

PUBLIC NOTICE

Dauphin County, Pennsylvania Ordinance No. 2-2009. An Ordinance by the Board of Commissioners of Dauphin County, Pennsylvania, repealing Ordinance No. 1-2001 insofar as said Ordinance provided for compensation of duly elected or appointed tax collectors for services rendered in collecting County taxes.

ORDINANCE NO. ____ - 2009

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 February 11, 2009 the Dauphin County Board of Commissioners enacted Resolution No. 3-2009 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, shall receive free access to

Dauphin County's web-based software package, shall receive access to the necessary computer system for operation of such software, and will receive reasonable and necessary fees to provide monthly internet access.

SECTION TWO:

Duly elected or appointed Tax Collectors, collecting County taxes, shall receive an additional \$800.00 annually if they perform all the following requirements:

1. Timely remittance of funds, to Dauphin County, to be done weekly based on actual receipt of funds or postmark of funds,
2. Timely remittance of Pennsylvania Department of Community and Economic Development Report, to Dauphin County, be done on the 10th of every month with the requirement that zero dollar reports are also remitted and that all reports are based on actual receipt of funds or postmark of funds,
3. Maintenance of a collateralized municipal fund account for accounts that regularly maintain an average daily balance in excess of \$250,000, and
4. Utilization of Dauphin County's Web-Based Software System or compatible network.

SECTION THREE:

Duly elected or appointed Tax Collectors, collecting County taxes, who meet the requirements established in Section Two, shall also receive an additional \$400.00 annually if they perform four (4) of the following requirements:

1. Quarterly remittance of reconciled bank statements to Dauphin County,
2. Appointment of a deputy tax collector,
3. Offer alternative method(s) of payment,
4. Implementation of demonstrated security measures,
5. Maintenance of an interest-bearing checking account, or
6. Direct deposit of funds into county account.

SECTION FOUR:

Payments of compensation under Section Two and Section Three above shall be done in the following manner:

Fulfillment of the requirements in Section Two and Section Three shall be evaluated by the Office of the Dauphin County Treasurer and compensation shall be allowed as follows:

1. \$200 per quarter for adherence to Section Two; and
2. \$100 per quarter for adherence to Section Three.

All payments of allowed compensation under Section Two will be made quarterly; and, all payments of allowed compensation under Section Three will be made annually on the first County pay-day after submission of the Tax Collector's final report due January 20.

SECTION FIVE:

Failing to use the Dauphin County computer-based software or compatible network by December 31, 2010, will result in the following reduction of compensation:

- \$1.85 per bill collected until December 31, 2010
- \$1.65 per bill collected effective February 1, 2011
- \$1.00 per bill collected effective February 1, 2012
- \$.75 per bill collected effective February 1, 2013

SECTION SIX:

The Dauphin County Board of Commissioners shall in their discretion award the Eight Hundred Dollars (\$800.00) in Section Two and the Four Hundred Dollars (\$400.00) in Section Three to any duly elected or appointed tax collector who is unable to procure the use of the Dauphin County computer-based 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.

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:

Each Tax Collector shall on Wednesday 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 pay over on or before the Wednesday 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.

SECTION TEN:

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 ELEVEN:

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 TWELVE:

Ordinance 1-2001 and Resolution 3-2009 are hereby repealed to the extent they are inconsistent with provisions of this Ordinance.

SECTION THIRTEEN:

This Ordinance shall take effect January 1, 2010.

DULY ORDERED AND ENACTED, by the Dauphin County Board of Commissioners
in lawful session duly assembled this ____ day of March, 2009.

ATTEST:

COUNTY OF DAUPHIN
BOARD OF COMMISSIONERS

Chad Saylor
Chief Clerk/Chief of Staff

Jeff Haste, Chairman

Dominic D. DiFrancesco II, Vice Chairman

George P. Hartwick III, Secretary

(SEAL)

A full text of the proposed ordinance is available on the Dauphin County website,
www.dauphincounty.org

BY ORDER OF THE BOARD

**Chad Saylor
Chief Clerk**

**(Please run for 7 days beginning March 10, 2009 and
Provide Proof of Publication.)**