

BOROUGH OF TRAPPE

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 455

AN ORDINANCE AMENDING CHAPTER SECTION 295-31C (2) OF THE CODE OF THE BOROUGH OF TRAPPE TO PROVIDE THAT A FEE IN LIEU OF PRIVATE OPEN SPACE AND RECREATIONAL FACILITIES MAY BE OFFERED IF APPROVED BY THE BOROUGH COUNCIL.

Be it **ORDAINED** and **ENACTED** by the Borough Council, Borough of Trappe, Montgomery County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by the authority of same as follows:

SECTION 1. Section 295-31C(2) of the Code of the Borough Trappe is hereby amended to read as follows:

“(2) Fee in lieu of private open space and recreational facilities. If a developer is unable to establish private recreational and open space facilities as per the design standards aforesaid, or if said Developer determines not to set aside land for open space and recreational facilities within the development for private use of the development, and if approved by the Borough Council, the developer may pay a fee in lieu thereof, which shall be equal to Eighteen Hundred Dollars (\$1,800.00) per unit, the established costs per residential unit for establishing public recreational and park facilities within the Borough, pursuant to the parks open space plan and the market value studies made by the Borough.”

SECTION 2. 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 Borough Council 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 3. Repealer

All other ordinances or parts of ordinances and any resolutions or parts thereof in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date

This Ordinance shall become effective five (5) days after its enactment.

ORDAINED AND ENACTED by the Borough Council of the Borough of Trappe, Montgomery County, Pennsylvania, this 4th day of August, 2020.

Attest:

TRAPPE BOROUGH COUNCIL:

Tamara Twardowski, Municipal Secretary

Catherine A. Johnson, President

APPROVED this 4th day of August, 2020.

Matthew G. Wismer, Mayor