

RESOLUTION NO. 95-1

A RESOLUTION OF INDIAN LAKE BOROUGH, SOMERSET COUNTY,
PENNSYLVANIA ESTABLISHING A COST AND EXPENSE RECOVERY POLICY
FOR REVIEW OF SEWAGE FACILITIES PLANNING MODULES AND OTHER
APPLICATIONS FOR DISPOSITION OF SEWAGE SUBMITTED TO THE BOROUGH

WHEREAS, the Borough of Indian Lake (hereinafter "Borough") has within its municipal boundaries undeveloped lands; and,

WHEREAS, the Borough has considered a comprehensive program for land development within its municipal boundaries; and,

WHEREAS, the Borough has enacted a revised Zoning Ordinance to assist in the application of the comprehensive program for land development; and,

WHEREAS, the Borough relies as well on the federal government's regulations, the Commonwealth's regulations, and those of Somerset County to assist it in the application of the comprehensive program for land development; and,

WHEREAS, during land development within the Borough, the issue of proper disposition of sewage is encountered; and,

WHEREAS, the Borough desires to establish a policy for reviewing applications for sewage disposition throughout the Borough,

NOW THEREFORE, BE IT RESOLVED, in accordance with the authority granted to the Borough by the laws of the Commonwealth of Pennsylvania, and considering the aforesaid statements, as follows:

Article One: The Borough shall review all submitted sewage facilities planning modules and all other applications for disposition of sewage in accordance with all federal, state, county and local laws, rules, regulations and ordinances and may establish such terms and conditions as allowed by law.

Article Two: A developer shall reimburse the Borough in full for all costs of review of a sewage facilities planning module and of inspection of construction of all projects proposed therein, including sewage treatment plants. The amount and type of inspection required shall be determined by the Borough during construction. Prior to the Borough beginning its review, the developer shall establish an escrow account at an institution agreeable to both the Borough and developer. Said escrow account shall be in the name of the Borough and will be used for paying engineering, legal, inspection, and any other fees incurred in the review and examination of the plan and project construction. The escrow amount to be deposited shall be determined solely by the Borough but shall be an amount which will compensate the Borough for all its costs and expenses related to its review and inspection of the plan and project. Upon acceptance of the developer's project by the Borough, or project termination, the balance of funds in the escrow account, if any, including accrued interest, will be returned to the developer.

ADOPTED this 8th day of February, 1995.

ATTEST:

Theresa L. Weyant

Theresa L. Weyant, Secretary

INDIAN LAKE BOROUGH

Richard W. Stern

Richard W. Stern, President