

ORDINANCE NUMBER 638

INCREASING THE INDEBTEDNESS OF THE BOROUGH.

IN THE COURT OF QUARTER SESSIONS OF WASHINGTON COUNTY, PENNSYLVANIA.

In Re: Increase of Indebtedness of the : No. 480, May Term, 1930.

Borough of Donora, Pa.:

AN ORDINANCE increasing the bonded indebtedness of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania for the purpose of providing a fund which shall be applied, as Council may determine, towards the payment of the cost and expense of the construction of public sewers in said Borough, and towards the payment of the cost and expense of the laying out, opening, widening, straightening, grading, curbing, repairing, and otherwise improving the streets, alleys, and highways in said Borough, by an issue of bonds to the amount of One Hundred Thousand (\$100,000.00) Dollars, with semi-annual coupons attached; fixing the form, number, date, interest, maturity, etc. thereof; authorizing the sale thereof; levying a tax for the payment thereof; making appropriation pending the collection of said tax and rescinding conflicting ordinances.

WHEREAS it is necessary that the bonded indebtedness of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, be increased by the amount of One Hundred Thousand (\$100,000.00) Dollars, for the purpose of providing a fund which shall be applied, as Council may determine, towards the payment of the cost and expense of the construction of public sewers in said Borough, and towards the payment of the cost and expense of the laying out, opening, widening, straightening, grading, curbing, repairing, and otherwise improving the streets, alleys and highways in said Borough; and

WHEREAS the corporate authorities of said Borough of Donora, by ordinance duly enacted, approved and posted according to law, signified and expressed their desire for said increase of indebtedness; and

WHEREAS an election was legally authorized to be held in said Borough of Donora on the 20th day of May, 1930, to obtain the assent of the electors of the said Borough of Donora to such increase of indebtedness, and proper notice of said election was given according to law; and

WHEREAS said election was duly held according to law and said ordinance and notice, and a majority of the electors of said Borough of Donora voting at said election voted in favor of said increase of indebtedness, as shown by the return of said election made according to law to the Court of Quarter Sessions of Washington County; and

WHEREAS the vote was counted by the President Judge of the Court of Quarter Sessions of said County, according to law, and the Clerk of the Court of Quarter Sessions of said County made a record of the same and furnished a certified copy thereof under seal, showing the result of said election, to the corporate

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authorities of said Borough of Donora, which certified copy of said election record has been placed on record upon the minutes of the Council of said Borough of Donora,

NOW, THEREFORE, BE IT ENACTED, and it is hereby ordained and enacted by and with the authority of the Burgess and Council of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, as follows;

SECTION 1---That the bonded indebtedness of the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, be and the same is hereby increased by the amount of One Hundred Thousand (\$100,000.00) Dollars, for the following purpose, namely: For the purpose of providing a fund which shall be applied, as Council may determine, towards the payment of the cost and expense of the construction of public sewers in said Borough, and towards the payment of the cost and expense of the laying out, opening, widening, straightening, grading, curbing, repairing, and otherwise improving the streets, alleys, and highways in said Borough.

SECTION 2---Said indebtedness shall be evidenced by coupon bonds to the number of one hundred (100), number from one (1) to one hundred (100) inclusive, for the principal sum of One Thousand (\$100,000.00) Dollars each, dated and bearing interest from the first day of July, 1930, at the rate of four and one-fourth (4 $\frac{1}{4}$ %) per centum per annum, payable semi-annually on the first day of January and July of each year during the term of said bonds, which shall mature and be paid as follows:

Bonds Nos. 1 to 20 inclusive on July 1, A. D. 1945.
Bonds Nos. 21 to 40 inclusive on July 1, A. D. 1946.
Bonds Nos. 41 to 60 inclusive on July 1, A. D. 1947.
Bonds Nos. 61 to 80 inclusive on July 1, A. D. 1948.
Bonds Nos. 81 to 100 inclusive on July 1, A. D. 1949.

SECTION 3---The form of said bonds and coupons shall be substantially as follows:

UNITED STATES OF AMERICA
COMMONWEALTH OF PENNSYLVANIA
\$1,000.00.
County of Washington.
Borough of Donora.
MUNICIPAL BOND.

KNOW ALL MEN BY THESE PRESENTS, that the Borough of Donora, County of Washington, Commonwealth of Pennsylvania, a municipal corporation existing by and under the laws of said State, for value received, hereby acknowledges itself indebted and promises to pay to the bearer, or if registered, to the registered owner hereof, the just sum of One Thousand (\$1,000.00) Dollars, on the first day of July, A. D. 19____, with interest thereon at the rate of four and one-fourth (4 $\frac{1}{4}$ %) per centum per annum, payable semi-annually on the first day of the months of January and July in each year on presentation and surrender of the interest coupons hereto attached as they severally become due, without deduction for any tax which may be

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levied or assessed thereon or on this bond or on the debt secured hereby under any present or future law of the Commonwealth of Pennsylvania, save inheritance taxes, all of which State taxes the Borough of Donora hereby assumes and agrees to pay, making this bond free of Pennsylvania State tax to the holder.

Both principal and interest are payable in lawful money of the United States at the Union Trust Company of Donora, Pa.

This bond is one of a series of one hundred (100) bonds of like date, amount and tenor, except maturities, numbered consecutively from one (1) to one hundred (100) inclusive, amounting in the aggregate to the sum of One Hundred Thousand (\$100,000.00) Dollars, issued in accordance with the Act of the General Assembly of the Commonwealth of Pennsylvania, approved the twentieth day of April, A. D. 1874, P. L. 65, and the several amendments thereof and supplements thereto, and by virtue of an ordinance of the said Borough of Donora and the sworn statement of the principal officers thereof, as appears on record in the office of the Clerk of the Court of Quarter Sessions in and for the County of Washington, Commonwealth of Pennsylvania, at No. 480, May Term, 1930.

It is hereby certified that all acts, conditions and things required to be or to be done, happen and be performed, precedent to or in the issue of this bond or in the creation of the debt of which this is evidence, have been done, happened, and been performed, in regular and due form and manner as required by law; and that this bond, together with all other indebtedness of the said Borough of Donora is not in excess of any constitutional or statutory limitation, and for the prompt and full payment of all the obligations of this bond, the entire property, faith, credit, taxing power and resources of said Borough of Donora are hereby irrevocable pledged.

This bond shall pass by delivery or it may be registered upon the books of the Treasurer of said Borough of Donora. After such registration of ownership, which shall be certified hereon by the said Treasurer, no transfer shall be valid unless made upon the books of said Treasurer by the registered holder thereof or attorney duly authorized in writing and similarly noted hereon, or unless the last transfer so registered shall have been to bearer and the transferability by delivery thereby restored: but it shall continue subject to successive registration and transfer to bearer, as aforesaid, at the option of the holder. The transferability of the coupons by delivery shall not be affected by registration of the bond.

It is hereby further certified that an annual tax sufficient for the payment at maturity of the principal of the series of bonds of which this is a part, together with the interest and state tax thereon in accordance with the terms and conditions thereof, has been properly levied and assessed, and that said tax

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is not in excess of any legal limitation.

IN WITNESS WHEREOF, the Borough of Donora has caused this bond to be properly executed by its officers and the common and corporate seal of said Borough of Donora to be hereto affixed, attested by the Secretary of said Borough of Donora, and to be countersigned by its Treasurer, and has also caused the coupons hereto attached to be authenticated with the fac-simile signature of its Treasurer, as of date the 1st day of July, A. D. 1930.

THE BOROUGH OF DONORA, PENNSYLVANIA.

ATTEST:

By

President of Council.

Secretary

Chief Burgess.

COUNTERSIGNED:

Treasurer.

FORM OF COUPON.

\$21.25

On the first day of _____, 19_____, the Borough of Donora, Washington County, Pennsylvania, will pay the bearer at the Union Trust Company of Donora, Pennsylvania, twenty-one and 25-100 (\$21.25) dollars, free of State tax, save inheritance taxes, being six months' interest on its Municipal Bond, Series 1930, dated the first day of July, 1930, and Numbered _____.

Treasurer.

NO. _____

UNITED STATES OF AMERICA.

COMMONWEALTH OF PENNSYLVANIA.

County of Washington.

Borough of Donora.

Tax-Free

4 1/2%

BOND

Series of 1930.

Due.

_____, 19_____.

Interest payable

January 1st and July 1st.
at the

UNION TRUST COMPANY

of

DONORA, PENNSYLVANIA.

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NOTHING TO BE WRITTEN HERE

EXCEPT BY THE TREASURER

Date of Registry _____ In whose name registered _____ Treasurer.

SECTION 4---The proper officers of said Borough of Donora are hereby authorized and directed to execute said bonds on behalf of said Borough of Donora and affix thereto the common and corporate seal of the Borough of Donora and to cause the coupons to be signed on behalf of said Borough of Donora with the facsimile signature of the treasurer of said Borough of Donora by lithograph or otherwise; and the Treasurer of said Borough of Donora is hereby authorized and directed to sell said bonds to the highest responsible bidder, after due advertisement according to law, by and with the approval of the Council of said Borough of Donora, and the Council of said Borough of Donora, and the Treasurer is hereby authorized and directed to deliver said bonds to the purchaser and receive payment therefor on behalf of said Borough of Donora, provided such bonds shall not be sold for less than their per value, with accrued interest to the date of delivery and payment.

SECTION 5---There is hereby levied and assessed upon all persons and property subject to taxation for municipal purposes within said Borough of Donora, for the years 1931 to 1940 inclusive, an annual tax of \$6,410.71; for the years 1941 and 1942 an annual tax of \$6,410.72; for the years 1943 and 1944 an annual tax of \$6,410.73 for the year 1945 a tax of \$23,620.00; for the year 1946 a tax of \$22,790.00 for the year 1947 a tax of \$21,860.00; and for the year 1948 a tax of \$21,030.00; the collection of which shall commence with the fiscal year 1931, being the first fiscal year following the issue of said bonds, which tax is sufficient for and shall be applied exclusively to the payment from time to time of the interest and State tax on said bonds when due, and the liquidation of the principal of said bonds at maturity.

SECTION 6---There is hereby established a sinking fund for the bonds hereby authorized, said fund to be known as Sinking Fund No. 10, and to be used for no other purpose until all said bonds shall have been paid in full. All money arising from the tax hereby levied not required for the payment of interest and State tax on said bonds shall be paid into the sinking fund hereby created.

SECTION 8---There is hereby appropriated from the general funds of the Borough of Donora, aforesaid, the sum of Four Thousand Six Hundred and Fifty (\$4,650.00) Dollars, for the purpose of meeting the requirements of this issue of bonds for interest, tax and sinking fund for one year pending the commencement of the collection of the tax levied for that purpose, which collection commences the year following said bond issue, and the amount of this appropriation being equal to the

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annual proceeds from the tax levied by Section 5 hereof. The amount appropriated by this section shall be repaid to the general fund from the proceeds of the said tax levy.

SECTION 8---The principal officers of said Borough of Donora are hereby authorized and directed to file with the Clerk of the Court of Quarter Sessions in and for the County of Washington, Commonwealth of Pennsylvania, the proper statement regarding this increase of indebtedness, and to perform all other acts proper in connection therewith, in accordance with the Act of Assembly of the Commonwealth of Pennsylvania, approved the twentieth day of April, 1874, P. L. 65, and the amendments thereof and supplements thereto.

SECTION 9---All ordinances and parts of ordinances not in accord with this ordinance, are hereby repealed in so far as not in accordance herewith.

ORDAINED AND ENACTED into law, this 16th day of June, A. D. 1930.

J. W. BEELER,
President of Council.

ATTEST:

GEO. W. ALLEN,
Borough Secretary.

EXAMINED AND APPROVED by me this 20th day of June, A. D. 1930.

WILL H. WATSON,
Chief Burgess.

CERTIFIED AND ATTESTED:

GEO. W. ALLEN,
Borough Secretary.

I HEREBY CERTIFY THAT
THIS IS A CORRECT COPY
OF ORDINANCE No. 638

Geo W Allen
BOROUGH CLERK