

ORDINANCE 2022 - 06

WESTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WESTTOWN, CHAPTER 154, TAXATION, TO ESTABLISH ARTICLE VII, OPEN SPACE TAX, WHICH AUTHORIZES 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 AND REAL ESTATE 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 by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that certain provisions of Chapter 154, Taxation, of the Code of Westtown Township, as amended, be further amended as follows:

SECTION 1. Chapter 154, Taxation, shall be amended to add new Article VII, Open Space Tax, which shall read as follows:

Article VII. Open Space Tax

§ 154-55. General provisions.

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 2022 general election for the registered voters of Westtown Township to vote whether they are in favor of the imposition of an increase to the earned income tax in an amount not to exceed eight one hundredths of one percent (0.08%) and the imposition of an increase in the property tax at a rate not to exceed 0.42 mills (\$0.42 per \$1,000.00 assessed valuation) to be used by Westtown 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 a rate not to exceed eight one hundredths (8/100th) of one percent (0.08%) and an increase in the real

property tax at a rate not to exceed 0.42 mills (\$0.42 per \$1,000 assessed valuation) by the Township of Westtown to be used to purchase interest in real property for purposes of securing open space benefits and for transactional fees incidental to acquisitions of open space property; retire indebtedness incurred in acquiring open space; and the expenditure of funds for any purpose relating to the acquisition, planning for acquisition, preservation, improvement and maintenance of open space or for an 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.

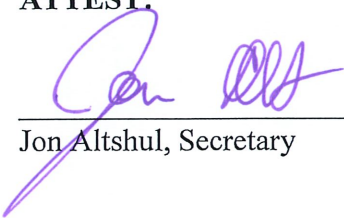
SECTION 2. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, causes, sections or parts of this ordinance. 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.

SECTION 3. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall become effective five (5) days from the date hereof.

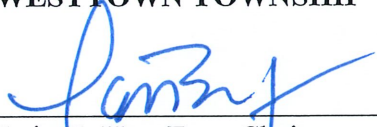
ENACTED AND ORDAINED by the Board of Supervisors of Westtown Township this 20th day of June, 2022.

ATTEST:

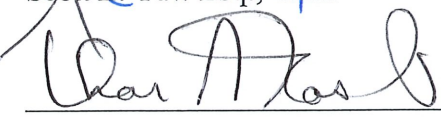


Jon Altshul, Secretary

WESTTOWN TOWNSHIP



Scott E. Yaw Esq., Chair



Thomas Foster, Vice Chair



Richard Pomerantz, Police Commissioner