

TOWNSHIP OF SOUTH MIDDLETON  
CUMBERLAND COUNTY, PENNSYLVANIA

**ORDINANCE #2014-01**

AN ORDINANCE TO PROVIDE FOR AND AUTHORITZE THE ELECTED TAX COLLECTOR TO ISSUE TAX CERTIFICATIONS AND TO ESTABLISH FEES FOR TAX CERTIFICATIONS, DUPLICATE TAX BILLS, AND COPIES ISSUED OR PROVIDED BY THE ELECTED TAX COLLECTOR, AND FOR PAYMENTS RETURNED BECAUSE OF INSUFFICIENT FUNDS, AND PROVIDING FOR COLLECTION OF SUCH FEES AND TO MAKE A REPEAL

WHEREAS, the Township of South Middleton (the "Township") is served by a duly elected Tax Collector (the "Tax Collector") who has the authority to prepare and issue tax duplicates for all taxable real estate situated within the boundaries of the Township; and

WHEREAS, in the process of performing such duties, the Tax Collector may be requested by members of the general public to issue tax certifications as to the status of such taxes, verifying whether the same are outstanding and in what sums or whether the same have been collected and satisfied; and

WHEREAS, the Tax Collector, in the process of issuing such certifications or other services, incurs certain expenses for the receipt, preparation, and transmission of those documents; and

WHEREAS, the 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 or bank; and

WHEREAS, each time the Tax Collector receives a returned check from its bank, the bank assesses a processing fee against the Tax Collector; and

WHEREAS, the Township desires to establish reasonable regulations and fees for services rendered by the Tax Collector.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED, by the authority of the Board of Supervisors of the Township of South Middleton, Cumberland County, Pennsylvania, as follows:

**SECTION 1: TAX CERTIFICATIONS**

The Tax Collector in and for the Township, or the duly appointed Tax Collector in the event of a vacancy, is hereby appointed as the officer authorized to provide tax certifications upon request by the public on real property within the Township.

SECTION 2: FEES

The Tax Collector may assess, collect, and retain as compensation from each person, firm, corporation, association, or other entity requesting the following services:

(a) Tax Certifications.....	\$	10 per year for each certification issued
(b) Duplicate tax bills, memo bills, and research with respect to tax payments.....	\$	2 per parcel for each tax year researched
(c) Copies.....	\$	.25 (maximum) per page
(d) Preparation and issuance of other written tax information.....	\$	5 (maximum) for each document

By further determination of the Board of Supervisors, these fees shall be set, from time to time, by resolution, in the event the Township determines a need to modify any of the initially established fees.

SECTION 3: RETURNED CHECKS

The Tax Collector is authorized to impose upon and collect from a taxpayer a \$25.00 fee for any payment returned by a bank or other financial institution because of insufficient funds in the account of the taxpayer, or for any other reason, to cover the payment submitted by the taxpayer.

By further determination of the Board of Supervisors, this fee shall be set, from time to time, by resolution, in the event the Township determines a need to modify the initially established fee.

SECTION 4: PAYMENTS

The service fees paid pursuant to this Ordinance shall be paid to the "South Middleton Tax Collector."

SECTION 5: RECORDS TO BE KEPT; REPORTS TO THE BOARD OF SUPERVISORS

The Tax Collector shall keep an accurate written record of all funds received pursuant to this Ordinance and shall provide a written accounting thereof to the Board of Supervisors on an annual basis, no later than January 31 of each year for the prior calendar year.

SECTION 6: ENFORCEMENT

In the event any person, firm, corporation, association, or other entity fails to pay the statement for the service fees authorized by this Ordinance, the Tax Collector is authorized to commence the appropriate civil action in a court of competent jurisdiction to effectuate a recovery of these service fees together with court costs.

SECTION 7: REPEALS

All Township ordinances, parts of ordinances, policies, and regulations inconsistent with the provisions of this Ordinance, including but not limited to Ordinance No. 2012-08, are repealed insofar as they are inconsistent with the powers, duties, and responsibilities enacted hereby.

SECTION 8: SEVERABILITY

In the event any provision or section of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions or sections, it being the intent of the Board of Supervisors that the remaining portions of this Ordinance shall remain in full force and effect.

SECTION 9: EFFECTIVE DATE

This Ordinance shall take effect in five (5) days.

ENACTED AND ORDAINED this 13<sup>th</sup> day of March, 2014.

SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS

Absent  
BRYAN A. GENIBUSIA, Chairman

THOMAS E. FALEY, Vice Chairman

RONALD P. HAMILTON, Member

R. DUFF MANWEILER, Member

WALTER G. REIGHARD, Member

ATTEST

Sandra A. Quickel  
SANDRA A. QUICKEL, Secretary