

OFFICIAL

**WEST DEER TOWNSHIP
County of Allegheny
Commonwealth of Pennsylvania**

ORDINANCE NO. 453

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROPOSED LANGUAGE AMENDING SECTION C-1197 OF THE WEST DEER TOWNSHIP HOME RULE CHARTER BY AUTHORIZING THE LEVY OF A FIRE TAX IN AN AMOUNT NOT TO EXCEED ONE-HALF (0.5) MILLS, AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO BE PLACED ON THE NOVEMBER 2023 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP

WHEREAS, the Board of Supervisors of West Deer Township seeks to update the Home Rule Charter of the Township; and

WHEREAS, the Charter currently authorizes the assessment of a fire protection fee in an amount up to \$40.00 per household and \$100.00 per business; and

WHEREAS, the Board recognizes that the cost of providing fire protection services has increased since the fire protection fees were originally assessed in 2006, and the Board seeks to raise additional funding for fire protection services to ensure the health and safety of its residents and property owners in the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of West Deer Township, and it is hereby ordained and enacted by the authority of the aforesaid as follows:

SECTION 1. AMENDMENT

The West Deer Township Board of Supervisors hereby initiates a referendum to amend Section C-1197 of the West Deer Township Home Rule Charter to read in its entirety as follows:

Section C-1197 Tax Limitation

The taxes on real estate shall be limited to twelve (12) mills of the Township's assessed value, which may include a Fire Tax in an amount not to exceed one-half (0.5) mills.

SECTION 2. BALLOT QUESTION

The West Deer Township Board of Supervisors proposes that the question to be submitted to the voters at the election shall substantially state in the following form:

"Shall Section C-1197 of the West Deer Township Home Rule Charter be amended to read as follows?

The taxes on real estate shall be limited to twelve (12) mills of the Township's assessed value, which may include a Fire Tax in an amount not to exceed one-half (0.5) mills."

Yes or No

SECTION 3. CALLING FOR ELECTION

The West Deer Township Board of Supervisors has determined that in order for this change to the Charter to become effective, approval of the electors of West Deer Township must be obtained in the general election on 7 November 2023, in Allegheny County, Pennsylvania. Under the provisions of the Home Rule Charter and Option Plan Law, 53 Pa.C.S. §§ 2901 et seq., a certified copy of this Ordinance and the election question shall be forwarded to the Allegheny County Board of Elections on or prior to the thirteenth (13th) Tuesday before the 2023 general election so that the question may be placed on the ballot for the general election.

SECTION 4. SEVERABILITY

It is the express intent of the West Deer Township Board of Supervisors that the provisions of this Ordinance are severable. If any section, subsection, sentence, clause, or phrase in this Ordinance shall be held to be illegal, invalid, or unconstitutional, the remaining provisions shall not be affected or impaired.

SECTION 5. REPEAL

Any ordinance or any part of any ordinance conflicting with the provisions of this Ordinance is hereby repealed.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective in accordance with the provisions of the West Deer Township Home Rule Charter.

ORDAINED AND ENACTED this 19th day of July 2023.

ATTEST:

WEST DEER TOWNSHIP



Daniel J. Mator, Jr.
Township Manager

Beverly S. Jordan, Chairperson
Board of Supervisors

Approved as to Form:


Township Solicitor

CERTIFICATE

I, the undersigned, hereby certify that the foregoing and attached is a true copy of an Ordinance which was duly enacted at a meeting of the Board of Supervisors of West Deer Township on 19 July 2023, and that at such meeting a quorum was present and acting throughout, after due notice to the members of the Board of Supervisors of West Deer Township and to the public and such meeting was at all times open to the public; that the Ordinance was duly recorded in the West Deer Township Minutes Book and that a summary thereof was published as required by law in a newspaper of general circulation in the Township. I further certify that the Township met the advance requirements of Act No. 1998-93 by advertising the date of the meeting and posting a notice of the meeting at the public meeting place of the Board of Supervisors; that the total number of members of the Board of Supervisors is five; and the vote upon the Ordinance was called and duly recorded upon the minutes and that the members voted in the following manner:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Beverly S. Jordan, Chairperson	X			
Shirley A. Hollibaugh, Vice Chair	X			
Vernon Frey	X			
David Harrison	X			
James Smullin	X			

WITNESS my hand and the seal of the Township on this this 19th day of July 2023.

[SEAL]

By:



Daniel Mator
Township Manager