

**ORDINANCE NO. \_\_\_\_\_**

**HATFIELD TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

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**AN ORDINANCE AUTHORIZING A REFERENDUM PURSUANT TO ACT 153 OF 1996, AS AMENDED, ON THE QUESTION OF THE IMPOSITION OF AN ADDITIONAL EARNED INCOME TAX AT A SPECIFIC RATE TO RAISE REVENUE TO RETIRE INDEBTEDNESS INCURRED IN PURCHASING INTERESTS IN REAL ESTATE OR TO MAKE ACQUISITIONS OF REAL ESTATE FOR THE PURPOSE OF SECURING OPEN SPACE BENEFITS**

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**WHEREAS**, the Board of Commissioners of Hatfield Township (the “Board”) is authorized by Sections 4306, 4307 and 7701 of the Pennsylvania First Class Township Code, 73 Pa.C.S. §§ 4306, 4307 and 7701, to enact ordinances; and

**WHEREAS**, Act 153 of 1996 (32 P.S. § 5001, *et. seq.*), as amended, authorizes local government units to, by ordinance, impose, in addition to the earned income tax rate limit set forth in “The Local Tax Enabling Act,” an open space tax on the earned income of the residents of the Township; and

**WHEREAS**, the Board desires to exercise this authority by providing for a referendum on the question of imposing such an open space tax on the earned income of the residents of the Township; and

**NOW THEREFORE**, be it **ORDAINED** and **ENACTED**, by the Board of Commissioners of Hatfield Township, Montgomery County, Commonwealth of Pennsylvania, as follows:

1. As provided by Act 153 of 1996 (32 P.S. § 5001, *et. seq.*), as amended, a referendum shall be conducted during the November 2026 general election for the registered voters of Hatfield Township to vote whether they are in favor of the imposition of an increase to the earned income tax in an amount not to exceed twenty-five one hundredths of one percent (0.25%) to be used by the Township for the purpose of securing open space benefits.

2. The referendum shall be governed by the provisions of the Act of June 3, 1937 (P.L. 1333, No. 230) known as the “Pennsylvania Election Code” (25 P.S. § 2600, *et. seq.*).

3. The question to be placed on the ballot shall be framed in the following form:

Do you favor the imposition of an increase in the earned income tax at the rate of twenty-five one hundredths of one percent (0.25%) to be used by the Township of Hatfield for the purposes of preserving undeveloped land and expanding opportunities for outdoor recreation; retiring indebtedness incurred in purchasing interests in real property and making additional acquisitions of real property for those purposes; and for expending funds for any purpose relating to the acquisition, planning for acquisition, preservation, improvement and maintenance of open space or for an open space benefit?

4. Within 60 days of passage of the referendum the Board shall by ordinance or resolution establish an Open Space Review Board who shall be responsible for establishing the procedure for reviewing open space property interests considered for acquisition, for rating the relative desirability of interests in particular parcels of real estate, and for establishing the price the Township will pay.

5. The Open Space Review Board will consist of at least five (5) Township Residents to be selected by Board of Commissioners, who shall serve for a term of four years.

6. The appropriate officers of the Township are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

7. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

8. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

9. This Ordinance shall become effective five (5) days following enactment by the Board of Commissioners.

**ENACTED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026 by  
the Board of Commissioners of Hatfield Township.

Attest:

BOARD OF COMMISSIONERS OF  
HATFIELD TOWNSHIP

\_\_\_\_\_  
Aaron Bibro, Manager/Secretary

By:

\_\_\_\_\_  
Jennifer D. LoStracco, President