

**TOWNSHIP OF CARBONDALE
ORDINANCE NO: 1 2017**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE
TOWNSHIP OF CARBONDALE ADJUSTING THE ZONING APPEAL APPLICATION
FEES AND RELATED FEES AND COSTS**

By the powers granted to the Township of Carbondale, pursuant to §1601 of the Second Class Township Code, 53 P.S. §66601 and §601 of the Municipality's Planning Code, 53 P.S. §10601, be it **ENACTED AND ORDAINED** by the Township Supervisors of the Township of Carbondale, Lackawanna County, Pennsylvania and it is hereby **ENACTED AND ORDAINED** by the authority of the Supervisors of Carbondale Township as follows:

Section I. Title

This Ordinance shall be known as the "Ordinance Amending the Zoning Ordinance to Adjust Appeal Application Fees."

Section II. Policy

The Board of Supervisors of Carbondale Township may adopt Ordinances and may Amend Repeal or Revise Existing Ordinances as set forth in §1601 of the Second Class Township Code, 53 P.S. §66601 and may in accordance with the Municipalities Planning Code Amend and Repeal Zoning Ordinances as set forth in §601 of the Municipality's Planning Code, 53 P.S. §10601.

Section III. Incorporate Zoning Ordinances of the Township of Carbondale

The Zoning Ordinance of the Township of Carbondale is incorporated by reference as though fully set forth herein.

Section IV. Amended Zoning Appeal Application Fee

Section 9.640 of the Carbondale Township Zoning Ordinance is amended as follows:

Applications requiring action of the Board of Township Supervisors or the Zoning Hearing Board, including appeals for variances, requests for amendments, applications for special exceptions, applications for rehearings on appeals, and conditional uses, in accordance with the following:

- a. Residential uses, religious and non-profit organizations \$750.00 plus one-half of the appearance cost of a court stenographer.
- b. All other non residential uses (commercial and manufacturing uses) \$1,500.00 plus one-half of the appearance cost of a court stenographer.

Section V. Severability and Amendment

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance provided that it remains effective without the invalid portion.

Section VI. Repeal of Conflicting Ordinance

This Ordinance supercedes and repeals all former Ordinances or parts thereof which conflict or are inconsistent with the provisions of this Ordinance, and to the extent that any prior existing Ordinances of the Township of Carbondale are inconsistent with the terms of this Ordinance, said inconsistent Ordinances or inconsistent portions thereof are hereby repealed.

Section VII. Effective Date

This Ordinance shall become effective immediately.

ENACTED AND ORDAINED this 6th day of April, 2017.

Board of Supervisors of
Carbondale Township

By: Paul R. Figliomeni
Paul Figliomeni

Frank Lapka
Frank Lapka

Richard Colosimo
Richard Colosimo

ATTEST:

Lawrence Catanzaro
LAWRENCE CATANZARO
Township of Carbondale
Secretary

(Seal)