

RESOLUTION NO. 07-2007

**A RESOLUTION BY THE TOWNSHIP OF HAMILTONBAN, ADAMS COUNTY, PENNSYLVANIA, ADOPTING A REALTY TRANSFER TAX AND OTHER TAX RELATED PROVISIONS PURSUANT TO ARTICLE XI-D OF THE TAX REFORM CODE OF 1971, AND AUTHORIZING THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH OF PENNSYLVANIA TO DETERMINE, COLLECT AND ENFORCE THE TAX, INTEREST AND PENALTIES.**

Section 1. Imposition of Tax.

Hamiltonban Township adopts the provisions of Article XI-D of the Tax Reform Code of 1971 and imposes a realty transfer tax as authorized under that Article subject to the rate limitations therein. The tax imposed under this Section shall be at the rate of  $\frac{1}{2}$  of 1% of the value of the real estate, lands, tenements or hereditaments, or any interest therein, which is conveyed or transferred.

Section 2. Administration.

The tax imposed under Section 1 and all applicable interest and penalties shall be administered, collected and enforced under the Act of December 31, 1965 (P.L. 1257, No. 511, as amended, known as "The Local Tax Enabling Act"); provided, that if the correct amount of the tax is not paid by the last date prescribed for the timely payment, Hamiltonban Township, pursuant to Section 1102-D of the Tax Reform Code of 1971 (72 P.S. §8102-D), authorizes and directs the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest and penalties.

Section 3. Interest.

Any tax imposed under Section 1 that is not paid by the date the tax is due shall bear interest as prescribed for interest on delinquent municipal claims under the Act of May 16, 1923 (P. L. 207, No. 153)(72 P.S. §7101, *et seq.*), as amended, known as "The Municipal Claims and Tax Liens Act." The interest rate shall be the lesser of the interest rate imposed upon delinquent Commonwealth taxes as provided in Section 806 of the Act of April 9, 1929 (P.L. 343, No. 176)(72 P.S. §806), as amended, known as "The Fiscal Code," or the maximum interest rate permitted under the Municipal Claims and Tax Liens Act for tax claims.

Section 4. Repeal.

- (a) All resolutions and parts of resolutions inconsistent with this resolution, to include the Real Estate Deed Transfer Resolution of 1979 are hereby repealed insofar as they are inconsistent herewith.

- (b) The repealed resolutions or parts thereof enumerated in subsection (a) remain effective for documents that became subject to tax prior to the effective date of this ordinance.

Section 5. Effective date.

The provisions of this resolution shall become effective on and be applicable to any document made, executed, delivered, accepted or presented for recording on or after July 7, 2007.

Adopted by the Board of Supervisors of Hamiltonban Township at a regular meeting this 7 day of July, 2007.

Board of Supervisors  
Hamiltonban Township

by: James E. Benner  
Its Chairman

ATTEST:

L. Ann M. Dille  
Its Secretary/Treasurer