

**WEST MANHEIM TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2019-05**

**AN ORDINANCE OF WEST MANHEIM TOWNSHIP  
AMENDING CHAPTER 221, SECTION 35, "FEES AND  
EXPENSES; ADDITIONAL COSTS," TO ALLOW FOR  
SIXTY DAYS FOR PAYMENT OF FEE, AND AMENDING  
THE LATE PAYMENT PENALTY AND COLLECTION  
METHOD.**

**WHEREAS**, pursuant to the Second Class Township Code, 53 P.S. § 67705, the Township has enacted a Stormwater Management Fee Ordinance ("Stormwater Fee Ordinance"); and

**WHEREAS**, the Township desires to amend the Stormwater Fee Ordinance's requirements for payment, penalties for late payment, and collection method.

**NOW THEREFORE**, it is ordained by the Board of the Supervisors of West Manheim Township, York County, Pennsylvania, as follows:

**Section 1.** Chapter 221, Section 35, "Fees and expenses; additional costs," subsection D, subpart (4) is hereby amended to read as follows:

- (4) Such invoices shall be payable at their face amount during the sixty (60) days following the date on which the invoice was mailed. The fee will not be subject to proration or refund by the Township if the property is sold; provided, however, that this article shall not preclude a buyer and seller from agreeing to their own proration of the fee assessed hereunder.

**Section 2.** Chapter 221, Section 35, "Fees and expenses; additional costs," subsection E, is hereby amended to read as follows:

- E. Late payment penalty. Effective on the sixty-first day following a billing, a late payment penalty of \$50.00 shall be assessed.

**Section 3.** Chapter 221, Section 35, "Fees and expenses; additional costs," subsection F, is hereby deleted. The remainder of the Stormwater Fee Ordinance is hereby reordered accordingly.

**Section 4.** Severability.

If any portion of this Ordinance or its application to any person, property or circumstance is for any reason held invalid or unconstitutional by any court, such holding shall not be construed to affect the validity of any of the remaining provisions of this Ordinance or its application, for such portion shall be deemed as a separate, distinct and independent provision from the remaining provisions, which shall remain in full force and effect. It is hereby declared the legislative intent that this Ordinance would have been adopted had such invalid or unconstitutional provision or its application not been included therein.


**Section 5.** Effective Date; Repeal.

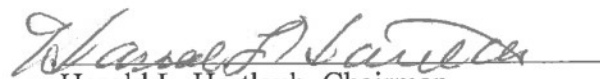
This Ordinance shall become effective on January 1, 2020. All prior ordinances and/or portions thereof inconsistent herewith are hereby repealed.

**ORDAINED AND ENACTED** this 17<sup>th</sup> day of December 2019.

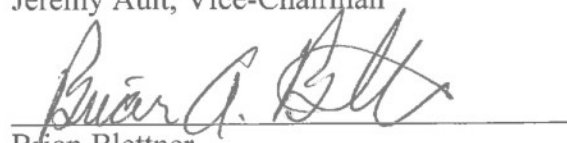
ATTEST:

WEST MANHEIM TOWNSHIP  
BOARD OF SUPERVISORS

  
Miriam E. Clapper, Secretary

  
Harold L. Hartlaub, Chairman

  
Jeremy Ault, Vice-Chairman

  
Brian Blettner

  
Terry Rynearson

  
James Staaf