

GREAT BEND BOROUGH
ORDINANCE # 5-3-07

WHEREAS Great Bend Borough is a municipal corporation duly recognized as a governmental entity in Susquehanna County Pennsylvania; and

WHEREAS Great Bend Borough has the authority under 53 P.S. §46302 et seq to levy and collect taxes; and

WHEREAS Great Bend Borough has the authority under 53 P.S. §49321 et seq to levy and collect special taxes; and

WHEREAS the governing council of Great Bend Borough has determined that there is a need to levy and collect a tax on power companies, utilities, gas companies, telephone companies and any other company which have pipeline, cable, transmission lines, towers, buildings or any other device in, on or above real property that is a part of the geographic area defined in Great Bend Borough; and

WHEREAS there is a need to review the plans for all such items referenced in the paragraphs above prior to the actual construction of pipelines, transmission lines, towers, buildings or other devices, or use of pipelines, transmission lines, towers, buildings or other devices, or transmission of any product or any conveyance of any energy product, utility, or any other item, product or matter prior to the first instance.

NOW THEREFORE, The Borough of Great Bend does hereby enact and ordain the following:

1) It shall be illegal for any power company, utility, gas company, telephone company and any other company to construct, use, transmit or otherwise convey carry, send, receive or otherwise move any product, commodity or item of the company or any other party without first submitting plans at least one hundred eighty (180) days in advance of beginning construction or transmission, whichever occurs first, to the Secretary of Great Bend Borough Council for review and approval by the Council or its proper agency.

2) It shall be illegal for any power company, utility, gas company, telephone company and any other company to construct, use, transmit or otherwise convey carry, send, receive or otherwise move the product, commodity or item of the company without first paying the equivalent of one years tax as computed below to the Great Bend Borough tax collector.

3) It shall be illegal for any power company, utility, gas company, telephone company and any other company to construct, use, transmit or otherwise convey carry, send, receive or otherwise move the product, commodity or item of the company without first having a public hearing at a location within Great Bend Borough's geographic boundaries at least ninety (90) days prior to construction or transmission

wherein a full and complete set of all plans and the effect on the Borough residents is disclosed and without notifying by First Class Mail each and every resident of Great Bend Borough within one thousand (1000) feet of the pipeline, cable, transmission lines, towers, buildings or any other device is to be located at least thirty (30) days in advance of the meeting and by advertising the date, time, place and purpose of the meeting, at least once a week for three (3) weeks prior to the meeting in two (2) newspapers of general circulation within the Borough.

4) The Borough Council may within their discretion, levy a tax equaling one percent (1%) of the retail value of the product transmitted, carried, sent, received or otherwise moved through, over or across the territorial limits of Great Bend Borough.

5) The tax levied in this ordinance shall be computed by multiplying the one percent (1%) times the most common measure used by the industry to which the company belongs.

6) The tax shall be due quarterly within sixty (60) days of the end of each calendar quarter.

7) The obligor of the tax shall submit signed documentation with the payment verifying the background information used to compute the tax, which information is subject to audit by any official properly appointed by the Great Bend Borough Council.

8) Any violation of any portion of this ordinance shall subject the appropriate party or parties to a fine of not less than \$1,000.00 nor more than ten percent (10%) of the total tax due. Each day the violation exists shall be construed to be a separate violation.

9) This ordinance shall be effective thirty (30) days from date enacted by the Council of the Borough of Great Bend.

Duly enacted and duly passed the 3rd day of May, 2007.

Sheila Guinan
Secretary, Great Bend Borough

James Rieck
Mayor, Great Bend Borough