

## **ORDINANCE 2021 - 02**

### **AN ORDINANCE OF THE TOWNSHIP OF HALFMOON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE STREETLIGHT DISTRICT ORDINANCE AND UPDATING THE UNIFORM ANNUAL ASSESSMENTS UPON BENEFITED PROPERTIES ON A FRONT FOOT BASIS**

**IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors as follows:**

#### **§ 207-1 Title.**

This article shall be known as the "Halfmoon Township Streetlighting District Ordinance."

#### **§ 207-2 Authority and purpose.**

This article is adopted pursuant to the authority of Section 702, cls. I and II, of the Second-Class Township Code, 53 P.S. § 65702. The purpose of this article is to provide lighting to the Stormstown Streetlighting District and to charge the cost thereof to the benefitted landowners as requested by the petitioning landowners.

#### **§ 207-3 Background.**

A. On April 9, 1990, a petition was presented to the Board of Supervisors of Halfmoon Township by residents and landowners requesting the Township to provide streetlights on a portion of State Route 550 in Stormstown between Centre County Tax Map Parcels 17-1-5A (17-001-,005A,0000-) on the west and 17-1-17 (17-001-,017A,0000-) on the east. The petition was signed by landowners owning more than 70% of the front footage along said portion of Route 550 to be illuminated. The petition further stated:

The undersigned petitioners further request that the cost of providing streetlighting shall be paid through a uniform annual assessment made upon benefitted properties on the front-foot basis, as provided by Section 702(C)(b) of the Second-Class Township Code, 53 P.S. § 65702(C)(b).

B. The petition was accepted, and on August 13, 1990, the Board of Supervisors adopted Resolution No. 1990-31 authorizing the Board of Supervisors to enter into an agreement with West Penn Company for the provision of streetlights in Stormstown. Certain poles were subsequently designated, and on August 31, 1990, an agreement was executed by West Penn Power Company providing for 11 mercury vapor standard units to be erected. The lighting was installed and billing by West Penn Power Company for costs commenced September 14, 1990.

#### **§ 207-4 Streetlighting district established.**

The previously established streetlighting district pursuant to Section 702, cls. I and II, of the Second-Class Township Code, as amended, 53 P.S. § 65702, is known as the "Stormstown Streetlighting District." Said streetlighting district consists of the Centre County Tax Map Parcels located within the Village of Stormstown between tax parcel 17-001-,005A,0000- on the east side

of the Village and tax parcel 17-001-,017A,0000- on the west side of the Village.

**§ 207-5 Assessment for cost of streetlighting.**

There is hereby levied and imposed a uniform annual assessment consisting of the annual cost of streetlighting for the Stormstown Streetlighting District.

- A. Such assessment shall consist of the annual cost of streetlighting charged by West Penn Power for the previous year.
- B. Said cost shall be assessed pro rata against the benefitted properties according to the front-foot method.
- C. The annual cost for the streetlighting as charged by West Penn Power for the previous calendar year shall be assessed pro rata against each Tax Map parcel in the district by dividing the parcel's foot frontage by the total district front footage to determine the parcel's percentage of the district cost, then multiplying by the annual cost of streetlighting charged by West Penn Power.

**§ 207-6 Adjustments.**

Cost figures for the last few months of each calendar year must be supplied to the assessment office prior to the end of the year and thus are estimates. Any changes in these estimates will be added to or subtracted from the following year's costs to adjust the total to reflect actual costs.

**§ 207-7 Collection.**

The annual assessment for streetlighting shall be collected by the Tax Collector in the same manner as Township real estate taxes are collected, and if such assessment is uncollected, the same shall be a lien and shall be collectible in the same manner as other municipal claims. The assessment shall be billed on the annual real estate bill for general purposes.

**§ 207-8 Severability**

In the event that any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Ordinance or other ordinances affected by this Ordinance, it being the intent of the Board of Supervisors that such remainder shall remain in full force and effect.

**§ 207-9 Repealer**

All other ordinances or parts of ordinances inconsistent with any of the provisions of this Ordinance, including but not limited to Ordinances No. 1992-01, are hereby repealed insofar as they are inconsistent with the powers, duties, and responsibilities enacted hereby.

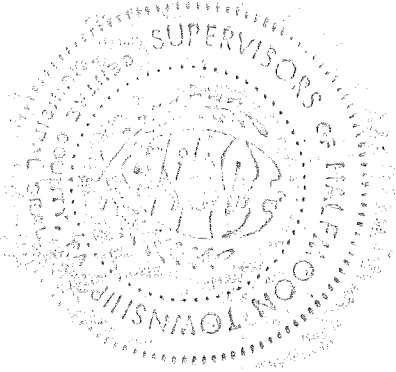
**ENACTED AND ORDAINED** by the Board of Supervisors of Halfmoon Township this 26<sup>th</sup> day of August 2021, at a meeting duly and legally held at which a quorum was present.

**TOWNSHIP OF HALFMOON  
BOARD OF SUPERVISORS:**

**ATTEST:**

[SEAL]

Denise Gembusia  
Denise Gembusia, Secretary



Danielle Del Corso  
Danielle Del Corso, Chair

Robert (Bob) Strouse  
Robert (Bob) Strouse, Vice Chair

- ABSENT -  
Patricia Hartle

David C Piper  
David Piper

- ABSENT -  
Charles Beck