

WEST BRADFORD TOWNSHIP
ORDINANCE 17-04

AN ORDINANCE AUTHORIZING A REFERENDUM PURSUANT TO THE OPEN SPACE LANDS ACQUISITION AND PRESERVATION ACT AS AMENDED BY ACT 153 OF 1996 (32 P.S. §5001, ET SEQ.) ON THE QUESTION OF THE IMPOSITION OF AN ADDITIONAL EARNED INCOME TAX AT A SPECIFIC RATE TO BE IMPOSED TO RAISE REVENUE TO RETIRE INDEBTEDNESS INCURRED IN PURCHASING INTERESTS IN REAL ESTATE OR MAKING ACQUISITIONS OF REAL PROPERTY FOR PURPOSES OF SECURING OPEN SPACE BENEFITS.

BE IT ENACTED AND ORDAINED THIS ____ day of _____, 2017 by the Board of Supervisors of West Bradford Township as follows:

1. As provided for The Open Space Lands Acquisition and Preservation Act, as amended by Act 153 of 1996 (32 P.S. §5001, et seq.), a referendum shall be conducted during the November 2017 general election for the registered voters of West Bradford Township to vote whether they are in favor of the imposition of an increase of the earned income tax; said increase to be in the amount of one-quarter of one percent to be used by West Bradford Township to raise revenue for purposes of securing open space benefits.

2. The referendum shall be governed by the provisions of the Act of June 3, 1937 (P.L. 1333, No. 230) known as the Pennsylvania Election Code (25 P.S. §2600 et seq.).

3. The question to be placed on the ballot shall be framed in the following form: "Do you favor the imposition of an increase in the earned income tax at the rate of one-quarter of one percent by the Township of West Bradford to be used to purchase interest in real estate for purposes of securing open space benefits and for transaction fees incidental to the acquisition of open space property interests such as cost of appraisals, surveys, closing costs, title searches, legal fees, and conservation and stewardship plan preparation under and in accordance with all planning requirements of the provisions of the Act and/or the Act of June 30, 1981, P.L. 128, No. 43 known as the "Agricultural Area Security Law"; and/or the expenditure of funds for any purpose relating to the acquisition or preservation of open space and/or for open space benefits?".

4. The appropriate officers of the Board of Supervisors and the solicitor are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

5. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included therein.

6. All Ordinances or parts of Ordinances conflicting or inconsistent herewith are hereby repealed.

7. This Ordinance shall become effective five (5) days from the date hereof.

ENACTED AND ORDAINED, the day and year first above written by the Board of Supervisors of West Bradford Township.

ATTEST:

BOARD OF SUPERVISORS OF
WEST BRADFORD TOWNSHIP

Justin V. Yaich, Secretary

Mark J. Blair, Chairman

Jack M. Hines, Jr., Vice-Chairman

Bruce W. Lavery, Member