

Bond Case Briefs

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Metro Bank v. Board of Com'rs of Manheim Tp.

Commonwealth Court of Pennsylvania - July 9, 2015 - A.3d - 2015 WL 4130405

Bank, which planned to build new branch, sought judicial review of the calculation township's board of commissioners used to assess transportation impact fee for new development, asserting that township should not have included "pass-by trips" when calculating the number of new peak-hour trips generated by the development. The Court of Common Pleas affirmed board's calculation. Bank appealed.

The Commonwealth Court held that the statute providing transportation impact fee calculation for a new development based, in part, on the estimated number of peak hour trips to be generated by the new development does not exclude pass-by trips. Pass-by trips are only excluded when evaluating whether a municipality can assess an additional transportation impact fee.