

**BOROUGH OF NEWBURG
CUMBERLAND COUNTY, PENNSYLVANIA
ORDINANCE NO. 2019- 04**

AN ORDINANCE OF THE BOROUGH OF NEWBURG, CUMBERLAND COUNTY, PENNSYLVANIA PROVIDING FOR AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE PURPOSE OF DELEGATING TO THE TAX COLLECTOR OF HOPEWELL TOWNSHIP THE AUTHORITY TO COLLECT THE TAXES OF THE BOROUGH OF NEWBURG PURSUANT TO THE LOCAL TAX COLLECTION LAW

WHEREAS, the Borough of Newburg (the "Borough") is a Pennsylvania municipal corporation and is a taxing district as defined in the Local Tax Collection Law; and

WHEREAS, Hopewell Township (the "Township") is a Pennsylvania municipal corporation, being a second class township, and is a taxing district as defined in the Local Tax Collection Law; and

WHEREAS, the Borough has been unable to fill the position of tax collector for its municipality; and

WHEREAS, the Borough and the Township, being conveniently located, desire to enter into an intergovernmental agreement as authorized by the Intergovernmental Cooperation Act, 53 Pa.C.S. §2301 et seq., for the purposes of having the Township tax collector collect the taxes of the Borough and creating a joint tax collection district, as authorized by Section 4b of the LTCL, 72 P.S. §5511.4b.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Newburg, Cumberland County, Pennsylvania, as follows:

SECTION 1: The Borough Council of the Borough of Newburg hereby approves, and authorizes and directs its President and Secretary to execute and deliver an Intergovernmental Cooperation Agreement, a copy of which is attached as Exhibit "A," and incorporated by reference as if fully set forth, entitled "Intergovernmental Cooperation Agreement for the Joint Collection of Taxes" (the "Agreement"). The specific terms, conditions and provisions of the Agreement are made a part of this Ordinance.

SECTION 2: The terms and conditions of the Agreement are those as set forth in the attached Exhibit "A".

SECTION 3: This Agreement shall be in effect until the expiration of the current term of office of the Borough tax collector.

SECTION 4: Compensation shall be provided to the Township tax collector at the rate currently set by Council for the position of Borough tax collector, which currently is five percent (5%) of collected real estate taxes.

SECTION 5: The purposes and objectives of the Agreement are to provide Borough with the ability to continue to collect its taxes in an efficient manner and to provide for consistent collection of taxes in light of the vacancy in the office of Tax Collector in the Borough. Further, the primary purpose of the Agreement is to delegate to the Tax Collector of Hopewell Township all necessary authority and power to act as the Tax Collector of both Township and Borough.

SECTION 6: The provisions of this Ordinance are severable and should any section, subsection, clause, sentence or part be held or declared illegal, invalid and unconstitutional by any court of competent jurisdiction, the decision shall not affect nor impair any of the remaining sections, subsections, clauses, sentences or parts. It is hereby declared to be the intent of Borough Council that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, subsection, clause, or sentence or part had not been included.

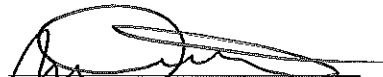
SECTION 7: All ordinances or parts thereof inconsistent with the terms of this Ordinance are repealed to the extent of such inconsistency.

SECTION 8: This Ordinance shall become effective immediately.

Adopted this 4 day of March, 2019.



Nathan Shoemaker, Council President



Melissa Negley, Mayor



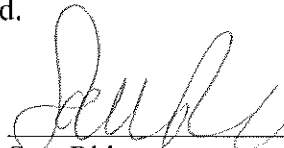
Sara Rhine, Secretary

SEAL

CERTIFICATION

The undersigned hereby confirms that she is the duly appointed Secretary of the Borough of Newburg, Cumberland County, Pennsylvania and that the foregoing Ordinance was duly advertised in The Sentinel on 2/22/19, a newspaper of general circulation, and was duly enacted by the Borough at its regular meeting held on _____ which meeting was duly called and at which time a quorum was present and acting throughout, and that said Ordinance has not been revoked or amended.

Dated: 3/4/19



Sara Rhine,
Borough Secretary