

ORDINANCE NO. ____ of 20__

AN ORDINANCE for the implementation of a fee for local use as provided by 75 Pa.C.S. §1935, allowing a county, in its discretion, to impose a county fee of \$5.00 for each nonexempt vehicle registered to an address located within its borders.

WHEREAS, Act 89 of 2013, amending 75 Pa.C.S. §1935, allows all counties within the Commonwealth of Pennsylvania, at their discretion, to impose a \$5.00 county fee for each and every non-exempt vehicle registered to an address located within said county; and

WHEREAS, 75 Pa.C.S. §1935 requires each County that elects to implement this fee to pass an Ordinance authorizing the same; and

WHEREAS, beginning January 1, 2015, 75 Pa.C.S. §1935 authorizes a county to enact an ordinance to levy the county fee; and

WHEREAS, 75 Pa.C.S. §1935 requires the County to notify the Pennsylvania Department of Transportation (Department) on or following the enactment date and at minimum 90 days prior to the effective date of the Ordinance; and

WHEREAS, upon levy by ordinance of the county and due notice to the Department, 75 Pa.C.S. §1935 directs the Department to collect the county fee at the time of vehicle registration, and to deposit receipts into a Fee for Local Use Fund; and

WHEREAS, 75 Pa.C.S. §1935 directs that the money paid into the Fee for Local Use Fund shall be distributed by the Department to each participating County, in accordance with the amount collected from said County; and

WHEREAS, funds payable to a County from the Fee for Local Use Fund shall be used by the County for transportation purposes or be allocated by the County to municipalities in the County in accordance with 75 Pa.C.S. §9010(c) (related to the County Liquid Fuels Tax Fund); and

WHEREAS, _____ County has determined that it wishes to impose the \$5.00 county fee authorized pursuant to 75 Pa.C.S. §1935 and hereby presents the following Ordinance No. ____ of 20__ for approval.

NOW THEREFORE, the _____ County Board of Commissioners enacts Ordinance No. ____ of 20__ as follows:

Section 1. The Board of Commissioners of _____ County, finding that it is in the best interests of _____ County, hereby enacts this Ordinance levying a \$5.00 county fee pursuant to 75 Pa.C.S. §1935 for each non-exempt vehicle registered to an address located in _____ County.

Section 2. The fees collected pursuant to this Ordinance shall be used by _____ County for transportation purposes or shall be allocated by _____ County in accordance with 75 Pa.C.S. §9010(c) (related to the County Liquid Fuels Tax Fund) and consistent with guidance issued by the Department.

Section 3. The Board of Commissioners of _____ County directs the Chief Clerk to notify the Department of the enactment of this ordinance by _____ County of the \$5.00 county fee, as required by 75 Pa.C.S. §1935.

Section 4. Pursuant to 75 Pa.C.S. §1935, this Ordinance and the \$5.00 fee levied under this Ordinance by _____ County shall take effect <insert date no sooner than 90 days after the Department will be notified of the enactment and after publication of the Ordinance; first day of the month recommended>.

Adopted this _____ day of 20__ by the _____ County Board of Commissioners.

Attest:

Board of Commissioners:

Chief Clerk

Commissioner

Commissioner

Commissioner