

**NORTH MIDDLETON TOWNSHIP  
CUMBERLAND COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2009-01**

AN ORDINANCE OF NORTH MIDDLETON TOWNSHIP,  
CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING  
CHAPTER 186 OF THE NORTH MIDDLETON TOWNSHIP CODE,  
ARTICLE VI, SECTION 186-64 ENTITLED "APPOINTMENT"

BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Supervisors in and for North Middleton Township, Cumberland County, Pennsylvania, as follows:

**SECTION 1. AMENDMENT.**

Chapter 186 of the North Middleton Township Code, Article VI, Section 186-64 entitled "Appointment" is hereby amended to include the text appearing hereinafter in Section II

**SECTION 2. TEXT OF AMENDMENT.**

Chapter 186 of the North Middleton Township Code, Article VI, Section 186-64 entitled "Appointment" shall be amended to read as follows:

Section 186-64 Appointment

The Board of Supervisors of North Middleton Township shall, from time to time, by resolution, appoint the Income Tax Officer to collect earned income tax and occupational privilege tax in North Middleton Township until revoked by later resolution or Ordinance. Each appointment by resolution will be conditioned upon North Middleton Township and the Income Tax Officer or collection entity reaching a satisfactory agreement reduced to writing and approved by further resolution properly enacted by North Middleton Township after the responsibilities, obligations and procedures to be employed by the Income Tax Officer on behalf of the Township have been established.

**SECTION 3. INTENT.**

It is the intent of the Board of Supervisors that this Amendment shall allow for the appointment of the Income Tax Officer by resolution of the Board of Supervisors, which resolution can be changed and amended from time to time without the necessity of additional costs of public advertising required for the passage of an Ordinance.

**SECTION 4. SEVERABILITY.**

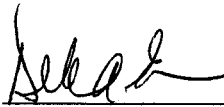
The provisions of this Ordinance are severable. Should any part of the Ordinance be declared by final court order with jurisdiction to be illegal or otherwise invalid, the balance of the Ordinance shall be unaffected by such declaration.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall become effective by operation of law pursuant to the Second Class Township Code of the Commonwealth of Pennsylvania.

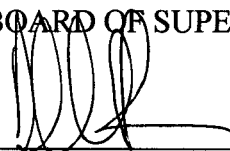
ADOPTED AND ORDAINED this 5th day of February, 2009.

ATTEST:

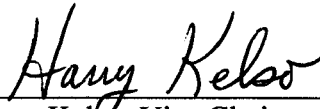


\_\_\_\_\_  
Township Secretary

NORTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS



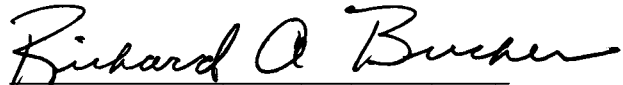
\_\_\_\_\_  
Robert A. Reisinger, Chairman



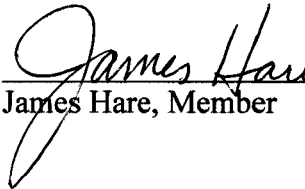
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Harry Kelso, Vice Chairman



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Robert H. Shearer, Member



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Richard A. Bucher, Member



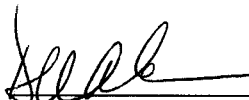
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James Hare, Member

CERTIFICATE

I, the undersigned, Secretary of the Township of North Middleton, Cumberland County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which duly was enacted by affirmative vote of a majority of the members of the Board at a meeting held on February 5, 2009; said Ordinance duly has been recorded in the Ordinance Book of the Township; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this

9 day of February, 2009.

  
Secretary

(SEAL)

# Memorandum

**To: Mr. Paul Fegley, Codes Department**  
**From: Mark W. Allshouse, Esquire**  
**Date: 1/8/2009**  
**Re: Ordinance 2009-01 Amendment to Section 186-64**

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Dear Paul,

Enclosed is a copy of the letter to the Sentinel along with a copy of the Public Notice relative to the above-referenced matter.

Could you kindly provide a copy of the Public Notice to the Carlisle School District.

In addition, I would request that you provide a copy of the Public Notice to the Cumberland County Law Library at the following address:

Cumberland County Law Library  
Attention: Librarian  
Cumberland County Courthouse  
One Courthouse Square  
Carlisle, PA 17013

Please provide a cover letter indicating that you are the Assistance Codes Enforcement and Permit Official and attest that this is a true and correct copy of the Ordinance. Prior to mailing, please verify that there are no filing fees. This letter should, likewise, be forwarded as soon as possible with a copy forwarded to my office.

You should also keep a copy of the Ordinance at the Township for inspection.

Finally, if this Ordinance is adopted, we will be required to forward a copy of said Ordinance to the Cumberland County Planning Commission within 30 days after adoption.

Please provide me with written confirmation of the date when each of the above tasks was completed.

Should you have any questions regarding these requests, certainly contact me.

Respectfully submitted,



Mark W. Allshouse, Esquire  
North Middleton Township Solicitor

January 6, 2009

VIA ELECTRONIC MAIL

The Sentinel  
457 East North Street  
P.O. Box 130  
Carlisle, PA 17013

Attention: Legal Advertising

Re: North Middleton Township  
Proposed Ordinance No. 2009-01  
Request for Advertisement/Public Notice

Dear Sir or Madam:

Kindly publish the attached public notice for Proposed Ordinance No. 2009-01 in the legal notice section of The Sentinel on the weeks of January 12, 2009 and January 19, 2009. Please contact my office to verify receipt of this publication. I have enclosed herewith a complete copy of the Proposed Ordinance. Please forward your bill for advertising along with proof of publication of the same directly to:

Ms. Deborah A. Ealer, Township Manager  
North Middleton Township  
2051 Spring Road  
Carlisle, PA 17013

Very truly yours,

Deborah A. Ealer,  
North Middleton Township Manager

MWA/sa  
Enclosure

cc: North Middleton Township Board of Supervisors

# PROOF OF PUBLICATION

State of Pennsylvania, County of Cumberland

Erica Peterson, Classified Manager, of The Sentinel, of the County and State aforesaid, being duly sworn, deposes and says that THE SENTINEL, a newspaper of general circulation in the Borough of Carlisle, County and State aforesaid, was established December 13<sup>th</sup>, 1881, since which date THE SENTINEL has been regularly issued in said County, and that the printed notice or publication attached hereto is exactly the same as was printed and published in the regular editions and issues of THE SENTINEL on the following day(s):  
January 12, 19, 2009.

## COPY OF NOTICE OF PUBLICATION

### PUBLIC NOTICE

380  
513

of North Middleton Township will hold a public hearing on  
2009-01, entitled AN ORDINANCE OF NORTH  
MIDDLETON TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA,  
ENTITLED "APPOINTMENT". The hearing will be  
held on Thursday, February 5, 2009, or any other time to which the  
Board of Supervisors, at the North Middleton  
Municipal Building, 2051 Spring Road, Carlisle, Pennsylvania 17015.  
The purpose of the Ordinance is to allow for the appointment of the Income Tax Assessor  
by the Board of Supervisors of North Middleton Township, which  
has been amended and amended from time to time without the necessity of  
the advertisement required for the passage of an Ordinance.  
The public hearing will be held on Thursday, January 22, 2009, at 7:30 p.m. at the  
North Middleton Township Municipal Building, 2051 Spring Road, Carlisle, Pennsylvania 17015.  
The Board of Supervisors will consider the Ordinance at the public hearing on  
January 22, 2009, at 7:30 p.m. at the North Middleton Township Municipal Building,  
2051 Spring Road, Carlisle, Pennsylvania 17015.  
The Ordinance is also available for a copy at the  
North Middleton Township Municipal Building, 2051 Spring Road, Carlisle, Pennsylvania 17015, during regularly scheduled business hours.

Affiant further deposes that he/she is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Erica Peterson

Sworn to and subscribed before me this  
19<sup>th</sup> day of January, 2009.

Bonita A. Canup  
Notary Public

My commission expires:

NOTARIAL SEAL  
BONITA A CANUP  
Notary Public  
CARLISLE BOROUGH, CUMBERLAND COUNTY  
My Commission Expires Jun 8, 2009