

ORDINANCE NO. 02-2002

**TOWNSHIP OF MORGAN
GREENE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF MORGAN,
GREENE COUNTY, PENNSYLVANIA, PROVIDING
FOR THE CHARGING AND COLLECTION OF FEES
FOR TAX CERTIFICATIONS BY THE LOCAL TAX
COLLECTOR.**

WHEREAS, the Board of Supervisors of the Township of Morgan has determined that it is in the best interest of the health, safety and welfare of the citizens of the Township of Morgan to permit the local tax collector to charge and collect a fee for tax certifications; and

WHEREAS, Section 1001 of the Second Class Township Code defines the powers and duties for the local tax collector; and

WHEREAS, the Township of Morgan recognizes the importance and significance of real estate tax certifications to the smooth and effective flow of commerce within the local real estate market; and

WHEREAS, the Commonwealth Court of Pennsylvania has held that the charging of fees for tax certifications in the absence of a municipal ordinance would cause an elected tax collector to violate Section 3(a) of the State Ethics Act.

NOW THEREFORE, pursuant to the authority conferred upon it by the Second Class Township Code of Pennsylvania, the Board of Supervisors of the Township of Morgan, County of Greene, Pennsylvania, does hereby enact this Ordinance as aforementioned by ENACTING AND ORDAINING the following::

SECTION 1. SHORT TITLE

This Ordinance shall be known and cited as the Township of Morgan "TAX CERTIFICATION ORDINANCE."

SECTION 2. PURPOSE

The subject matter of this Ordinance is the authorization to provide tax certifications upon request by the public and authorization of the local tax collector to assess, collect, and retain a fee for compensation of the same.

SECTION 3. TAX CERTIFICATION

The Township of Morgan appoints the local tax collector as the municipal officer authorized to provide tax certifications upon request by the public and further provides authorization to the local tax collector to assess, and collect, as compensation for providing such additional service, a fee of Twenty-Five (\$25.00) Dollars. The Tax Collector shall retain the sum of \$ 25⁰⁰ and remit the sum of \$ 0 to Morgan Township.

SECTION 4. REPEALER

Any ordinance containing any provision inconsistent herewith to the extent that such provision is inconsistent, that provision is also hereby repealed.

SECTION 5. SEVERABILITY

The provisions of this Ordinance are hereby declared severable, and if any of its provisions shall be held to be invalid or unconstitutional, or otherwise void for any reason, such decision shall not affect or impair any of the remaining provisions hereof; it is hereby declared to be the intent of the Township that this Ordinance would have been adopted if such invalid, unconstitutional, or otherwise void provision had not been included herein.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective immediately upon final enactment.

ORDAINED AND ENACTED INTO LAW by the Board of Supervisors of Morgan Township, Greene County, Pennsylvania, this 13th day of AUGUST, 2002.

**TOWNSHIP OF MORGAN
BOARD OF SUPERVISORS**

By: Shirl Barnhart
Shirl Barnhart, Chairman

By: James E. Gayman
James Gayman, Vice Chairman

By: George E. Handford
George E. Handford, 3rd Member

ATTEST:

Relda K. Litten
Relda K. Litten, Secretary/Treasurer

(SEAL)

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