

**NEWLIN TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 03 - 2018**

**AN ORDINANCE OF THE TOWNSHIP OF NEWLIN, CHESTER COUNTY, PENNSYLVANIA, AFFIRMING THE IMPOSITION OF AND ENACTING AN OPEN SPACE TAX PURSUANT TO THE AUTHORITY GRANTED BY THE OPEN SPACE LANDS ACQUISITION AND PRESERVATION ACT, AS AMENDED BY ACT 153 OF 1996, 32 P.S. § 5001 ET SEQ AND THE REFERENDUM APPROVED BY THE VOTERS OF NEWLIN TOWNSHIP IN THE NOVEMBER 2016 GENERAL ELECTION AND AS AUTHORIZED BY RESOLUTION NO. 2017-02.**

WHEREAS, the Board of Supervisors of Newlin Township enacted Ordinance No. 1-2016 to authorize a referendum during the November 2016 general election for the registered voters of Newlin Township to vote whether they are in favor of the imposition of a property tax at the rate of .15 mills to be used by Newlin Township to raise revenue for the purpose of securing open space benefits pursuant to the authority in the Open Space Lands Acquisition and Preservation Act, as amended by Act 153 of 1996, 32 P.S. § 5001 *et seq.* (the "Act"); and

WHEREAS, in the referendum in the November 2016 general election the registered voters of the Township voted that they were in favor of the imposition of a real property tax at the rate of 0.15 mills to be used by the Township to raise revenue for the purpose of securing open space benefits; and

WHEREAS, on January 3, 2017, the Board of Supervisors adopted Resolution No. 2017-02 and imposed an open space real estate tax for 2017 and future years in the amount of 0.15 mills; and

WHEREAS, the Board desires to enact this Ordinance consistent with the Act to affirm the imposition of the open space tax in the amount of .15 mills (\$0.15 per \$1000 assessed value) effective for Township tax year 2017.

**NOW THEREFORE BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Newlin Township as follows:

**SECTION 1.** As provided by the Act, a referendum was conducted during the November 2016 election wherein the registered voters of Newlin Township ("Township") approved the imposition of an additional tax on real estate of the rate of .15 mills for the Township for the purposes set forth in the Act. The purpose of this Ordinance is to affirm the imposition of the open space tax on real estate approved in Resolution No. 2017-02

effective January 3, 2017 and to impose the .15 mills open space tax as set forth in Section 2 hereinbelow.

**SECTION 2.** Effective for the tax year commencing January 1, 2017, and continuing for each taxable year thereafter (until and unless repealed by the Board of Supervisors), there shall be imposed by the Township an additional real estate tax in the amount of \$.15 per \$1,000.00 of assessed value. The tax revenue collected as a result of this additional tax shall be used for purposes related to open space as set forth in 32 P.S. § 5007.1.

**SECTION 3.** The appropriate officers of the Board of Supervisors and Township officials are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

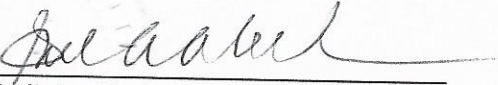
**SECTION 4. Severability.** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective.

**SECTION 5. Repealer.** All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

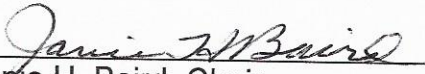
**SECTION 6. Effective Date.** This Ordinance shall become effective as provided by law.

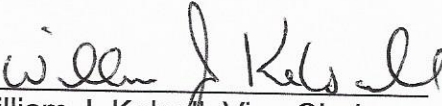
ENACTED this 12<sup>th</sup> day of November, 2018.


ATTEST:

  
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Gail A. Abel, Secretary

NEWLIN TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Jamie H. Baird, Chair

  
\_\_\_\_\_  
William J. Kelsall, Vice-Chair

  
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Robert R. Pearson, Member