

ORDINANCE NO. 64-4

AN ORDINANCE PROVIDING FOR THE LEVY, ASSESSMENT AND COLLECTION OF A PER CAPITA TAX, FOR GENERAL TOWNSHIP PURPOSES, UNDER THE AUTHORITY OF THE ACT OF JUNE TWENTY-FIFTH ONE THOUSAND AND NINE HUNDRED FORTY-SEVEN (PAMPHLET LAWS 1145) AND ITS AMENDMENTS, ON EACH AND EVERY RESIDENT AND INHABITANT OF THE TOWNSHIP OF HILLTOWN OVER TWENTY-ONE (21) YEARS OF AGE; PROVIDING FOR THE COLLECTION OF SUCH TAX BY THE TOWNSHIP TAX COLLECTOR, IN ACCORDANCE WITH THE LOCAL TAX COLLECTION LAW OF 1945, AS AMENDED AND SUPPLEMENTED AND SUBJECT TO THE PENALTIES PRESCRIBED THEREIN.

The Township hereby ordains as follows, under the authority of the Act of June 25, 1947 P. L. 1145, and its amendments:

SECTION 1. A per capita tax of Five Dollars (\$5.00), for general Township purposes, is hereby levied and assessed under the authority of the Act of June twenty-fifth one thousand nine hundred forty-seven (Pamphlet Laws 1145) and its amendments, upon each resident or inhabitant of the Township of Hilltown over the age of twenty-one (21) years, which tax shall be in addition to all other taxes levied and assessed by the said Township pursuant to any other laws of the Commonwealth of Pennsylvania.

SECTION 2. Such tax shall be collected by the duly elected or appointed Tax Collector of the Township of Hilltown in the same manner and at the same time as other Township taxes are collected, as provided by the Local Tax Collection Law of 1945, as amended and supplemented.

SECTION 3. The Tax Collector shall give bond secured and conditioned for the collection and payment of such taxes as provided by law for other Township taxes.

SECTION 4. The entry of the per capita tax in the tax duplicate and the issuance of such duplicate to the Tax Collector shall constitute his warrant for the collection of the per capita tax hereby levied and assessed.

SECTION 5. The expense of collection and compensation of the Tax Collector shall be paid and allowed as provided in the Local Tax Collection Law of 1945 as amended and supplemented, which compensation shall be the same as shall be fixed from time to time for the collection of other Township taxes.

SECTION 6. The Tax Collector shall give notice to the taxpayers of the amount of per capita tax due under this ordinance, at the same time and in the same manner as provided by the Local Tax Collection Law of 1945, as amended and supplemented.

SECTION 7. In case the Tax Collector shall at any time find within the Township any resident or inhabitant above the age of twenty-one (21) years, whose name does not appear upon the tax duplicate, he shall report the name of such person forthwith to the Assessor, who shall thereupon certify the same unto the Board of Township Supervisors, which shall promptly certify the same to the Tax Collector reporting such name, whereupon the Tax Collector shall add such name and the assessment of this per capita tax against such person to the duplicate of the Township of Hilltown, and shall proceed to collect the same.

SECTION 8. The Tax Collector shall give notice to the taxpayers, shall have the power to collect said taxes by distress, shall have the power and authority to demand and receive said tax from the employer of any person owing any per capita tax, or whose wife owes any per capita tax, shall remit such taxes to the

Township Treasurer by separate statement at the same time as other taxes are remitted to the Township, shall allow discounts and add penalties, shall generally be subject to all the duties and shall have all the rights and authority conferred upon him by the Local Tax Collection Law of 1945, as amended and supplemented. It is hereby declared to be the intent of the Board of Township Supervisors, in enacting this ordinance, to confer upon the Tax Collector, in the collection of this per capita tax, all the powers, together with all the duties and obligations to the same extent and as fully provided for in the Local Tax Collection Law of 1945, as amended and supplemented.

SECTION 9. This ordinance shall go into effect on the 31st day of January, 1965, and shall expire on the 31st day of December, 1965.

SECTION 10. If any sentence, clause or 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 or sections or parts of this ordinance. It is hereby declared as the intent of the Board of Township Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not be included herein.

SO ENACTED AND ORDAINED this 31st day of December, A.D., 1964.

HILLTOWN TOWNSHIP SUPERVISORS

Ernest S. Hockman

Paul L. Langford

Arthur T. Legier

Minutes of a special meeting of the Hilltown Township Board of Supervisors held on Thursday, October 29, 1964, at 8:00 o'clock P.M., in the Township Building, pursuant to a petition of Union National Bank and Trust Company et al. for change of zoning under Section 1500 of the Hilltown Township Zoning Ordinance. The meeting was called after due notice to the following:

Members of the Board of Adjustment
Members of the Planning Commission
Hilltown Township Civic Association
Public notice in the Doylestown Daily Intelligencer as per attached proof of publication

In attendance were the following: Supervisors Hockman, Agin and Frankenfield; Mr. Mountenay, Township Solicitor; Mr. Rufe, Attorney for the petitioners; also Messrs. Shade, Blew, Fluck, Lapp, Kriebel, Lester Rush, Mrs. Houghton and Dr. Abrams.

The petition as originally filed requested a change in zoning from R-20 Residential to Highway Commercial of the following: Those properties situate to the west of U. S. Route 309 and to the north of Pennsylvania Route 113 designated on the current Bucks County Tax Map as Parcel Nos. 15-9-1, 2, 3, 4 and 5; 15-1-35, 36, 36.1, 36.2, 37, 38, 39, 40, 41, 41.1, 42 and 43. Because of defective signatures, this petition was returned and then refiled with the signatures corrected. Thereafter, and without adding any further signatures, the petition was amended to include in addition to the above mentioned lots, the following parcels: 15-1-44, 45, 45.1 and part of 34 and 46. It should be noted that as thus amended, the signatories still represented substantially more than 50 percent. of the total road frontage. Specifically, the signers represented 5032.51 feet out of a total of 6884.49 feet of road frontage of the land to be affected by the petition as revised. In any case, due to the uncertainty as to the extent of the area embraced within the petition, the notice of the meeting described the land within the proposed change as that area bounded by U. S. Route 309 on the east, Pa. Route 113 on the south, County Line Road on the west, and East Central Avenue on the north.

W. Hart Rufe, III, Esquire, on behalf of the petitioners, stated that an interchange for the new U. S. Route 309 limited access highway would be located in the subject area and that the area would therefore be particularly adaptable for development as a Highway Commercial District.

Mr. Shade, one of the owners of Tax Parcel 15-1-34 protested that his property in particular would have no highway frontage and that to limit its development as Highway Commercial would amount to a virtual confiscation. No other persons voiced protests.

The Board after considering Mr. Shade's objection, came to the conclusion that the objection was well-founded. The Board also concluded that since the petition had been revised without its having been resubmitted to the signers, the proposed change in zoning should be limited to the area set forth in the petition as originally submitted.

RESPECTFULLY SUBMITTED:

A. T. Agin
Secretary