

Ordinance 71-4  
EARNED INCOME TAX

NOTICE IS HEREBY GIVEN that the Supervisors of West Bradford Township at their special meeting to be held on the 21st day of December, 1971, at 8:00 o'clock P.M. at the West Bradford Township Building, will consider for adoption and intend to adopt the following Ordinance levying a tax on earned income and net profits as therein specified. The reason which, in the judgment of the Township Supervisors, necessitates the imposition of the tax is as follows:-

To produce additional revenue for general revenue purposes

The amount of estimated revenue for the year 1972 is \$50,000.

WEST BRADFORD TOWNSHIP ORDINANCE NO. 71-1971

AN ORDINANCE ENACTED PURSUANT TO THE AUTHORITY GRANTED BY ACT NO. 511 OF 1965 EFFECTIVE JANUARY 1, 1966 (KNOWN AS THE LOCAL TAX ENABLING ACT) SAID ORDINANCE TO BE KNOWN AS THE EARNED INCOME ORDINANCE, IMPOSING A TAX FOR GENERAL REVENUE PURPOSE ON SALARIES, WAGES, COMMISSIONS, BONUSES, INCENTIVE PAYMENTS, FEES, TIPS AND OTHER COMPENSATION RECEIVED DURING THE PERIOD BEGINNING FEBRUARY 1, 1972 OR THE EFFECTIVE DATE OF THIS ORDINANCE AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE TOWNSHIP OF WEST BRADFORD, PA. AND ON SALARIES, WAGES, COMMISSIONS, BONUSES, INCENTIVE PAYMENTS, FEES, TIPS, AND OTHER COMPENSATION RECEIVED DURING SAID PERIOD BY NON-RESIDENTS OF THE TOWNSHIP OF WEST BRADFORD FOR WORK DONE OR SERVICES PERFORMED OR RENDERED IN THE TOWNSHIP OF WEST BRADFORD, AND ON THE NET PROFITS RECEIVED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED BY RESIDENTS OF THE TOWNSHIP OF WEST BRADFORD, AND ON NET PROFITS RECEIVED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE TOWNSHIP OF WEST BRADFORD BY NON-RESIDENTS: REQUIRING THE FILING OF DECLARATIONS AND RETURNS AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Supervisors of the Township of West Bradford, under authority of Act No. 511 of 1965 effective January 1, 1966 (hereinafter referred to as the "Enabling Act") as follows:

SECTION I - INCORPORATION OF STATUTE

The provisions of Sections 13 and 14 of the Local Tax Enabling Act (Act #511 of 1965), its supplements and amendments are incorporated herein by reference, except that where options are provided in said Sections 13 and 14, this Ordinance designates the options selected, and except as and where hereinafter specifically provided otherwise.

SECTION II - IMPOSITION OF TAX

A tax for general revenue purposes in the amount of (1%)

salaries, wages, commissions, bonuses, incentive payments, fees, tips, and other compensation received by non-residents of the Township of West Bradford, Pa., for work done or services performed or rendered in the Township of West Bradford, Pa., and on the net profits received from businesses, professions or other activities conducted by residents of the Township of West Bradford, Pa., and the net profits received from businesses, professions or other activities conducted in the Township of West Bradford, Pa., by non-residents of the Township of West Bradford, Pa., during the taxable year beginning on the 1st day of February A.D. 1972, or the effective date of this Ordinance and continuing for each taxable year thereafter.

SECTION III - DECLARATION, RETURN AND PAYMENT OF TAX

(A) NET PROFITS

(1) FOR 1972 - Every taxpayer making net profits shall, on or before April 15, 1972, make and file with the officer on a form prescribed or approved by the officer, a declaration of his estimated net profits during the period beginning February 1, 1972, or the effective date of this Ordinance and ending December 31, 1972, and pay to the officer in four (4) quarterly installments the tax due thereon as follows: The first installment at the time of filing the declaration; the second installment on or about July 15, 1972; the third installment on or about October 15, 1972, and the fourth installment on or before January 15, 1973; and on or before April 15, 1973 shall file a final return showing the amount of net profits received during the period beginning February 1, 1972, or the effective date of this ordinance and ending December 31, 1972, the total amount of tax due thereon and the total amount of tax paid thereon. At the time of filing the final return, the taxpayer shall pay to the officer the balance of tax due or shall make demand for refund or credit in the case of overpayment.

(2) AFTER 1972 - Every taxpayer making net profits in any year succeeding 1972 shall file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall file a final return and pay to the officer the balance of the tax due, all as provided in Section 13, III, A(1), of the Local Tax Enabling Act, its supplements and amendments.

(B) EARNED INCOME

(1) FOR 1972 - Every taxpayer shall, on or before April 15, 1973, make and file with the officer a final return showing the amount of earned income including inter alia, salaries, wages, commissions, bonuses, incentive payments, fees, tips and other compensation, (other than net profits) received during the period beginning February 1, 1972, or the effective date of this Ordinance, and ending December 31, 1972, the total tax due thereon, the amount of tax paid thereon that has been withheld pursuant to the provisions relating to collection at the source and the balance of the tax due. At the time of filing said final return, the taxpayer shall pay the balance of the tax due, or shall make demand for refund or credit in the case of overpayment.

(2) AFTER 1972 - For years succeeding the year 1972, every taxpayer shall make and file final returns and pay the taxes due all as provided in Section 13, III, B, first paragraph of The Local Tax Enabling Act, its supplements and amendments.

(3) QUARTERLY RETURNS - Every taxpayer who is employed for a salary, wage or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quarter-annually the amount of tax shown as due on such returns, all as provided in Section 13, III, B, (2) of The Local Enabling Act, its supplements and amendments.

#### SECTION IV - COLLECTION AT SOURCE

(A) - Every employer having an office, factory, workshop, branch, warehouse or other place of business within the corporate limits of the Township of West Bradford, shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes, deducted, all as set forth in Section 13, IV of said The Local Tax Enabling Act, its supplements and amendments: except that:

(1) For the period from February 1, 1972 or the effective date of this Ordinance to December 31, 1972 such employer shall, on or before April 30, 1972 and on or before July 31, 1972, October 31, 1972 and January 31, 1973 file a return and pay to the officer the taxes deducted during the preceding three month periods ending March 31, 1972, June 30, 1972, September 30, 1972 and December 31, 1972, respectively.

(2) On or before February 28, 1973 every employer shall file with the officer:

(a) An annual return showing the total amount of earned income paid, the total amount of tax deducted and the total amount of tax paid to the officer for the period beginning February 1, 1972 or the effective date of this ordinance and ending December 31, 1972.

(b) A return withholding statement for each employee employed during all or any part of the period beginning February 1, 1972 or the effective date of this Ordinance and ending December 31, 1972, setting forth the employee's name, address and social security number, the amount of earned income paid to the employee during said period, the amount of tax deducted, the political sub-division imposing the tax upon such employee, the amount of tax paid to the officer. Every employer shall furnish two (2) copies of the individual return to the employee for whom it is filed.

(B) - Every employer who discontinues business prior to December 31, 1972 shall within thirty (30) days after discontinuance of business file returns and withholding statements hereinabove required and pay the tax due.

(C) - No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION V - ADMINISTRATION

The income tax officer shall be selected from time to time by Resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Township Supervisors. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act," its supplements and amendments.

SECTION VI - APPLICABILITY

The tax imposed in Section II of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Township Supervisors to impose said tax under the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

SECTION VII - CREDITS

Payment of any tax on income to a state other than Pennsylvania, or to any political subdivision thereof by residents thereof, pursuant to any State or local law, to the extent that such income includes salaries, wages, commissions, bonuses, incentive payments, fees, tips and other compensation or net profits of businesses, professions or other activities but in such proportions as hereinafter set forth shall be credited to and allowed as a deduction from the liability of such person for the tax imposed by this Ordinance on salaries, wages, commissions, bonuses, incentive payments, fees, tips and other compensation or net profits of businesses, professions or other activities, if residents of the Township of West Bradford receive credits and deductions of a similar kind to a like degree from the tax which come imposed by the other state of political subdivision thereof.

Where a credit or a deduction is allowable, it shall be allowed in proportion to the concurrent periods for which taxes are imposed by the other state or respective political subdivisions, but not in excess of the amount previously paid for a concurrent period.

SECTION VIII - SEVERABILITY

The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Township Supervisors of the Township of West Bradford that this Ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included herein.

ENACTED AND ORDAINED this 21st day of December, 1971.

TOWNSHIP OF WEST BRADFORD

*[Signature]*  
Chairman Board of Supervisors

*[Signature]*  
Member Board of Supervisors

*[Signature]*