

**SILVER SPRING TOWNSHIP**  
**Cumberland County, Pennsylvania**

**RESOLUTION 2016-21**

**A RESOLUTION ESTABLISHING AN IMPACT FEE  
ADVISORY COMMITTEE AND AUTHORIZING  
THE PREPARATION AND PUBLIC ADVERTISEMENT  
OF THE TOWNSHIP OF SILVER SPRING  
NOTICE OF INTENTION TO ADOPT  
AN IMPACT FEE ORDINANCE PURSUANT TO ACT 209 OF 1990**

**WHEREAS**, The Township of Silver Spring desires to provide appropriate levels of transportation levels of service to its citizens so as to adequately protect their health, safety and welfare; and

**WHEREAS**, the Township of Silver Spring estimates it will not be able to undertake appropriate transportation capital improvements unless more funds are generated for that purpose; and

**WHEREAS**, Act of 209 of 1990 empowers municipalities to provide for transportation Capital improvements through the imposition of impact fees upon new development following enactment of an appropriate impact fee ordinance adopted pursuant to the provisions of Act 209 of 1990; and

**WHEREAS**, the Township of Silver Spring desires to establish an impact fee advisory committee for the purposes of developing a transportation impact fee ordinance under the terms of Section 504-A(b)(1) of Act 209 of 1990;

**NOW, THEREFORE**, the Board of Supervisors does hereby resolve as follows:

1. The Silver Spring Township Impact Fee Advisory Committee is hereby created and shall consist of 7 to 10 members to include the Planning Commission members, and if needed, a supplemental member from the real estate and development community, all to be determined.
2. All of the above named members are residents of the Township of Silver Spring or conduct business with the Township of Silver Spring and are not employees or officials of the Township of Silver Spring.
3. Not less than 40% of the above-mentioned members are representatives of the real estate, commercial and residential development, and building industries.

4. All of the members shall serve without compensation.
5. The Silver Spring Township Impact Fee Advisory Committee shall serve in an advisory capacity for a two (2) year term and shall develop land use assumptions, conduct roadway sufficiency analysis studies, and make recommendations as to the development of road improvements, capital improvements, and impact fees for the entire geographic area of the Township.
6. The Board of Supervisors shall have the right to replace any member of the Advisory Committee upon notice for failure to complete the tasks assigned, for failure to attend three (3) consecutive regularly scheduled meetings, or conduct that damages the credibility of the committee specifically or Silver Spring Township in general.
7. Township staff is hereby authorized to prepare and publicly advertise the Notice of Intention to Adopt an Impact Fee Ordinance. This Notice shall be published twice in a newspaper of general circulation in Silver Spring Township, with the first publication to occur as soon as possible after the passage of this Resolution, and the second to occur not less than one (1) nor more than three (3) weeks thereafter.
8. Under the proposed ordinance, the Board of Supervisors shall assess an interim impact fee of \$1,000 per P.M. peak hour vehicular trip generated by new development, as defined by 502-A of Act 209 of 1990, which shall apply retroactively for a period of 18 months after the adoption of this Resolution to preliminary or tentative applications for land development, subdivision or Planned Residential Development with the Township on or after the first publication of the Township's intention to adopt an impact fee ordinance. The adoption of an impact fee ordinance more than 18 months after adoption of this Resolution creating the impact fee advisory committee shall not be retroactive or applicable to plats submitted for preliminary or tentative approval prior to the legal publication of the proposed impact fee ordinance and any fees collected pursuant to this subsection shall be refunded to the payor of such fees, provided the adoption of the impact fee ordinance was not delayed due to the initiation of any litigation challenging the adoption of such ordinance.

**DULY RESOLVED** by the Board of Supervisors of Silver Spring Township, Cumberland County, Pennsylvania this 14th day of September, 2016.

**ATTEST:**

**SILVER SPRING TOWNSHIP  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Secretary

By:   
\_\_\_\_\_  
Chairman