

BOROUGH OF CLARKS SUMMIT
FILE OF THE COUNCIL NO. 09 of 2008

AN ORDINANCE

APPROPRIATING FUNDS TO DEFRAY THE EXPENSES OF THE BOROUGH OF CLARKS SUMMIT FOR THE PERIOD COMMENCING ON THE 1ST DAY OF JANUARY, 2009 TO AND INCLUDING DECEMBER 31, 2009, AND AUTHORIZING THE AWARDING OF CONTRACTS FOR SPECIFIED ITEMS, FIXING THE SALARY AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF CLARKS SUMMIT AND LEVYING TAXES ON ALL REAL PROPERTY AND OCCUPATIONS WITHIN THE BOROUGH OF CLARKS SUMMIT SUBJECT TO TAXATION FOR FISCAL YEAR 2009. ESTABLISHING A TAX RATE FOR GENERAL PURPOSES, THE SUM OF 27.75 MILS (27.75) ON EACH DOLLAR OF ASSESSED VALUATION OR THE SUM OF \$277.50 ON EACH ONE THOUSAND DOLLARS (\$1,000.00) OF ASSESSED VALUATION.

WHEREAS, upon completion of the budgetary process on December 3, 2008, the budget for fiscal year 2009 was adopted by Clarks Summit Borough Council in accordance with Section 1310 of the Borough Code. The motion to adopt the budget and to levy taxes in accordance therewith was properly made and seconded and then passed at the meeting of Clarks Summit Borough Council on December 3, 2008; and

WHEREAS, a copy of the Clarks Summit Borough 2009 Budget is appended hereto as Exhibit "A" and incorporated herein; and

WHEREAS, Clarks Summit Borough Council has determined to levy taxes on all real property and occupations within the Borough of Clarks Summit establishing a tax rate for general purposes in the amount of 27.75 mils on each dollar assessed valuation.

NOW, THEREFORE, be it ordained by Clarks Summit Borough Council and it is hereby ordained that for purposes of defraying the expenses of the several departments and the purchase and supply of personal property for the several departments for Clarks Summit Borough for the period commencing on the 1st day of January, 2009 through and including December 31, 2009, it is hereby appropriated to the said departments the sums and amounts set forth in the Budget attached to this Ordinance as Exhibit "A" and the tax structure for the 2009 fiscal year is established such that taxes are levied on all real property and occupations within the Borough of Clarks Summit at the sum of 27.75 mils on each dollar of assessed valuation.

SECTION I. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION II. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court or competent jurisdiction, such decision

shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Borough reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.

SECTION III. This Ordinance incorporating the budget and tax levy motion of December 3, 2008 will take effect on January 1, 2009.

SECTION IV. This Ordinance is enacted by Clarks Summit Borough Council under the authority of the Act of Legislation, February 1, 1966, P.L. (1965) No. 581 Section 1005, as amended 1979, November 2, P.L. 458 No. 94, 53 P.S. Section 46005, et. seq., known as the Borough Code and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

Approved **this 3rd day of December 2008.**

Germaine Carey, President
Clarks Summit Borough Council

ATTEST:

Virginia Kehoe,
Borough Secretary/Manager

Harold P. Kelly
Clarks Summit Borough

Passed by Clarks Summit Borough Council on **this 3rd day of December, 2009**,
receiving the affirmative votes of _____negative votes of
_____.