

TOWNSHIP OF SILVER SPRING
Cumberland County, Pennsylvania

ORDINANCE NO. 6 of 2013

AN ORDINANCE OF THE TOWNSHIP OF SILVER SPRING, CUMBERLAND COUNTY, PENNSYLVANIA, PROVIDING FOR A QUESTION TO BE PLACED BEFORE THE VOTERS OF THE TOWNSHIP OF SILVER SPRING BY A REFERENDUM AT THE GENERAL ELECTION ON NOVEMBER 5, 2013 ASKING WHETHER THE ELECTORS OF THE TOWNSHIP OF SILVER SPRING FAVOR THE IMPOSITION OF AN ADDITIONAL EARNED INCOME TAX AT THE RATE OF ONE TENTH OF ONE PERCENT (1/10 of 1%) (.001) BY THE TOWNSHIP OF SILVER SPRING TO BE USED FOR FINANCING THE ACQUISITION OF OPEN SPACE; FOR THE PURPOSE OF ACQUIRING AGRICULTURAL CONSERVATION EASEMENTS; FOR THE PURPOSE OF ACQUIRING SENSITIVE NATURAL AREAS AND AQUIFERS; FOR THE PURPOSE OF ACQUIRING RECREATION AND HISTORICAL LANDS; AND FOR THE PURPOSE OF ACQUIRING PROPERTY DEVELOPMENT RIGHTS. THE BALLOT QUESTION IS AUTHORIZED BY ACT 153 OF 1996.

BE IT ORDAINED by the Board of Supervisors of the Township of Silver Spring, Cumberland County, Pennsylvania, as follows:

SECTION 1: BALLOT QUESTION

The referendum shall read as follows:

“Do you favor the imposition of an additional Earned Income Tax at the rate of one tenth of one percent (1/10 of 1%) (.001) by the Township of Silver Spring to be used for financing the acquisition of open space; for the purpose of acquiring agricultural conservation easements; for the purpose of acquiring sensitive natural areas and aquifers; for the purpose of acquiring development rights; and for the purpose of acquiring recreation, historic lands and other viable open space?

YES OR NO

SECTION 2: PLAIN ENGLISH VERSION

The ballot questions asks the voters of the Township of Silver Spring whether the Township should impose an additional Earned Income Tax at the rate of one tenth of one percent (1/10 of 1%) (.001) on an annual basis to purchase land or interests in land for preservation and conservation of open, undeveloped land in the Township of Silver Spring. The Township would use the money to do one (1) or more of the following:

- 1. Acquire agricultural conservation easements.** The Township could purchase agricultural conservation easements, or participate in the State or County land preservation programs that acquire agricultural conservation easements. An agricultural conservation easement allows the landowner to retain ownership of his/her land and use it for farming and other agricultural purposes, but the property could not be developed.
- 2. Finance the acquisition of open space.** The Township could purchase undeveloped land from landowners in the Township in order to protect sensitive natural areas such as woodlands, stream valleys or other unique natural resources or habitats.
- 3. Finance the acquisition of recreation or historic land.** The Township could purchase undeveloped land from landowners in the Township for the purpose of developing additional recreational facilities or trails and walkways for residents or for historic preservation purposes.
- 4. Acquire property development rights.** Under this option, a landowner would voluntarily sell the development rights of a property to the Township. The landowner would retain ownership of the property, but the property could not be developed.

5. **Procedures to review.** The Township shall establish, by ordinance, procedures to review, rate and value the property, prior to acquisition.

A vote of "YES" to the ballot question approves the imposition of an additional Earned Income Tax at the rate of one tenth of one percent (1/10 of 1%) (.001) upon Township residents for the foregoing purposes.


SECTION 3: SEVERABILITY. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect the validity of any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted and enacted as it such unconstitutional, illegal or invalid provision had not been included therein.

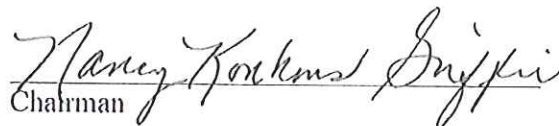
SECTION 4: EFFECTIVE DATE. This Ordinance shall become effective five (5) days from the date of enactment.

DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 6 of 2013 this 26 day of June, 2013 by the Board of Supervisors of the Township of Silver Spring.

ATTEST:

BOARD OF SUPERVISORS
TOWNSHIP OF SILVER SPRING


Township Secretary


Chairman