

EAST NANTMEAL TOWNSHIP ORDINANCE NO. 2003-3

AN ORDINANCE AUTHORIZING THE IMPOSITION OF AN ADDITIONAL TAX AT A SPECIFIC RATE TO BE IMPOSED TO RAISE REVENUE TO PURCHASE OPEN SPACE BENEFITS PURSUANT TO THE AGRICULTURAL AREA SECURITY LAW AND THE OPEN SPACE LANDS ACQUISITION AND PRESERVATION ACT AS AMENDED BY ACT 153 OF 1996 (32 P.S. §5001, ET SEQ.) ; AND MISCELLANEOUS OTHER RULES AND REGULATIONS.

BE IT ENACTED AND ORDAINED THIS 4th day of December, 2003, by the Board of Supervisors of East Nantmeal Township as follows:

1. As provided by The Open Space Lands Acquisition and Preservation Act, as amended by Act 153 of 1996 (32 P.S. §5001, et seq.) ("Open Space Lands Act"), a referendum was conducted during the November, 2003 election for the registered voters of East Nantmeal Township to vote whether they are in favor of the imposition of an increase in the amount of one quarter of one per cent (.25%) of the earned income tax imposed under the Local Tax Enabling Act (Act of December 31, 1965, P.L. 1257, No. 511).

2. The question placed on the ballot was framed in the following form: "Do you favor the imposition of an increase in the earned income tax upon the residents of East Nantmeal Township at the rate of one quarter of one per cent (.25%) by the Township of East Nantmeal to be used to retire indebtedness incurred in purchasing interests in real property and/or to make additional acquisitions of real property for the purpose of securing open space benefits under the Open Space Lands Acquisition Act and/or the Agricultural Area Security Law?"

3. The aforesaid referendum was passed by a majority of the electors of East Nantmeal Township who voted during the November 2003 general election.

4. In accordance with the provisions of the Open Space Lands Act and the Local Tax Enabling Act, the earned income tax upon the residents of East Nantmeal Township is hereby increased by one quarter of one percent (.25%) and all revenue derived from this tax increase shall be used to retire the indebtedness incurred in purchasing interests in real property or in making additional acquisitions of real property for the purpose of securing an open space benefit or benefits under the provisions of the Open Space Lands Act or the act of June 30, 1981 (P.L. 128, No. 43), known as the "Agricultural Area Security Law."

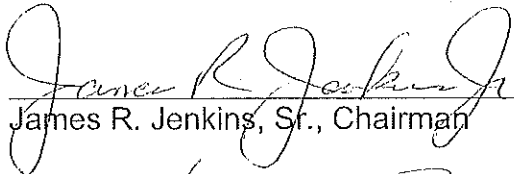
5. The appropriate officers of East Nantmeal Township are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

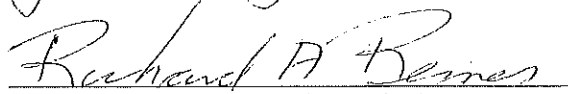
6. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It 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 not been included herein.

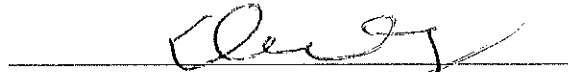
7. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

8. This Ordinance will become effective on January 1, 2004.

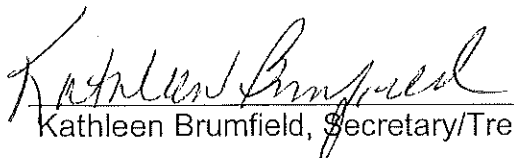
BOARD OF SUPERVISORS OF
EAST NANTMEAL TOWNSHIP


James R. Jenkins, Sr., Chairman


Richard A. Remes, Vice Chairman


_____, Member

ATTEST:


Kathleen Brumfield, Secretary/Treasurer