

PARADISE TOWNSHIP
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 98-1

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PARADISE TOWNSHIP, YORK COUNTY, PENNSYLVANIA, AMENDING SECTION 515 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ALSO KNOWN AS CHAPTER 22 OF THE PARADISE TOWNSHIP CODE OF ORDINANCES REGARDING RECREATION FEES.

BE IT ORDAINED by Paradise Township, York County, Pennsylvania.

Section 1. Residential subdivision and/or land development plan applications shall consider the recreational needs that will be generated by the proposed development.

- A. Where a proposed park, playground, open space or other local or neighborhood recreation site is shown on the Township Comprehensive Plan or Township Recreation Plan or where the Township considers that a local recreation site is necessary to carry out the purpose of this chapter, the Township may require the dedication of all or a portion of such site in accordance with the standards following:
- (1) The land to be dedicated must be of suitable size dimensions, topography, access and general character for the proposed use.
 - (2) The amount of land so required for this purpose shall be established by resolution of the Board of Supervisors and available at the Township Office.
- B. Where the application of these area standards would result in an open space or recreation site too small to use, or if the recreation plan calls for such local recreation site to be located elsewhere, or if a suitable local recreation site cannot be properly located in the land development, as determined by the Township, a payment of a fee in lieu of dedication of such land is required.

The amount of the fee must be substantially equal to the value of the land that would be set aside if the standard specified above in Section 515(A) were to be applied.

The fee may be used for purposes of improving existing recreational areas provided that the area is accessible and beneficial to the new development. Alternatively, the fee may be used for recreational facilities or purposes that directly benefit the new development. The use of the fee must be in accordance with a formally adopted recreation plan that provides definite principles and standards as contained in the subdivision and land development ordinances.

The fee must be paid to the Township prior to the approval of the final plan.

All monies paid to the Township in this manner shall be kept in a capital reserve fund established as provided by law. Monies expended from this account shall be used for the purposes set forth in this Section 515. Any fee unused within three (3) years of deposit shall be refunded together with accrued interest to the original payor.

Section 2. The passage of this Ordinance amending in part, the Paradise Township Land Development and Subdivision Ordinance also known as Chapter 22 of the Paradise Township Code of Ordinances, shall in no way be deemed to invalidate or repeal any provisions of said Ordinance except as specifically provided herein.

ENACTED AND ORDAINED INTO AN ORDINANCE THIS 9th day of March, 1998 by Paradise Township Board of Supervisors in lawful session duly assembled.

Attest:

Judy M. Katz
Secretary

PARADISE TOWNSHIP
BOARD OF SUPERVISORS

By: Dean L. Buntzel
Supervisor

By: James A. Coppitto Jr
Supervisor

By: [Signature]
Supervisor

