

**EAST BRANDYWINE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE 4 OF 2023

AN ORDINANCE OF THE TOWNSHIP OF EAST BRANDYWINE, CHESTER COUNTY, PENNSYLVANIA, ESTABLISHING SERVICE CHARGE FEES FOR TAX COLLECTOR WRITTEN OR DIGITAL CERTIFICATIONS AS TO THE PAYMENT STATUS OF REAL ESTATE TAXES FOR TOWNSHIP LANDS, ESTABLISHING FEES FOR RETURN CHECK CHARGES, AND ESTABLISHING A FEE FOR THE MAILING OF DUPLICATE TAX BILLS.

WHEREAS, the East Brandywine Township Tax Collector is requested on occasion to certify in writing the payment status of Township real estate taxes levied upon the owners of Township lands; and

WHEREAS, East Brandywine Township desires to establish a reasonable service charge fee payable to the Township Tax Collector for the preparation of such written real estate tax certifications; and

WHEREAS, the East Brandywine Township Tax Collector, often receives payment of monies due by way of check; and

WHEREAS, on occasion, those checks are drawn on closed accounts, accounts with insufficient funds, or otherwise in such a fashion that the checks are returned and not honored by the payer/bank; and

WHEREAS, such activity results in a bank debit being assessed against Tax Collector's bank account; and

WHEREAS, the East Brandywine Township Tax Collector is requested on occasion to mail a duplicate tax bill to tax payer or the tax payer's bank; and

WHEREAS, East Brandywine Township desires to establish a reasonable service charge fee payable to the Township Tax Collector for the preparation and mailing of such duplicate tax bills; and

WHEREAS, East Brandywine Township, by and through its duly elected Board of Supervisors, deems the fees or charges hereinafter mentioned to be fair and reasonable and necessary for the ongoing proper management, care, and control of the Township and its Finances.

NOW, THEREFORE, the East Brandywine Township Board of Supervisors at a meeting duly advertised does hereby establish and ordain as follows:

1. SERVICE FEE FOR PHYSICAL COPIES OF TAX COLLECTOR'S CERTIFICATION OF REALTY TAX PAYMENT STATUS FOR LANDS SITUATED WITHIN EAST BRANDYWINE TOWNSHIP.
 - A. East Brandywine Township hereby imposes a service fee of \$15 per certification to be assessed to each person, firm, or corporation requesting a written tax certification from the Township Tax Collector verifying the payment status of real estate taxes levied upon the owners of Township realty.
 - B. The service fee mentioned in paragraph 1A, above, shall be payable directly to the East Brandywine Township Tax Collector.
 - C. The service fee mentioned in paragraph 1A, above, may be amended, from time to time, by Resolution, in the event the Township determines a need to alter the fee as initially established.

2. SERVICE FEE FOR DIGITAL REQUESTS FOR TAX COLLECTOR'S CERTIFICATION OF REALTY TAX PAYMENT STATUS FOR LANDS SITUATED WITHIN EAST BRANDYWINE TOWNSHIP.
 - A. East Brandywine Township hereby imposes a service fee of \$5 per certification to be assessed to each person, firm, or corporation requesting a digital tax certification from the Township Tax Collector verifying the payment status of real estate taxes levied upon the owners of Township realty.
 - B. The service fee mentioned in paragraph 2A, above, shall be payable directly to the East Brandywine Township Tax Collector.
 - C. The service fee mentioned in paragraph 2A, above, may be amended, from time to time, by Resolution, in the event the Township determines a need to alter the fee as initially established.

3. RETURN CHECK FEES.
 - A. East Brandywine Township hereby imposes a fee of \$50.00 per check returned by a payee bank and due to said bank's failure to honor and pay to the Township Tax Collector the amount of such check. The fees detailed herein shall be assessed against the person, firm, or corporation issuing such check and as a result of the Payee bank's failure to pay the same.
 - B. The \$50.00 fee detailed in paragraph 3A, above, shall be set from time to time, by Resolution in the event the Township Board of Supervisors determines a need to alter the fee as initially established.
 - C. The fee for dishonored check payable hereunder shall be paid to the Township Tax Collector directly. The Township Tax Collector shall reimburse the East Brandywine Tax Collection Account for any fees charged by the bank.

- 4. SERVICE FEE FOR TAX COLLECTOR'S PREPARATION AND MAILING OF DUPLICATE TAX BILLS.
 - A. East Brandywine Township hereby imposes a service fee of \$5 per duplicate tax bill issued by the Township Tax Collector.
 - B. The service fee mentioned in paragraph 4A, above, shall be payable directly to the East Brandywine Township Tax Collector.
 - C. The service fee mentioned in paragraph 4A, above, may be amended, from time to time, by Resolution, in the event the Township determines a need to alter the fee as initially established.

5. SEVERABILITY.

The provisions of this Ordinance shall be severable, and if any provision hereunder shall be declared unconstitutional, illegal, or invalid, then such declaration shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the intent of East Brandywine Township that this Ordinance would have been enacted as if any such unconstitutional, herein, illegal, or invalid provision(s) had not been included.

6. EFFECTIVE DATE.

This Ordinance shall become effective five days following its enactment.

ENACTED and ORDAINED by the East Brandywine Township Board of Supervisors, Chester County, Pennsylvania, in lawful session duly assembled on the 17 Day of August 2023.

BOARD OF SUPERVISORS
EAST BRANDYWINE TOWNSHIP



Carl K. Croft, Chairman

ATTEST:



Lisa Taraschi, Secretary



Kyle P. Scribner, Vice Chairman



Jason R. Winters, Member