

TO
YOU ARE HEREBY NOTIFIED TO FILE A
WRITTEN RESPONSE TO THE ENCLOSED
WITHIN TWENTY (20) DAYS FROM SERVICE
HEREOF OR A JUDGMENT MAY BE ENTERED
AGAINST YOU.
BY _____
ATTORNEY

MILLER, POOLE & LORD, LLP
139 EAST PHILADELPHIA STREET
YORK, PENNSYLVANIA 17403
Telephone: (717) 845-1524
Facsimile: (717) 854-6999

WE DO HEREBY CERTIFY THAT THE WITHIN IS
A TRUE AND CORRECT COPY OF THE
ORIGINAL FILED IN THIS ACTION.
BY _____
ATTORNEY

**HOPEWELL TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 9 – 2005

**AN ORDINANCE ENACTING AND LEVYING AN EMERGENCY AND
MUNICIPAL SERVICES TAX ON PERSONS EMPLOYED WITHIN
HOPEWELL TOWNSHIP, FIXING THE INITIAL RATE OF THE TAX,
AND EXEMPTING CERTAIN PERSONS**

WHEREAS, Hopewell Township (Township) is a municipality as defined in the Local Tax Enabling Act, 53 P.S. §6901 et seq (Act), being a second class township; and

WHEREAS, Section 2(9) of the Act, 53 P.S. §6902(9) authorizes the Township to levy an emergency and municipal services tax; and

WHEREAS, the Board of Supervisors of the Township desires to impose an emergency and municipal services tax consistent with the Act; and

WHEREAS, the Township has duly advertised notice of intention to adopt this Ordinance, as required by Section 4 of the Act, 53 P.S. §6904:

NOW, THEREFORE BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted as follows:

SECTION 1: This Ordinance shall be known as “The Hopewell Township Emergency and Municipal Services Tax Ordinance”.

SECTION 2: For purposes of this Ordinance, the following definitions shall apply:

“Collection Agent”: The person or entity appointed or designated by the Township to collect the emergency and municipal services tax pursuant to this Ordinance.

“Place of employment”: The place in which the person maintains his principal office or is principally employed, as determined pursuant to the Local Tax Enabling Act, 53 P.S. §6901 et seq (Act), and shall be determined as of the day the Taxpayer first becomes subject to the tax during any calendar year.

“Tax”: The emergency and municipal services tax adopted and levied by this Ordinance.

“Taxpayer”: Any person who is subject to the tax imposed by this Ordinance.

TO _____
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BY _____
ATTORNEY

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WE DO HEREBY CERTIFY THAT THE WITHIN IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILED IN THIS ACTION.
BY _____
ATTORNEY

**HOPEWELL TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2 - 2006

AN ORDINANCE AMENDING THE EMERGENCY AND MUNICIPAL SERVICES TAX BY EXEMPTING CERTAIN PERSONS

WHEREAS, Hopewell Township (Township) is a municipality as defined in the Local Tax Enabling Act, 53 P.S. §6901 et seq (Act), being a second class township; and

WHEREAS, pursuant to Section 2(9) of the Act, 53 P.S. §6902(9), the Township levied an emergency and municipal services tax by Ordinance No. 9-2005; and

WHEREAS, the Board of Supervisors of the Township desires to amend said tax to provide for certain low-income exemptions consistent with the Act:

NOW, THEREFORE BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted as follows:

SECTION 1: Section 3 of Ordinance No. 9-2005 is amended by adding at the end, before the “.” the following:

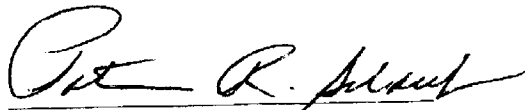
“; EXCEPT THAT any person whose total income from all sources, whether within or outside the Township, is less than \$12,000.00 in any calendar year is exempt from this tax.”

SECTION 2: All other provisions of Ordinance No. 9-2005 shall remain in full force and effect.

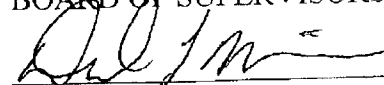
SECTION 3: This Ordinance shall be effective 5 days after enactment, and shall be retroactive to January 1, 2006.

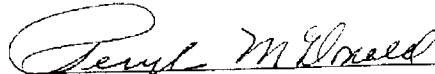
ORDAINED AND ENACTED this 2nd day of February, 2006.

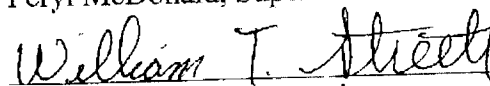
ATTEST:


Patricia R. Schaub, Secretary

HOPEWELL TOWNSHIP
BOARD OF SUPERVISORS


David T. Wisnom, Chairman


Peryl McDonald, Supervisor


William T. Strett, Supervisor

(SEAL)

SECTION 3: The Board of Supervisors of the Township hereby enacts and levies an emergency and municipal services tax (Tax) in the amount of Twenty-five Dollars (\$25.00) per year on each person whose place of employment is within the Township.

SECTION 4: This Tax shall be imposed on a calendar year basis.

SECTION 5: In the event that any person is engaged in more than one occupation, or in an occupation which requires him or her to work in more than one political subdivision during the calendar year, then the priority of claims to collect this Tax shall be in the following order: First, the political subdivision in which the person maintains his or her principal office or is principally employed; second, the political subdivision in which the person resides and works, if such a Tax is levied by that political subdivision; third the political subdivision in which a person is employed and which imposes the tax nearest in miles to the person's home.

SECTION 6: It is the intent of this Ordinance that no person shall pay more than Twenty-five Dollars (\$25.00) on this Tax in any calendar year. In the event that, prior to his or her employment in the Township in any calendar year, a Taxpayer has previously paid an emergency municipal services tax in any other political subdivision, whether within or outside of the Commonwealth, that person shall be exempt from such Tax upon proof of such payment provided to his or her employer, or to the Township or its Collection Agent. In the event that a person's employer within the Township withholds this Tax, and the person has previously paid an emergency and municipal services tax in another political subdivision pursuant to this Section, then, upon written request of the Taxpayer, accompanied by a receipt or other proof of payment satisfactory to the Township or its Collection Agent evidencing proof of the prior payment, the Township or its Collection Agent shall refund the Tax to the Taxpayer. The amount of the refund shall be limited to the amount of any emergency and municipal services tax paid by the Taxpayer in another political subdivision, but in no event shall exceed the amount of this Tax as fixed by the Township for the calendar year in which the refund was sought. Such written request must be made by no later than April 30 of the calendar year following the year in which the duplicate tax was collected. Further, in the event that a person has in any calendar year previously paid an emergency and municipal services tax in another political subdivision, but such tax was less than \$25.00, then the Taxpayer shall be liable for the difference between the tax actually paid in the other political subdivision and the amount due for this Tax to the Township.

SECTION 7: It shall be the duty of every employer within the Township, or every employer of a person whose place of employment as defined in this Ordinance is the Township, to collect this Tax from and on behalf of each employee whose place of employment is the Township from the employee's first paycheck in each calendar year, or, for any person who commences employment in the Township after the beginning of any calendar year, from the first paycheck received by the employee after the day on which the employee first becomes subject to this Tax during the calendar year.

SECTION 8: The Township hereby designates the York Area Tax Bureau (YATB) as its Collection Agent for this Tax. YATB's current mailing address is: 1415 North Duke Street, P.O. Box 15627, York, PA 17405-0156.

SECTION 9: Both the amount of this Tax as set in Section 3, and the designated Collection Agent as set forth in Section 8, may be amended by the Township from time to time by Resolution, including, but not limited to, the Township's annual Tax Resolution which fixes and sets taxes for the next calendar year.

SECTION 10: It shall be the responsibility of every employer of every person whose place of employment is in the Township to collect and remit said taxes to the Township's Collection Agent by no later than April 15 of every calendar year, or by the 15th of the month following the completion of the calendar quarter in which any person commences employment in the Township in any calendar year. Nothing in this Section or this Ordinance is intended, or shall be construed, to relieve any person whose place of employment is the Township from the responsibility and liability for the payment of this Tax. In the event that any such person's employer fails to collect or remit such Tax to the Township or its Collection Agent, then it shall be the responsibility of each such person to do so.

SECTION 11: The Township's Board of Supervisors shall, in their sole discretion, determine the use of the revenues generated by this Tax, except that the use shall be limited to one or more of the following purposes:

- A. Police, fire, and/or emergency services;
- B. Road construction and/or maintenance;
- C. Reduction of property taxes;
- D. Any other uses permitted by law.

SECTION 12:

A. Any person, employee, employer, partnership, corporation, or any other entity, which violates any of the provisions of this Ordinance shall commit a summary offense, and, upon conviction thereof by a Magisterial District Judge (formerly known as District Justice), shall be subject to a fine of up to One Thousand Dollars (\$1,000.00) for each Tax which is due pursuant to this Ordinance, together with the Tax and all costs of collection.

B. In addition to the penalties in subsection A., the Township and its Collection Agent shall be entitled to any and all civil remedies available by law for the collection of such tax, and shall be entitled to all costs of collection, as approved by the

Township from time to time by Resolution. The Township and its Collection Agent are further authorized to collect this Tax by any other lawful means available to them, whether in law or equity.

C. The Township specifically authorizes its Collection Agent to act on its behalf and as its agent to collect all such taxes pursuant to this Section and this Ordinance, and to initiate and prosecute on its behalf any summary criminal actions pursuant to subsection A.

SECTION 13: The Township specifically adopts for purposes of this Ordinance the costs and fees associated with the collection of delinquent taxes as approved by Resolution No. 5-2005, and the schedule attached thereto, which are in effect on the effective date of this Ordinance. Such fees may be amended, or new fees established, by the Board of Supervisors by Resolution from time to time.

SECTION 14: This Ordinance shall be effective 5 days after enactment, and the tax established in Section 3 shall be effective January 1, 2006.

ORDAINED AND ENACTED this 1st day of December, 2005.

ATTEST:



Patricia R. Schaub, Secretary

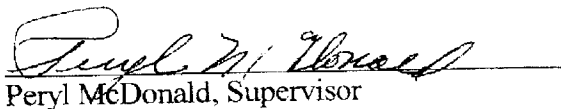
HOPEWELL TOWNSHIP
BOARD OF SUPERVISORS

William T. Streett, Chairman



David T. Wisnom, Supervisor

(SEAL)



Peryl McDonald, Supervisor