

**TOWNSHIP OF GIRARD
ERIE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 23-01

**AN ORDINANCE OF GIRARD TOWNSHIP, ERIE
COUNTY, PENNSYLVANIA, ESTABLISHING AN ANNUAL
TAX LEVY FOR FIRE PROTECTION SERVICES;
PROVIDING FOR SEPARATE FUNDS FOR COLLECTION
OF THE TAX; PROVIDING FOR COLLECTION OF THE
TAX AND PENALTIES; PROVIDING FOR REPEALER,
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Girard Township (the "Township") is served by multiple volunteer fire departments and ambulance, rescue and emergency service responders (the "Department"); and

WHEREAS, the Departments have experienced a marked decrease in the number of volunteer fire fighters and emergency responders who are willing to serve the Departments and the Township without financial compensation; and

WHEREAS, the Departments have faced increased demand for fire protection and emergency responses in conjunction with this decrease in volunteerism; and

WHEREAS, the Departments have begun or will begin to hire paid fire fighters and emergency responders to address the needs of the Township and other adjacent municipalities regarding fire protection as well as ambulance, rescue and other emergency services ; and

WHEREAS, the Board of Supervisors are authorized by the Second Class Township Code, at 53 P.S. §68205 (4) to levy a real property tax for the purpose for the following purpose: "to purchase and maintain fire apparatus and a suitable place to house fire apparatus, to make appropriations to fire companies located inside and outside the township, to make appropriations for the training of fire company personnel and payments to fire training schools or centers and to contract with adjacent municipal corporations or volunteer fire companies therein for fire protection" and also for "paying salaries, benefits, or other compensation of fire suppression employees of... a fire company serving the township" so long as the appropriation for salaries, benefits, or other compensation does not exceed one mill; and

WHEREAS, the Board of Supervisors believes that it is in the best interest of the citizens of the Township to levy additional real property taxes for firefighting to ensure that the Township continues to receive services in the future.

NOW THEREFORE, this 11th day of July, 2023, be it enacted and ordained by the Board of Supervisors of Girard Township, Erie County, Pennsylvania, as follows:

1. Recitals. That the recitals set forth above are incorporated herein as if more fully set forth.

2. Imposition of Taxes; Effective Date.

a. A tax is hereby levied and imposed at a rate of .75 mills for the purpose of purchasing and maintaining fire apparatus and a suitable place to house the fire apparatus, for the purpose of making appropriations to the Departments for the purpose of training of fire personnel and for payments to fire training schools or centers of the Departments serving the Township (the "Fire Tax").

b. The Fire Tax shall be levied on each dollar of assessed valuation for Erie County purposes, as now is or may be provided by law.

c. The Fire Tax millage shall hereinafter be set forth annually on the Township tax ordinance for each fiscal year. The Fire Tax shall become effective on January 1, 2024 and shall continue in force hereafter without annual reenactment absent repeal by the Board of Supervisors.

3. Separate Funds.

a. The proceeds collected from the Fire Tax shall be kept in a separate fund and shall be used only for the purposes specified in Section 2(a).

4. Collection of Tax; Penalties. The Fire Tax shall be collected by the Township Tax Collector responsible for collecting the Township's general purposes real estate tax and in the same fashion as the collection of the real estate tax. In addition, the penalty and enforcement provisions adopted and used with regard to the Township's general purposes real estate tax levy are adopted for purposes of the Fire Tax as though fully set forth herein.

5. Notice of Repeal of Fire Tax. In the event that the Board of Supervisors decides that it wishes to repeal the Fire Tax, the Board of Supervisors shall give the Departments one (1) year's notice of the effective date of the proposed repeal. This notice shall be in writing and mailed via registered mail, return receipt requested.

6. Repealer. Any Ordinances, rules, or resolutions or parts thereof in conflict with this Ordinance are hereby repealed.

7. Severability. The provisions of this Ordinance are severable. 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 therefor not been included herein.


8. Effective Date. This Ordinance shall become effective immediately.

DULY ENACTED AND ORDAINED this 11th day of July, 2023, by the Board of Supervisors of Girard Township, Erie County, Pennsylvania, in lawful session duly assembled.

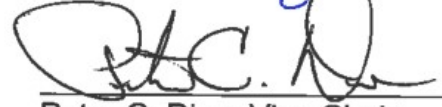
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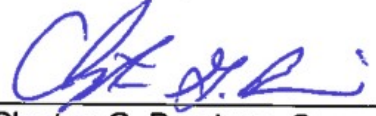
Lindy L. Platz, Secretary



Lindy L. Platz, Chairperson



Peter C. Dion, Vice Chair



Clayton G. Brocius, Supervisor