertainment license fee: \$10.

§ A300-3. Boxing.

Pursuant to Chapter **105**, Boxing, of the Code of the Township of Cheltenham, the following fees are hereby established:

- A. License for contest: \$500.

§ A300-4. Building construction.

- A. Pursuant to Chapter 110, Building Construction, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Certificate of occupancy.
 - (a) Copy of certificate of occupancy: \$15 [**Amended 12-19-2018 by Res. No. 50-18**].
 - (b) No fee shall be required for the issuance of an original certificate of occupancy.
- (2) Permit fees.
 - (a) Permit fees for new residential, commercial, industrial and institutional construction shall be as follows:
 - [1] For the first \$1,000 of estimated cost or fraction thereof: \$45 [**Amended 12-19-2018 by Res. No. 50-18**].
 - [2] For each additional \$1,000 of estimated cost or fraction thereof: \$30 [**Amended 12-19-2018 by Res. No. 50-18**].
 - (b) Permit fees for temporary tents.
 - [1] Temporary tents to be used for religious or charitable purposes: \$25 [**Amended 12-19-2018 by Res. No. 50-18**].
 - [2] Temporary tents to be used for weddings and social functions: \$40 [**Amended 12-19-2018 by Res. No. 50-18**].
 - [3] Temporary tents or structures to be used for commercial purposes in commercial areas not including those retail sales uses accessory to an existing permitted retail sales use in a permanent location in the Township [**Amended 9-16-2015 by Res. No. 26-15; Amended 3-28-2018 by Res. No. 15-18**]:
 - [a] Tents under 400 square feet: \$250 per tent, for a maximum of 20 consecutive days.
 - [b] Tents 400 square feet or more: \$400 per tent, for a maximum of 20 consecutive days.
 - [c] Permits for signs affixed to temporary tents or structures used for commercial purposes in commercial areas shall require a fee of \$40 per sign [**Amended 12-19-2018 by Res. No. 50-18**].
 - [4] Tent rental charge for Curtis Hall: no charge. Fees are included with the rental agreement.

- (c) Permit fees for the installation, conversion or replacement of heating and air conditioning. **[Amended 5-15-2017 by Res. No. 13-17]**
 - [1] For the first \$1,000 or fraction thereof of the estimated cost: \$45 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - [2] For each additional \$1,000 or fraction thereof of the estimated cost in excess of \$1,000: \$30 **[Amended 12-19-2018 by Res. No. 50-18]**.
- (d) Permit fee for the installation and removal of flammable liquid, combustible liquid or hazardous materials storage tanks; fuel dispensers; and flammable liquid, combustible liquid, or hazardous materials piping and equipment of every description. **[Amended 5-15-2017 by Res. No. 13-17]**
 - [1] Installation of combustible or flammable liquid storage tanks of every description (residential and nonresidential): \$50 for the first 700 gallons of tank storage capacity, \$70 for tank capacities between 700 and 1,000 gallons and \$20 for each additional 1,000 gallons or fraction thereof.
 - [2] Installation of hazardous materials storage tanks with product other than flammable or combustible liquids:
 - [a] For the first \$1,000 of estimated cost or fraction thereof: \$45 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - [b] For each additional \$1,000 of estimated cost or fraction thereof: \$30 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - [3] For each fuel dispenser proposed to be installed: \$50.
 - [4] Installation or modification of all flammable liquid, combustible liquid or hazardous materials piping or systems.
 - [a] For the first \$1,000 of estimated cost or fraction thereof: \$45 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - [b] For each additional \$1,000 of estimated cost or fraction thereof: \$30 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - [5] Removal of flammable liquid, combustible liquid or hazardous materials storage tanks of every description (residential or nonresidential): \$50 for tanks 2,000 gallons or less in capacity and \$100 for tanks over 2,000 gallons in capacity.
- (3) Permit fees for the alteration, addition, repair or demolition, whether residential or nonresidential, of a building, and in the installation of permanent equipment therein, and the erection, construction or repair of miscellaneous structures shall be as follows:
 - (a) For the first \$1,000 of estimated cost or fraction thereof: \$45 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - (b) For each additional \$1,000 of estimated cost or fraction thereof: \$30 **[Amended 12-19-2018 by Res. No. 50-18]**.
- (4) Temporary structures.
 - (a) Permit fees for temporary buildings (other than builders' shanties) shall be the same as prescribed for new buildings.
 - (b) Renewal fees **[Amended 12-19-2018 by Res. No. 50-18]**.
 - [1] Residential: \$30.

[2] Commercial: \$75.

(5) Building permit fee for fencing \$0.50 per linear foot of fence with a minimum fee of \$50. **[Added 12-17-2002 by Res. No. 31-02] [Amended 5-15-2017 by Res. No. 13-17] [Amended 12-19-2018 by Res. No. 50-18]**

(6) The building permit fee for ADA accessibility and for commercial plan review and inspection shall be as follows: **[Added 11-17-2010 by Res. No. 44-10]**

(a) Accessibility plan reviewer and inspector:

[1] Base fee of \$100 plus \$0.10 per square foot of floor area or each fraction of affected floor area **[Amended 12-19-2018 by Res. No. 50-18]**.

[a] Accessibility plan review is considered to be 20% of the above fee calculation with a minimum fee of \$20.

[b] Accessibility inspections are considered to be 80% of the above fee calculation with a minimum fee of \$75.

[c] Where floor area cannot be applied (door relocations, etc.), only the minimum fee shall be charged.

[2] This fee shall be in addition to all other applicable building permit fees.

(b) Commercial plan reviewer and inspector shall be based on an hourly fee.

NOTE: Third party review fees shall apply per the rate sheet on file in the Planning and Zoning Department. **[Added 12-20-2017 by Res. No. 66-17]**

(7) General Contractor Licensing Fee: \$85. **[Added 12-20-2017 by Res. No. 66-17] [Amended 12-19-2018 by Res. No. 50-18]**

B. Pursuant Chapter 110, Building Construction, of the Code of the Township of Cheltenham, the applicable permit fee(s) for work commenced prior to obtaining approved permits required by Chapter 110, shall be tripled, as outlined in this fee schedule. **[Amended 5-15-2017 by Res. No. 13-17] [Amended 12-19-2018 by Res. No. 50-18]**

C. Commonwealth of Pennsylvania Uniform Construction Code Administration Fee: A fee of \$4.50, or other amount, however denominated, imposed on the Township from time-to-time, will be assessed to all permits issued by the Township, which will be remitted to the Commonwealth of Pennsylvania for administration of the Pennsylvania Uniform Construction Code. **[Added 12-20-2017 by Res. No. 66-17]**

§ A300-5. Electrical Standards.

A. Pursuant to Chapter 135, Electrical Standards, of the Code of the Township of Cheltenham, the following fees are hereby established:

(1) Application for examination, license and annual renewal fees **[Amended 12-19-2018 by Res. No. 50-18]**:

(a) Master electrician contractor: \$85. **[Amended 12-17-2002 by Res. No. 29-02]**

(b) Chief plant electrician: \$60.

(c) Oil burner service dealer: \$60.

(d) Refrigeration service dealer: \$60.

(e) Journeyman electrician: \$45. **[Amended 12-17-2002 by Res. No. 29-02]**

(f) Apprentice electrician: \$35. [Amended 12-17-2002 by Res. No. 29-02]

(g) HVAC Contractor: \$85. [Added 12-17-2002 by Res. No. 29-02]

NOTE: Third party review fees may apply. [Added 12-20-2017 by Res. No. 66-17]

§ A300-6. Explosives.

A. Pursuant to Chapter 139, Explosives, of the Code of the Township of Cheltenham, the following fees are hereby established:

(1) Thirty-day permit: \$300.

(2) One-year permit: \$1,000.

§ A300-6.1. Fire insurance claims.

A. Pursuant to Chapter 147, Fire Insurance Claims, of the Code of the Township of Cheltenham, the following fee is hereby established for the issuance by the Director of Fiscal Affairs of a certificate indicating whether there are any delinquent taxes, assessments, penalties or user charges against real property damaged by fire. This fee is authorized by Pennsylvania State Act 98 of 1992.

(1) Certificate: \$75.

§ A300-7. Fire prevention.

A. Pursuant to Chapter 151, Fire Prevention, Article I, Fire Marshal, of the Code of the Township of Cheltenham, the following fees are hereby established [Amended 12-19-2018 by Res. No. 50-18].

(1) Fire reports: \$20.

(2) Annual fire inspections.

(a) Apartments:

[1] Up to 9 sleeping units: \$50.

[2] 10 to 24 sleeping units: \$75.

[3] 25 to 49 sleeping units: \$100.

[4] 50 to 100 sleeping units: \$125.

[5] More than 100 sleeping units: \$175.

[6] Building six stories or higher: \$250.

(b) Assembly, educational and institutional, business, factory, high-hazard, manufacturing, mercantile and storage occupancies:

[1] Up to 3,500 square feet: \$50.

[2] 3,501 square feet to 12,000 square feet, \$90.

[3] 12,001 square feet to 36,000 square feet: \$125.

[4] 36,001 square feet to 50,000 square feet: \$150.

[5] 50,001 square feet to 100,000 square feet: \$250.

[6] Over 100,000 square feet: \$350.

(c) Second and subsequent re-inspections required for compliance: \$25.

(d) Installation and alteration of sprinkler systems:

- [1] Up to \$1,000 of the estimated cost: \$45.
- [2] Each additional \$1,000 of the estimated cost or fraction thereof: \$30.
- [3] Third party plan review (if required): actual third party cost incurred for review.
[Amended 5-15-2017 by Res. No. 13-17]

(e) Installation and alteration of fire alarm systems:

- [1] Up to \$1,000 of the estimated cost, \$45.
- [2] Each additional \$1,000 of the estimated cost or fraction thereof: \$30.
- [3] Third party plan review (if required): actual third party cost incurred for review.
[Amended 5-15-2017 by Res. No. 13-17]

(f) Installation and alteration of all other fire suppression systems: [Amended 5-15-2017 by Res. No. 13-17]

- [1] Up to \$1,000 of the estimated cost: \$45.
- [2] Each additional \$1,000 of the estimated cost or fraction thereof: \$30.
- [3] Third party plan review (if required): actual third party cost incurred for review.

(g) Approval of permits and inspection of installations of compressed and liquefied gases.
[Added 12-15-1998 by Ord. No. 1932-98]

- [1] For the first \$1,000 of cost: \$45.
- [2] For each additional \$1,000 of cost or fraction thereof: \$30. [Amended 5-15-2017 by Res. No. 13-17]

[a] Approval of permits and inspection of fire protection systems. The fee for such permits shall be \$45 for the first \$1,000 of the cost thereof, \$30 for each additional \$1,000 of cost, plus any actual third party costs incurred for the review, if applicable. [Added 12-15-1998 by Ord. No. 1932-98]
[Amended 5-15-2017 by Res. No. 13-17]

B. Pursuant to Chapter 151, Fire Prevention, Article VI, Recovery of Costs for Abatement of Hazardous Substances, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Response to any hazardous materials release or incident which requires the services of the Township Fire Department: \$500 plus costs (Township fee does not include the cost of any other governmental agency).

C. Permit fees for Fire Department/Company standby: [Added 11-20-2007 by Res. No. 43-07]

- (1) For the first two hours or fraction thereof: \$500.
- (2) For each additional hour or fraction thereof: \$250.

§ A300-8. Display Fireworks Permit Fee [Removed 5-15-2017 by Res. No. 13-17; Added 3-28-2018 By Res. No. 15-18].

A. Pursuant to Chapter 194, Display Fireworks, of the Code of Cheltenham Township, the following fee is hereby established:

- (1) Permit Fee for display fireworks (per event): \$300.

§ A300-9. Garbage, rubbish and refuse.

A. Pursuant to Chapter 161, Garbage, Rubbish and Refuse, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Service charge for collection and disposal: \$325 per single-family residential dwelling unit **[Amended 12-19-2018 by Res. No. 50-18]**.

§ A300-10. Massage establishments.

A. Pursuant to Chapter 179, Massage Establishments, of the Code of the Township of Cheltenham, the following fees are hereby established **[Amended 12-19-2018 by Res. No. 50-18]**:

- (1) License application to operate a massage establishment: \$250.
- (2) Portion of license application that will be returned if the license is not granted: \$50.

§ A300-11. Peace and good order.

A. Pursuant to Chapter 205, Peace and Order, Article III, Noise and Disorderly Conduct, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Permit fee for noncommercial use of sound truck: \$50.

§ A300-12. Plumbing standards.

A. Pursuant to Chapter 209, Plumbing Standards, of the Code of the Township of Cheltenham, the following fees are hereby established.

- (1) Master plumber's license fee: \$85, no discount period. **[Amended 12-17-2002 by Res. No. 29-02] [Amended 12-19-2018 by Res. No. 50-18]**
- (2) Journeyman plumber's license fee: \$45. **[Amended 12-17-2002 by Res. No. 29-02] [Amended 12-19-2018 by Res. No. 50-18]**
- (3) Apprentice plumber: \$35. **[Added 12-17-2002 by Res. No. 29-02] [Amended 12-19-2018 by Res. No. 50-18]**
- (4) Filing fees for plumbing plan.
 - (a) New construction: \$50 minimum, plus \$10 per fixture in excess of five fixtures.
 - (b) Alterations, replacement of fixtures, additions and removal: \$10 minimum, plus \$10 per fixture in excess of two fixtures.
- (5) Permit application and Sewage Enforcement Officer fees for private on-site disposal systems: **[Amended 10-21-1997 by Res. No. 37-97]**
 - (a) Deep hole test observation by Sewage Enforcement Officer: \$150.
 - (b) Percolation test by Sewage Enforcement Officer: \$250.
 - (c) Plan review and issuance of permit by Sewage Enforcement Officer including final inspection of construction: \$200.
 - (d) All other services performed by the Sewage Enforcement Officer which do not fall within Subsection A(4)(a) through (c) above, such as reviewing and approving permits for the correction of a malfunctioning system, shall be charged at the rate of \$50 per hour.
- (6) Permit fees for Repair, Replacement or Removal of Existing Laterals. **[Amended 2-15-2017 by Res. No. 13-17, Amended 4-19-2017 by Res. No. 28-17, Amended 02-19-2020 by Res. No. 10-2020]**

- (a) For the repair or replacement of existing laterals: 3% of total project cost, including labor and materials, plus a one-time fee of \$19.
 - (b) Demolition, disconnecting fee: \$35.
 - (c) Failure to obtain a permit for work on a lateral: Triple the appropriate fee as outlined in item (a) above.
- (7) Permit fees for plumbing work (completed within the building envelope): **[Added 10-16-2007 by Res. No. 41-07] [Amended 12-19-2018 by Res. No. 50-18]**
- (a) For the first \$1,000 of estimated cost or fraction thereof: \$45.
 - (b) For each additional \$1,000 of estimated cost or fraction thereof: \$30.

§ A300-13. Precious metals and gems.

A. Pursuant to Chapter 213, Precious metals and gems, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) License fee: \$400.

§ A300-14. Sale of property. [Amended 1-20-2009 by Res. No. 5-09]

A. Pursuant to Chapter 217, Property, Sale of, of the Code of Township of Cheltenham, the following fees are hereby established:

- (1) Application for certification statement and affidavits: \$40 **[Amended 12-19-2018 by Res. No. 50-18]**.

§ A300-15. Real estate registry.

A. Pursuant to Chapter 226, Real Estate Registry, of the Code of the Township of Cheltenham, the following fees are hereby established: **[Amended 1-20-2009 by Res. No. 4-09]**

- (1) Evidence of registration of property: \$10 **[Amended 12-19-2018 by Res. No. 50-18] [Amended 03-20-2019 by Res. No. 33-19]**.

B. Pursuant to Chapter 283, Vacant Building Registry and Regulations, of the Code of the Township of Cheltenham, the following fees are hereby established **[Added 6-15-2016 by Ord. No. 2330-16]**:

- (1) Residential Single Family Annual Registration.
 - (a) Initial registration/renewal without violations: \$400.
 - (b) First Renewal with violations: \$800.
 - (c) Second Renewal with violations: \$1,200.
 - (d) Third or more renewals with violations: \$1,400.
- (2) Multifamily Residential/Nonresidential Annual Registration.
 - (a) Less than 5,001 sq. ft.
 - [1] Initial registration/renewal without violations: \$500.
 - [2] First Renewal with violations: \$1,000.
 - [3] Second Renewal with violations: \$1,500.
 - [4] Third or more renewals with violations: \$2,000.
 - (b) 5,001-10,000 sq. ft.

[1] Initial registration/renewal without violations: \$1,000.

[2] First Renewal with violations: \$2,000.

[3] Second Renewal with violations: \$3,000.

[4] Third or more renewals with violations: \$4,000.

(c) 10,001-200,000 sq. ft.

[1] Initial registration/renewal without violations: \$1,750.

[2] First Renewal with violations: \$3,500.

[3] Second Renewal with violations: \$5,250.

[4] Third or more renewals with violations: \$7,000.

(d) Over 200,000 sq. ft.

[1] Initial registration/renewal without violations: \$2,500.

[2] First Renewal with violations: \$5,000.

[3] Second Renewal with violations: \$7,500.

[4] Third or more renewals with violations: \$10,000.

(3) Waiver of Vacant Building Registration Fee: \$100, but full registration fee shall be submitted with annual registration form.

§ A300-16. Sewers.

A. Discharge of fats, oils and grease to POTW [Added 7-17-2013 by Ord. No. 2269-13; Amended 5-15-2017 by Res. No. 13-17, Removed 12-18-2019 by Res. No. 64-19, Added 02-19-2020 by Res. No. 10-20]:

(1) Initial permit: \$500.

(2) Annual permit renewal: \$250.

§ A300-17. Signs and advertising.

A. Pursuant to Chapter 242, Signs and Advertising, Article I, Sign Regulations, of the Code of the Township of Cheltenham, the following fees are hereby established:

(1) Permit: \$45 per sign erected for the first \$1,000; \$30 for each additional \$1,000 [Amended 12-19-2018 by Res. No. 50-18].

§ A300-18. Peddlers, solicitors and transient vendors. [Amended 7-21-2009 by Res. No. 30-09; Amended 3-28-2018 by Res. No. 15-18] Fees for permits for commercial peddling/soliciting and indoor/outdoor transient vendors shall be as follows:

A. Peddlers, solicitors and transient vendors:

(1) One day: \$25 per person.

(2) One week (seven days): \$100 per person.

(3) One-day parade: \$150.

B. Fees for transient sales vendors: \$100 per vendor, per day, for a maximum of 20 days. [Added 9-16-2015 by Res. No. 26-15; Amended 3-28-2018 by Res. No. 15-18]

§ A300-19. Streets and sidewalks.

A. Pursuant to Chapter 255, Streets and Sidewalks, of the Code of the Township of Cheltenham, the following fees shall be established:

- (1) Permit for placing building material in a street: \$100 [**Amended 10-19-2016 by Res. No. 98-16. Amended 12-20-2017 by Res. No. 66-17**].
- (2) Permit for setting or resetting the line or grade of a curb.
 - (a) \$500. [**Amended 12-20-2017 by Res. No. 66-17**].
 - (b) For more than 75 feet of frontage: an additional \$10 per linear foot [**Amended 12-20-2017 by Res. No. 66-17**].
- (3) Permit for work within right-of-way (sum of Application Fee and Construction Fee). [**Amended 5-15-2017 by Res. No. 13-17**]
 - (a) Application Fee:
 - [1] Street opening (improved area or unimproved area) for each street location: \$75 [**Amended 12-20-2017 by Res. No. 66-17**].
 - [2] Sidewalk/curb (new or replacement) for each street location: \$30 [**Amended 12-20-2017 by Res. No. 66-17**] [**Amended 12-19-2018 by Res. No. 50-18**].
 - (b) Construction Fee [**Amended 12-20-2017 by Res. No. 66-17**] [**Amended 12-19-2018 by Res. No. 50-18**]:
 - [1] Street opening: \$9 per square yard or increment thereof; 2 square yard minimum.
 - [2] Sidewalk: \$7 per 10 linear foot section of increment thereof; 30 linear-foot minimum.
 - [3] Curb: \$7 per 10 linear foot section or increment thereof; 30 linear-foot minimum.
- (4) Permit renewal.
 - (a) Sixty-day renewal for street opening permit: \$75 [**Amended 12-20-2017 by Res. No. 66-17**].
 - (b) Sixty-day renewal of curb or sidewalk permit: \$25 [**Amended 12-20-2017 by Res. No. 66-17**].

§ A300-20. Subdivision and land development. [Amended 5-15-2017 by Res. No. 13-17]

A. Pursuant to Chapter 260, Subdivision and Land Development, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Filing of preliminary plan for review: \$50.
- (2) Final plan: \$25, plus \$25 for each lot, dwelling unit or 3,000 square feet of floor area appearing on the final plan.
- (3) Improvement construction plan: \$15 when the application is filed, plus an amount equal to 5% of the estimated cost of the work, as determined by the Township Engineer, for the necessary inspection. The inspection charge shall be based upon the subsequently stated hourly rates for each hour or portion thereof a Township employee is engaged on the work and shall include the actual cost of any material tests. The hourly rate for a Township inspector will be \$50 per hour and \$100 per hour for the Township Engineer. Upon

completion of the work, any moneys not expended shall be refunded to the owner. Any moneys due the Township will be paid by the developer to the Township before final certification. [Amended 12-17-2002 by Res. No. 30-02]

(4) Posting of signs.

- (a) One to five total signs: \$50 each.
- (b) Additional signs: \$25.

(5) Subdivision/land development reviews. [Added 12-17-2002 by Res. No. 30-02; Amended 2-15-2017 by Res. No. 13-17]

(a) The hourly charges for subdivision/land development reviews shall be as follows:

- [1] Township Engineer: Per consultant annual rate schedule for Cheltenham Township.
- [2] Clerical services: \$25 per hour.

(b) Residential Subdivision or Land Development [Amended 12-20-2017 by Res. No. 66-17]

Number of Lots/Units	Application Fee	Professional Review Escrow*
1-5 lots/units	\$250, plus \$325 per lot/unit	\$2,500, plus \$625 per lot/unit
6-10 lots/units	\$300, plus \$275 per lot/unit	\$5,500, plus \$525 per lot/unit
11-25 lots/units	\$350, plus \$175 per lot/unit	\$8,000, plus \$424 per lot/unit
25+ lots/units	\$150, plus \$100 per lot/unit	\$10,000, plus \$225 per lot/unit
Lot Line Revision	\$325	\$1,000

(c) Nonresidential Subdivision [Amended 12-20-2017 by Res. No. 66-17]

Number of Lots	Application Fee	Professional Review Escrow*
1-3 lots	\$450 per lot	\$2,500, plus \$525 per lot
4+ lots	\$1,000, plus \$325 per lot	\$3,500, plus \$325 per lot
Lot Line Revision	\$525	\$1,500

(d) Nonresidential Land Development

New Construction	Application Fee	Professional Review Escrow*
Up to 3,000 sq. ft.	\$375, plus \$50 per 1,000 sq. ft.	\$1,000, plus \$325 per 1,000 sq. ft.
3,001 to 10,000 sq. ft.	\$275, plus \$50 per 1,000 sq. ft.	\$3,000, plus \$225 per 1,000 sq. ft.
10,001 to 25,000 sq. ft.	\$525, plus \$50 per 1,000 sq. ft.	\$5,000, plus \$200 per 1,000 sq. ft.
25,001 to 75,000 sq. ft.	\$625, plus \$50 per 1,000 sq. ft.	\$6,000, plus \$175 per 1,000 sq. ft.
75,001+ sq. ft.	\$1,100, plus \$50 per 1,000 sq. ft.	\$7,000, plus \$175 per 1,000 sq. ft.

(e) Plan Amendments/Minor Plans

Application Fee	Professional Review Escrow*
\$\$\$350, plus \$50 per 1,000 sq. ft.	\$2,500, plus \$325 per 1,000 sq. ft.

* Professional Review Escrow – These funds are collected by the Township and used to pay fees associated with professional services provided by Township Consultants (engineering, legal, etc.). Fees are held by the Township and unused fees are returned to the applicant when project review is complete. The balance of the escrow must be

maintained at a level of 25% of the original escrow at all times. Work will not be completed on the project unless the escrow balance is at or above 25% of the original escrow.

§ A300-21. Swimming pools.

A. Pursuant to Chapter 264, Swimming Pools, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Annual inspection fee: \$150.

§ A300-22. Taxation.

A. Pursuant to Chapter 270, Taxation, Article II, Mercantile License Tax, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Annual license: \$15 [**Amended 12-20-2017 by Res. No. 66-17**].
- (2) Replacement of lost or damaged license: \$2.

B. Pursuant to Chapter 270, Taxation, Article III, Business Privilege Tax, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Certificate of registration: \$15 [**Amended 12-20-2017 by Res. No. 66-17**].
- (2) Replacement of lost or damaged certificate: \$2.

§ A300-23. Vehicles and traffic. [Amended 12-21-1999 by Ord. No. 1954-99; 12-19-2000 by Ord. No. 1973-00] [Amended 2-15-2017 by Res. No. 13-17]

A. Pursuant to Chapter 285, Vehicles and Traffic, of the Code of the Township of Cheltenham, the following fees are hereby established:

- (1) Residential permit parking permit fee: \$10.
- (2) Transfer of residential parking permit: \$3.
- (3) Commercial parking permit fee schedule:

<u>Time Period</u>	<u>Fee</u>
January 1-15	\$200
January 16-31	\$191
February 1-15	\$182
February 16 - end of month	\$173
March 1-15	\$164
March 16-31	\$155
April 1-15	\$146
April 16-30	\$137
May 1-15	\$128
May 16-31	\$119
June 1-15	\$110
June 16-30	\$101
July 1-15	\$92
July 16-31	\$83
August 1-15	\$74
August 16-31	\$65
September 1-15	\$56
September 16-30	\$47
October 1-15	\$38

- (4) Handicapped parking sign, pole, installation and administrative costs: \$100 [**Added 6-15-2016 by Res. No. 78-16**].

§ A300-24. Zoning. [Amended 12-16-2008 by Res. No. 42-08]

Pursuant to Chapter 295, Zoning, of the Code of the Township of Cheltenham, the following fees are hereby established:

- A. At the time of filing of notice of petition or application, there shall be paid to the Township Manager the sum of \$1,200. Said filing fee covers the nonrefundable application fee of \$600, postage, advertising, stenographic fee and mailing cost. If expenses exceed the filing fee, the applicant shall be billed and liable for any additional expenses. If expenses are less than the filing fee minus the application fee, the applicant shall receive a refund [**Amended 12-19-2018 by Res. No. 50-18**].
- B. At the time of filing notice of appeal or application for special exception or variance to the requirements of Chapter 295, entitled Zoning, and for continuances of Zoning Hearing Board meetings, there shall be paid to the Township Manager, by the applicant or appellant, the following nonrefundable fees [**Amended 12-19-2018 by Res. No. 50-18**]:
- (1) Accessory structures on single-family residential properties (decks, fences, garages, gazebos, pools, sheds, etc.): \$500.
 - (2) Single-family residential buildings/properties (including additions thereto): \$600.
 - (3) Two-family residential, townhouses and/or residential multifamily (including additions thereto and accessory structures thereon): \$1,200.
 - (4) Nonresidential buildings/properties: \$1,200.
 - (5) Zoning Hearing Board continuances requested by applicant [**Amended 12-20-2017 by Res. No. 66-17**]:
 - (a) Single-family residential properties: \$400.
 - (b) Two-family residential, townhouses, and/or residential multifamily properties: \$600.
 - (c) Nonresidential properties: \$600.

§ A300-25. Administrative fees. [Added 8-20-1996 by Res. No. 29-96]

- A. Pursuant to Chapter 5, Administration of Government, Article XI, General Provisions, of the Code of the Township of Cheltenham, the following fees are hereby established:
- (1) The fee for clerical research time shall be billed at a rate of \$25 per hour, with a minimum charge of \$25.
 - (2) The fee for research time conducted by Township administrative staff shall be billed at a rate of \$75 per hour, with a minimum charge of \$75. Administrative time shall include, but not be limited to, managerial services performed by administrative municipal employees.
 - (3) Costs to provide copies of records: [**Amended 5-15-2017 by Res. No. 13-17**]
 - (a) Black and white copies: \$0.25 per copy.
 - (b) Color copies: \$0.35 per copy.
 - (c) Specialized documents (other than 8.5" x 11"): actual cost to copy.
 - (d) CD/DVD of documents: \$3.00 per disk, if not provided by requestor.

- (e) Flash drive of documents: actual cost of flash drive, if not provided by requestor.
 - (f) Conversion of record to paper: \$0.25 per page.
 - (g) Mailing of documents: cost to mail documents.
 - (h) Certification of records: \$5.00 per record.
- (4) Charges for the following Township documents:
- (a) Unabridged edition of the Code of Cheltenham Township (hard copy or disk): \$250.
[1] Annual supplements: \$100.
 - (b) Current edition of Township Building Code: \$35 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - (c) Current edition of Township Zoning Code: \$35 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - (d) Current edition of Subdivision Code: \$35 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - (e) Current edition of Plumbing Code: \$35 **[Amended 12-19-2018 by Res. No. 50-18]**.
 - (f) Home Rule Charter: \$15 **[Amended 12-19-2018 by Res. No. 50-18]**.
- (5) Unless specified elsewhere in the Township's Fee Schedule, charges for all forms of certifications by Township officials: \$35 **[Amended 12-19-2018 by Res. No. 50-18]**.
- (6) The Township shall be reimbursed by the requesting party for all costs including prevailing wages, travel time, expenses, and mileage of Township personnel to attend legal matters and provide expert testimony on behalf of non-municipal-related cases. Costs to the Township shall be calculated by the Township's Accounting Department and billed accordingly and paid within 30 days from the date of the last proceeding. **[Added 3-20-2007 by Ord. No. 2130-07]**

§ A300-26. Discounts for user fees eliminated. [Added 11-16-2011 by Res. No. 33-11]

All discounts for user fees including, but not limited to, refuse fees, sanitary sewer fees and excess water fees invoiced by the Township of Cheltenham are hereby eliminated and extinguished.

§ A300-27. Miscellaneous fees. [Added 7-18-2012 by Res. No. 27-12] [Amended 5-15-2017 by Res. No. 13-17]

- A. Purposely left blank **[Amended 12-19-2018 by Res. No. 50-18]**.
- B. Dumpsters and temporary storage containers **[Added 10-19-2016 by Res. No. 98-16] [Amended 5-15-2017 by Res. No. 13-17]**.
 - (1) Placement of a dumpster or temporary storage container within public rights-of-way, including the streets or roadways: \$100 per dumpster for 15 days; \$10 per dumpster for each additional day up to a maximum of 60 days.
 - (2) Placement of a dumpster or temporary storage container on private property: \$50 per dumpster for 15 days; \$10 per dumpster each additional day up to a maximum of 60 days.
 - (3) Placement of one or more dumpsters or temporary storage containers at a development or redevelopment site (projects that involve the construction or rehabilitation of multiple residences and/or the construction or rehabilitation of commercial space greater than 5,000 sq. ft.): \$10 per month, per dumpster for a period not to exceed 2 years **[Amended 12-19-2018 by Res. No. 50-18]**.

C. Facility rentals

(1) Community Centers

- (a) Gymnasium rental: \$30/hour
- (b) Community Center room rental:
 - [1] Township resident or entity: \$35/hour
 - [2] Cheltenham Township Adult School: \$20/hour
 - [3] Non-Township resident or entity: \$50/hour

(c) Party packages

- [1] Basic
 - [a] Resident: \$175 for 2 hours
 - [b] Non-resident: \$205 for 2 hours
- [2] Sports
 - [a] Resident: \$200 for 2 hours
 - [b] Non-resident: \$230 for 2 hours
- [3] Additional time
 - [a] Resident: \$50 each additional ½ hour
 - [b] Non-resident: \$60 each additional ½ hour

(2) Curtis Hall (five hour blocks) [**Amended 12-19-2018 by Res. No. 50-18**]

- (a) Monday-Thursday days (Before 4 p.m.): \$375
- (b) Monday-Thursday evenings (4 p.m. to 12 a.m.): \$650
- (c) Friday-Sunday: contact caterer for price schedule
- (d) Overtime: \$400/hour

(3) Glenside Hall (five hour blocks) [**Amended 12-19-2018 by Res. No. 50-18**]

- (a) Weekdays Before 4 p.m.): \$200
- (b) Monday-Thursday evenings (4 p.m. to 12 a.m.): \$375
- (c) Friday evenings (4 p.m. to 12 a.m.): \$750
- (d) Weekends (including Fridays) and holiday days (Before 4 p.m.): \$650
- (e) Weekend and holiday evenings (4 p.m. to 12 a.m.): \$1,000
- (e) Overtime: \$400/hour

D. Special events: \$50, \$75 if submitted less than 90 days before the event, \$125 if submitted less than 30 days before the event. Fee waived for block parties [**Amended 02-19-2020 by Res. No. 10-20**].

E. Pursuant to Chapter 295, Zoning, Article XXXVII, Wireless Supports and Communications Facilities, of the Code of the Township of Cheltenham, the following fees shall be established [**Added 12-20-2017 by Res. No. 66-17**]:

- (1) Initial permit application fee: \$750, plus \$250 per site/per attachment.
- (2) Annual attachment fee: \$250 per site/per attachment.

(3) Annual escalation of attachment fee: 3% per year/per site/per attachment.

F. Print and Advertising Rates [**Added 06-20-2018 by Res. No. 30-18**]:

(1)

		1 column	2 columns	3 columns
		3.375"	6.75"	10.125"
1 rows	2"	\$200	\$350	\$500
2 rows	4"	\$350	\$600	\$700
3 rows	6"	\$500	\$700	\$900
4 rows	8"	\$600	\$850	\$1,000

(2) Inserts (whole pages only)

(a) Single-sided advertisement: \$2,500

(b) Double-sided advertisement: \$3,500

G. Permit for Filming on Township Property and Public Right-of-Way: \$500 [**Added 07-17-2019 by Res. No. 47-19**]

§ A300-28. Department fees. [**Added 12-19-2012 by Res. No. 45-12**]

A. Police Department. [**Amended 12-18-2013 by Res. No. 50-13**]

(1) Fingerprinting: \$30.

(2) Parking fines, unless otherwise specified in the Pennsylvania Vehicle Code [**Amended 12-20-2017 by Res. No. 66-17**]:

(a) General parking offenses: \$25.

(b) Parking in a Fire Zone: \$50.

(c) Parking in a Handicapped Parking Space: \$50, unless a greater fee is posted.

(d) Parking meter fines: \$25.

(3) Parking meters:

(a) Two-hour meters: \$0.50.

(b) Twelve-hour meters: \$2.

(4) Special details: \$130 [**Amended 12-20-2017 by Res. No. 66-17 and 02-19-2020 by Res. No. 10-20**].

B. Parks and Recreation Department.

(1) Playground registration: [**Amended 12-19-2018 by Res. No. 50-18**]

(a) Resident: \$400.

(b) Non-resident: \$600.

(2) Pools: [**Amended 3-19-2014 by Res. No. 14-14 and 12-20-2017 by Res. No. 66-17**].

(a) Season Fees:

[1] Family membership: \$250.

[2] Adult membership (Age 18 and over): \$130.

[3] Student membership (Age 16-23 and full-time undergraduate students with school ID): \$90.

[4] Youth membership (Age 3-15): \$90.

[5] Senior membership: \$50.

[6] Children under 3: Free

(b) Daily Fees:

[1] Adults: \$7 per day, plus \$35 one-time registration fee.

[2] Youth: \$6 per day, plus \$35 one-time registration fee.

(c) Guest, weekday [**Amended 12-19-2018 by Res. No. 50-18**]:

[1] Adults: \$10 per day.

[2] Youth: \$8 per day.

(d) Guest, weekends [**Amended 12-19-2018 by Res. No. 50-18**]:

[1] Adults: \$12 per day.

[2] Youth: \$10 per day.

(3) Field rental: \$1,000 per field per year

(4) Teen camp registration [**Added 12-19-2018 by Res. No. 50-18**]:

(a) Resident: \$1,050.

(b) Non-resident: \$1,250.

C. Building and Zoning Department.

(1) Zoning Use and Occupancy Certificate [**Amended 12-19-2018 by Res. No. 50-18**]:

(a) Residential: \$75.

(b) Commercial: \$135.

(2) Fine penalty [**Amended 12-19-2018 by Res. No. 50-18**]:

(a) Residential: \$175.

(b) Commercial: \$275.

(3) Grading permit [**Amended 12-19-2018 by Res. No. 50-18**]:

(a) Residential: \$250, plus \$750 escrow.

(b) Commercial: \$425, plus \$750 escrow.

(4) Zoning compliance letter [**Amended 12-19-2018 by Res. No. 50-18**]:

(a) Residential: \$60.

(b) Commercial: \$115.

D. Public Works Department. [**Added 12-18-2013 by Res. No. 50-13; Amended 11-19-2014 by Res. No. 43-14**]

(1) Special collection fee:

(a) Home pickup: \$25.

- (b) Drop-off at yard: \$15.
- (2) Landscape company disposal fee [**Amended 02-19-2020 by Res. No. 10-20**]:
 - (a) Base fee for a truckload drop-off of 1 to 15 cubic yards: \$25.
 - (b) Base fee for a truckload drop-off of 16 to 30 cubic yards: \$50.
 - (c) Base fee for a truckload drop-off of 31 to 50 cubic yards: \$100.
- (3) Landscape license yearly fee: \$100.*
- (4) Tree work company license fee: \$100.*
- (5) Installation of highway banner by Township personnel: \$500 [**Added 6-15-2016 by Res. No. 78-16**].
- (6) Brush/branch collection (home pickup): \$15 for a 4'H x 4'W x 8'L pile, additional costs will apply for larger piles [**Added 12-20-2017 by Res. No. 66-17**].
- (7) Additional Recycle Toter: \$65, any size [**Added 12-20-2017 by Res. No. 66-17**].
- (8) Biodegradable Leaf Bags [**Added 06-20-2018 by Res. No. 30-18**].
 - (a) 3 bags for \$1.50
 - (b) 50-bag bundle for \$25
- (9) Removal of Nuisances and/or Non-Compliant Property Maintenance Code infractions: current annual hourly rate of personnel for work necessary to remove a nuisance and/or correct Non-Compliant Property Maintenance Code infractions, plus the cost of equipment and vehicles and disposal costs, if any [**Added 07-17-2019 by Res. No. 47-198**].

*NOTE: The annual license fee will be reduced by 50% for any business that has an active business privilege license based in Cheltenham Township and has filed a tax return in the past year.

E. Planning and Zoning Department. [**Added 12-16-2015 by Res. No. 46-15**] [**Amended 12-19-2018 by Res. No. 50-18**]

- (1) Residential property outstanding code violation report: \$60.
- (2) Commercial property outstanding code violation report: \$115.

F. Accounting Department. [**Added 12-16-2015 by Res. No. 46-15**]

- (1) Commercial and residential sewer and refuse lien payoff calculations: \$25.

G. Emergency Medical Services. [**Added 9-27-2017 by Res. No. 49-17**] [**Amended 03-20-2019 by Res. No. 33-19**]

- (1) Basic Life Support (BLS): \$1,500 per call.
- (2) Advanced Life Support 1 (ALS-1): \$1,800 per call.
- (3) Advanced Life Support 2 (ALS-2): \$2,000 per call.
- (4) Mileage: \$0.15 per mile.
- (5) Treatment/No Transport: \$400 per call.
- (6) Dead on Arrival (DOA): \$400 per call.
- (7) Police Blood Draw: \$400 per draw.

- (8) Hourly Detail Rate: \$185 per hour.
- (9) Refusals/Lift Assist: \$200 per call.

I HEREBY CERTIFY that the foregoing Resolution by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, was adopted at its meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania 19095 on this **16th day of December, A.D. 2020**, in the year of the Township of Cheltenham the one hundred and twenty-first.

ATTEST:



Robert A. Zienkowski
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: 
Daniel B. Norris, President