

**ORDINANCE**  
**TOWNSHIP OF NEWTOWN, DELAWARE COUNTY**

**NO. 2013-01**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF  
NEWTOWN, COUNTY OF DELAWARE, COMMONWEALTH OF  
PENNSYLVANIA, CHAPTER 75 ENTITLED "BUSINESS  
REGISTRATION" CHANGING THE BUSINESS REGISTRATION FEE.**

**WHEREAS**, on April 24, 2005, by the Township of Newtown enacted Chapter 75 of the Township Code requiring entities conducting business in the Township to register with Township and pay a fee; and

**WHEREAS**, the Township has determined that business registration is important to regulate the collection of local services taxes and to collect other important information concerning the general health, safety and welfare of the community;

**WHEREAS**, the Township has determined that an adjustment to the business registration fee is appropriate.

**NOW, THEREFORE**, the Township of Newtown hereby **ORDAINS** that:

**Section 1.** The Code of the Township of Newtown Chapter 75, Business Registration, shall be amended to make changes by deleting the chapter in its entirety and replacing it with the following:

**§75-1 Findings.**

In order to regulate the collection of local services tax and obtain other important information concerning the general health, safety and welfare of the community, the Board of Supervisors finds it in the best interest of the residents of Newtown Township, Delaware County, Pennsylvania, that all persons or firms that engage in any business whatsoever in Newtown Township, except those persons, firms, associations or corporations referred to in Chapter 69, § 69-5, of the Newtown Township Code and children, are required to register and obtain a registration certificate from the Township of Newtown for such purpose, to the end that Newtown Township is informed as to what businesses are in said Township and the extent of such business.

**§75-2 Definitions.**

For purposes of this chapter, the term "business" means any trade, profession, vocation, service, construction communication or commercial activity or making sales to persons or rendering services from or attributable to any office or location in Newtown Township, whether for gain or profit or otherwise. The term "business" shall not include

children, the business of any political subdivision, authority, agency or similar organization created pursuant to statute to perform an essential government function, businesses referred to in Chapter 69, §69-5, and any other business upon which the power to impose business registration requirements is withheld by law.

**§75-3 Registration certificate required; fees.**

After the effective date of this chapter, any person, firm, association, or corporation desiring to conduct or continue to conduct any business within the Township of Newtown shall file with the Township Manager or his designee an application and pay a fee of \$35.00 for a permanent business registration certificate or temporary business registration certificate, as the case may be. This fee may be amended annually by resolution of the Board of Supervisors. A permanent business registration certificate shall be issued to a business that is to continue for longer than 30 days. A temporary business registration certificate shall be issued to a business that is to continue less than 30 days. There shall be no pro-rata discount in the application fee for engaging in business for less than the registration year.

**§75-4 Expiration of registration certificate.**

The registration certificate or certificates shall expire on December 31 of the year in which issued. Temporary registration certificates shall be valid until the last day business is conducted but not exceeding 30 days from the date of issue.

**§75-5 Registration application, lost or destroyed certificates; posting of certificates**

A. The application for a registration certificate shall be made on an application form approved by the Township Manager.

B. The application shall be signed by the applicant, if a natural person, and in the case of an association or partnership by a member or partner thereof, and in the case of a corporation, by an officer thereof.

C. Upon receiving the signed application and fee, the Township will issue a registration certificate to the registering business and a duplicate shall be kept in the file by the Township of Newtown.

D. The certificate shall be in the form approved by the Township Manager.

E. In case of loss, defacement, or destruction of any certificate, the business shall apply to the Township for reissuance and pay a fee of \$10.

F. Such business registration permits shall be conspicuously posted at each place of business within the Township at all times.

**§ 75-6. Powers and duties of Township Manager.**

- A. The Township Manager or his designee is charged with the duty of collecting and receiving the registration fees imposed by this chapter. It shall be his duty to keep a record showing the amount received by him, from whom received and the date of such receipt.
- B. The Township Manager and/or his duly appointed agents are hereby empowered, with the approval of the Board of Supervisors of the Township of Newtown, to prescribe, adopt or promulgate rules or regulations relating to any matter pertaining to the administration and enforcement of this chapter and are charged with enforcing the provisions of this chapter and any rules and/or regulations promulgated pursuant hereto.
- C. Any additional information as requested by the Township Manager shall be submitted by the applicant at the time of application.

**§ 75-7. Violations and penalties.**

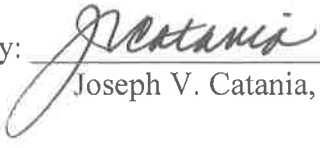
A person commits a violation of this section if, a) he or she makes any false or untrue statement on any application required by this Ordinance, b) a person authorized to file the application under §75-5 fails or refuses to file a registration application as required by this Ordinance, or c) otherwise fails or refuses to comply with this Ordinance. Any person who should violate any provision of this chapter shall, upon judgment thereof, pay a fine of not more than \$300, together with the cost of prosecution, and, in default of payment of such fine and costs, shall be liable to a term of imprisonment in the county jail for a period not to exceed 30 days.

**Section 2. Effective Date.** This Ordinance shall be effective upon its adoption by The Township of Newtown.

**Section 3. Repealer.** All ordinances, resolutions or parts thereof inconsistent herewith are repealed, rescinded, canceled and annulled to the extent of such inconsistency.

Enacted by the Board of Supervisors of the Township of Newtown, Delaware County, Pennsylvania this 11 day of, MARCH, 2013.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF NEWTOWN

By:   
Joseph V. Catania, Chairman

Attest:   
Michael T. Trio, Secretary/Township Manager