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ORDINANCE NO. 1 - 2013

WHEREAS, pursuant to the Act of May 25, 1945, P.L. 1050 §34 and §35; 72 P.S. §5511.34 and §5511.35, the Dauphin County Board of Commissioners is empowered to fix the compensation of Collectors of County taxes; and

WHEREAS, pursuant to the Act of May 25, 1945, P.L. 1050 §36.1; 72 P.S. §5511.36(a), any raise or reduction in the compensation or salary of elected Tax Collectors must be by ordinance or resolution; and

WHEREAS, pursuant to the Act of August 9, 1955, P.L. 323 §509; 72 P.S. §509, the Dauphin County Board of Commissioners is empowered to adopt resolutions and ordinances prescribing the manner in which powers of the County shall be carried out; and

WHEREAS, on February 27, 2001, the Dauphin County Board of Commissioners enacted Ordinance No. 1-2001, which Ordinance sets forth a method of Tax Collector compensation; and

WHEREAS, on January 30, 2013 the Dauphin County Board of Commissioners enacted Ordinance No. 1 - 2013 that set forth the Tax Collector compensation package; and

WHEREAS, the Board now wishes to ratify said changes by ordinance;

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED, by the Dauphin County Board of Commissioners that;

SECTION ONE:

Duly elected or appointed Tax Collectors, collecting County taxes, shall receive compensation in the form of \$1.85 per bill actually collected by them. Compensation shall be processed on the last county payroll date of the month following fulfillment of all requirements as outlined in Section Nine. Compensation may be denied at the discretion of the Board of Commissioners and/or the County Treasurer for any payment remitted to the taxing district more than 45 days after the end of the rate period in which the payment was made by the taxpayer.

SECTION TWO:

Each duly elected Tax Collector, collecting County taxes, shall receive an annual stipend of \$225.00, which shall be processed on the last county payroll date in February of each year.

In addition, duly elected or appointed Tax Collectors, collecting County taxes, shall receive an incentive stipend of \$75.00 per month for eleven (11) consecutive months beginning in March of each year and ending the following January, for adherence to the following conditions:

1. Timely remittance of funds, to the County Treasurer's Office, to be paid over to the taxing district based on the timetable outlined in Section Eight of this ordinance;
2. Timely remittance of the Pennsylvania Department of Community and Economic Development Report, to Dauphin County, accompanied by supporting documentation in the form of the municipal funds monthly bank statement or printed list of monthly deposits, presented in person to the County Treasurer's Office or postmarked on or before the 10th of every month with the requirement that zero dollar reports are also remitted and that all reports are based on actual receipts posted in the prior month;
3. Utilization of the Dauphin County Devnet Billing and Collection software, except as noted in Section Six.

Failure to comply with all conditions will result in forfeiture of the monthly incentive stipend for the month in which the conditions were not met.

SECTION THREE:

Compensation as defined in Section One will be processed on the last county payroll date of the month following fulfillment of all requirements noted in Section Nine.

Compensation as defined in Section Two will be processed on the last county payroll date of the month if all requirements are met as outlined in Section Two.

SECTION FOUR:

Duly elected or appointed Tax Collectors, collecting County taxes, shall receive free access to Dauphin County's Devnet billing and collection software, and shall receive access to the necessary computer hardware and peripherals for operation of such software, upon receipt from the tax collector of a signed Bailment Agreement.

SECTION FIVE:

Failing to use the Dauphin County computer-based software by January 5, 2014, except for reasons not controlled by the Tax Collector, will result in the following reduction of per-bill compensation:

\$1.00 per bill collected until December 31, 2014

\$.75 per bill collected effective February 1, 2015 and thereafter

SECTION SIX:

The Dauphin County Board of Commissioners shall in their discretion award the per bill fee in Section One and the stipend in Section Two to any duly elected or appointed tax collector who is in compliance with all other conditions, but is unable to procure the use of the Dauphin County Devnet Billing and Collection software (for a reason not controlled by the Tax Collector) and is able to demonstrate a willingness to use the software if it were available.

SECTION SEVEN:

For the collection of County taxes, the Tax Collector shall be allowed the actual and needful expenditures for printing, postage, books, blanks and forms, the actual costs being divided equally between the respective taxing districts.

SECTION EIGHT:

Tax Collectors shall not be deemed County employees for the purposes of County employee benefits, including, but not limited to, leave, retirement, and medical benefits.

SECTION NINE:

1. Each Tax Collector shall on Thursday of each week, make a true, verified statement, in writing, to the County Treasurer of all taxes collected (or statement that no taxes were collected) for the County during the previous week (Monday through Sunday), giving the names of taxables, the amount collected from each, along with discounts granted or penalties applied, if any, and the total amount of taxes received, discounts granted and penalties applied. The Collector shall distribute in person or by postmark on or before Thursday of each week, to the County Treasurer, all monies collected as taxes during the previous week (Monday through Sunday) and take his or her receipt for the same.
2. Each Tax Collector shall provide a Pennsylvania Department of Community and Economic Development Report for funds collected in the previous month, to Dauphin County, presented in person to the County Treasurer's Office or postmarked on or before the 10th of every month with the requirement that zero dollar reports are also remitted and that all reports are based on actual receipts posted in the prior month.

SECTION TEN:

Tax Collectors shall comply with the scheduling requirements established by the County Treasurer's Office in regard to end-of-month, end-of-period and end-of-year settlement, as prescribed by law or dictated by the Devnet Billing and Collection software.

SECTION ELEVEN:

If a section, sentence, clause, phrase or requirement of this Ordinance is for any reason held to be unconstitutional or otherwise unlawful, such holding shall not affect the validity of the remaining portions thereof.

SECTION TWELVE:

If current, updated, or new legislation or regulations are in conflict with this Ordinance, then this Ordinance shall be deemed to reflect said change or modification.

SECTION THIRTEEN:

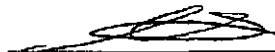
Ordinance 2-2009 and Resolution 3-2009 are hereby repealed to the extent they are inconsistent with provisions of this Ordinance.

SECTION FOURTEEN:

This Ordinance shall take effect January 1, 2014.

DULY ORDERED AND ENACTED, by the Dauphin County Board of Commissioners in lawful session duly assembled this 30th day of January, 2013.

ATTEST:



Laura Evans, Esq.
Chief Clerk/Chief of Staff

COUNTY OF DAUPHIN
BOARD OF COMMISSIONERS



Jeff Haste, Chairman



Michael Pries, Vice Chairman



George P. Hartwick III, Secretary

(SEAL)