

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2022-291

AN ORDINANCE OF THE BOARD OF SUPERVISORS PROVIDING FOR A QUESTION TO BE PLACED BEFORE THE VOTERS OF WORCESTER TOWNSHIP BY A REFERENDUM AT THE GENERAL ELECTION OF NOVEMBER 8, 2022, ASKING WHETHER THE ELECTORS OF THE TOWNSHIP FAVOR THE IMPOSITION OF AN INCREASE IN THE RATE OF THE PROPERTY TAX BY ONE-HALF MILL TO BE USED TO ACQUIRE REAL PROPERTY OR INTERESTS THEREIN OR TO PAY ANY ASSOCIATED TRANSACTIONAL OR MAINTENANCE COSTS FOR THE PURPOSE OF SECURING OPEN SPACE BENEFITS, AS AUTHORIZED BY THE OPEN SPACE LANDS ACT, AS AMENDED

WHEREAS, Worcester Township is a duly organized Township of the second class, existing and operating in accordance with the laws of the Commonwealth of Pennsylvania; and,

WHEREAS, the Worcester Township Board of Supervisors seeks to impose an increase in the real estate tax rate by one-half (0.5) mill for Worcester Township residents, beyond the current real estate tax rate of 0.05 mill previously adopted pursuant to the provisions of the Local Tax Enabling Act, with the revenues from the increase to be used for the purpose of (1) to acquire interests in real property in Worcester Township and/or to retire the indebtedness incurred in purchasing interests in real property for the purpose of securing an open space benefit; (2) to pay transactional fees incidental to such acquisitions; (3) to pay expenses necessary to prepare the required resource, recreation or land use plan for such property; and/or (4) to develop, improve, design, engineer or maintain such property; as authorized by the Open Space Lands Act; and,

WHEREAS, the Board of Supervisors acknowledges such a real estate tax rate increase pursuant to the Open Space Lands Act must be approved by the electors of Worcester Township via referendum prior to the passing of an ordinance enacting such a tax, and that such referendum shall be governed by the provisions of the Pennsylvania Election Code; and

WHEREAS, the Board of Supervisors must submit the referendum question to the Election Board of Montgomery County, Commonwealth of Pennsylvania, in accordance with the Pennsylvania Election Code, 25 P.S. § 2600 et seq..

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Worcester Township Board of Supervisors, as follows:

1. REFERENDUM QUESTION

The following referendum question shall be submitted to the Election Board of Montgomery County, Pennsylvania:

Do you favor the imposition of an increase in the real estate tax rate for Worcester Township residents from its current rate of 0.05 mill to 0.55 mill to be imposed by Worcester Township, with the revenues generated to be used: (1) to acquire

interests in real property in Worcester Township and/or to retire the indebtedness incurred in purchasing interests in real property for the purpose of securing an open space benefit; (2) to pay transactional fees that are incidental to such acquisitions; (3) to pay expenses necessary to prepare the required resource, recreation or land use plan for such property; and/or (4) to develop, improve, design, engineer or maintain such property?

YES or NO

2. SUGGESTED PLAIN LANGUAGE EXPLANATION

The following explanation of the ballot question as a suggestion for the statement in plain English indicating the purpose, limitations and effect of the ballot question on the residents of Worcester Township shall be submitted to the Election Board of Montgomery County in accordance with the requirements of 25 P.S. § 2621.1:

The ballot question asks the voters of Worcester Township to authorize an increase of the real estate tax in the amount of one-half (0.5) mill on residents of the Township under the authority of the Open Space Lands Act, as amended, for the conservation and/or preservation of land in the Township. A vote of "yes" to the referendum approves the increase in the real estate tax from 0.05 mill to 0.55 mill, effective January 1, 2023.

The revenue received from the proposed increase in the real estate tax shall be used exclusively for open space conservation and/or preservation in strict compliance with the Act. The Township could use the money to do any one or more of the following:

1. Acquire real estate interests for active and passive and recreational uses, including land that would provide and conserve open natural areas such as meadows, woodlands and stream corridors and provide trails linking areas of the Township to each other and to existing and future natural and recreational lands.
2. Acquire historically or culturally significant real estate interests to be used and maintained for public purposes.
3. Provide for land preservation through available measures including conservation easements to protect the natural resource, historic or cultural characteristics of land within the Township.

3. REPEAL AND RATIFICATION

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

4. SEVERABILITY

Should any section, sentence, clause or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and the offending provision shall be severable.

5. EFFECTIVE DATE

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

ORDAINED AND ENACTED this 20th day of July, 2022, by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: _____

Richard DeLello, Chair
Board of Supervisors

Attest: _____

Tommy Ryan, Secretary

NOT ADOPTED