

BILL NO 97- 12

ORDINANCE NO. 97- 12

AN ORDINANCE OF THE CITY OF JEANNETTE REPEALING ORDINANCE NO. 90-12 AND AMENDING SECTION III. OF ORDINANCE NO. 80-9 ENTITLED, "AN ORDINANCE CREATING A MECHANICAL DEVICE TAX, LICENSE FEE, PROVIDING FOR THE ISSUANCE OF SAID LICENSES, ESTABLISHING REGISTRATION REQUIREMENTS, LEVYING CHARGE OR FEE FOR THE ISSUANCE OF SAID LICENSE, AND PROVIDING PENALTIES FOR NON-COMPLIANCE HEREOF."

WHEREAS, the Council of the City of Jeannette on June 11, 1980, adopted Ordinance No. 80-9, commonly known as the Mechanical Device Tax, pursuant to the authority granted to the City of Jeannette by the Local Tax Enabling Act of the Commonwealth of Pennsylvania, Act No. 511 of December 31, 1965, as amended; and

WHEREAS, Ordinance No. 80-9 levied a tax upon the privilege of using for profit, within the City of Jeannette, any juke box or mechanical device and machines or games of skill, such tax being payable by the person owning such device; and

WHEREAS, Ordinance No. 80-9 imposed an initial annual tax of \$25.00 per machine or unit fee, such tax being increased to \$100.00 per machine or unit annually by Ordinance No. 90-12 adopted by the Council of the City of Jeannette on December 19, 1990; and

WHEREAS, the number of mechanical devices subject to such tax has increased since the adoption of Ordinance No. 90-12 and, accordingly, the cost of regulating such devices has likewise increased; and

FL&R

WHEREAS, the Council of the City of Jeannette believes that an increase in the annual tax chargeable to the owner of each device is necessary to promote the general health, safety and welfare of the residents of the City of Jeannette and to offset the increased costs of regulation.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE CITY OF JEANNETTE DOES HEREBY ORDAIN AND ENACT THE FOLLOWING:

1. Ordinance No. 90-12 adopted by the Council of the City of Jeannette on December 19, 1990 is hereby repealed.

2. Section III. of Ordinance No. 80-9 entitled "Levy of Tax" is hereby amended to read as follows:

"A tax is hereby imposed for general City purposes under the authority of the Local Tax Enabling Act, approved December 31, 1965 (Act No. 511), upon the privilege of using for profit, within the City, any juke box or mechanical device and machines or games of skill. Such tax shall be payable by the person owning such device. Such tax shall be payable in a single lump sum at an annual rate of \$150.00 per machine or unit fee."

3. Section XV. of Ordinance No. 90-12, entitled "Penalty" is hereby amended to read as follows:

"Whoever violates or fails to comply with any of the provisions of this chapter shall be subject to a fine of \$300.00 for each offense and, in default of the payment thereof, shall be imprisoned for not more than thirty (30) days for each offense. Such fine or penalty shall be in addition to any penalty imposed by any other section of this chapter."

4. All other portions of Ordinance No. 80-9 shall continue in full force and effect.

5. This Ordinance shall take effect January 1, 1998.

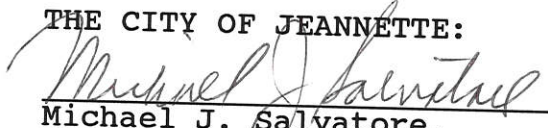
THIS ORDINANCE IS DULY ORDAINED AND ENACTED AT A PUBLIC MEETING OF JEANNETTE CITY COUNCIL HELD THE 12th DAY OF NOVEMBER, 1997.

ATTEST:



Ronald E. Dinsmore,
City Clerk

THE CITY OF JEANNETTE:



Michael J. Salvatore,
Mayor/President of Council

FL&R