

ORDINANCE NO. 188

AN ORDINANCE OF INDIAN LAKE BOROUGH, SOMERSET COUNTY, PROVIDING FOR INTERGOVERNMENTAL COOPERATION BETWEEN INDIAN LAKE BOROUGH AND ANY OTHER LOCAL GOVERNMENT UNITS, AND AUTHORIZING COOPERATION AND AGREEMENT IN THE EXERCISE OF ANY FUNCTION, POWER, OR RESPONSIBILITY OF INDIAN LAKE BOROUGH WITH AND TO OTHER LOCAL GOVERNMENTS, AND TO DELEGATE OR TRANSFER FUNCTIONS, POWERS, OR RESPONSIBILITIES TO OTHER LOCAL GOVERNMENTS, AS ALLOWED BY ACT NO. 177 OF DECEMBER 19, 1996 (53 P.C.S.A SECTION 2301 ET SEQ.).

WHEREAS, the Council of Indian Lake Borough have found that it will be in the best interest of the health, safety, and welfare of the residents of this Borough to enter into various cooperative agreements with other local government units; and

WHEREAS, the Council of Indian Lake Borough have found it to be in the best interest of the health, welfare, and safety of the residents of this Borough to enact an Ordinance to provide for cooperation with other local government units, and to share certain functions, powers, and responsibilities with other governmental units; and

WHEREAS, specific authority for the adoption of this Ordinance is found

in that statute passed by the General Assembly on December 19, 1996, P.L. 1158, known as Act No. 177 of 1996, as from time to time amended and codified as 53 P.C.S.A. §2301 et seq.; and

NOW, THEREFORE, be it, and it is hereby ORDAINED and ENACTED, by Indian Lake Borough that this Ordinance be adopted as follows:

SECTION 1. SHORT TITLE:

This Ordinance may be referred to as the "Indian Lake Borough Intergovernmental Cooperation Ordinance."

SECTION 2. DEFINITIONS:

It is concluded that Indian Lake Borough classifies as a local government unit as defined in Act No. 177 of December 19, 1996; see 53 P.C.S.A. §2302. And, it is also concluded that the other boroughs, townships, and school districts in Somerset County also classify as local government units by the same definition.

SECTION 3. GENERAL PURPOSE OF ORDINANCE:

The general purpose of this Ordinance is to specifically comply with the provisions of the said Act No. 177 of December 19, 1996, and to allow this Borough to enter into specific agreements with other local government units for any and all purposes and conditions which may be allowed by the laws of the

Commonwealth of Pennsylvania, provided that each specific instance of intergovernmental cooperation shall be accomplished only after the approval of, and execution of separate written agreement, which agreement shall contain all the necessary terms and conditions of that specific example of intergovernmental cooperation, the same to be approved by subsequent resolution of the Borough Council.

SECTION 4. AGREEMENTS TO BE ADOPTED BY RESOLUTION:

By the authority conferred upon it by Act No. 177 of December 19, 1996, the Council of Indian Lake Borough does hereby proclaim their intention to enter into various agreements with other government units within Somerset County which would allow for the exercise of any function, power, or responsibility of Indian Lake Borough along with those of the other government units, as well as allowing Indian Lake Borough to delegate certain functions, powers, or responsibilities to other local government units, provided that the same are accomplished by specific agreements between the respective local government units, and provided that the said specific agreements are approved by subsequent resolution of the Borough Council.

SECTION 5. SPECIFIC PURPOSE - POLICE SERVICES:

Without limiting the generality of the intent of the Borough Council as stated in this Ordinance, it is hereby declared to be the intention of Indian Lake Borough that one of the specific purposes for the adoption of this Ordinance is to be the intergovernmental cooperation between Indian Lake Borough, Shanksville-Stonycreek School District, and Stonycreek Township, for the provision of police services by Indian Lake Borough to Shanksville-Stonycreek School District for any facilities of the Shanksville-Stonycreek School District which are located within Stonycreek Township, all of which to be done in accordance with terms of a separate specific agreement to be approved by the respective government unit, and to be executed, separately, by each, after the adoption of this Ordinance. The specific intention of Indian Lake Borough is that any provision of police service by Indian Lake Borough to the other local government units named in this Ordinance shall be in compliance with the Borough Code, as amended, specifically being Section 1122 thereof (8 Pa.C.S.A. § 1122) and Section 1202 thereof [8 Pa.C.S.A. § 1202(24)], with the Second Class Township Code, being Act No. 60 of November 9, 1995 as amended, specifically being Section 1507 thereof (53 P.S. §66507) and Section 1903 thereof (53 P.S. §66903), and with that statute known as the Municipal Police Jurisdiction Act, Act

No. 141 of June 15, 1982, as amended, 42 P.C.S.A. §8951 et seq., in particular 42 P.C.S.A. §8953 (e).

SECTION 6. SEVERABILITY AND REPEALER:

If any provision or portion of this Ordinance, for any reason, is found to be unconstitutional, illegal, or invalid by a Court of appropriate jurisdiction, such decision shall not affect or impair the validity of any of the remaining portions or parts of this Ordinance. It is hereby declared that the intent of the Council of Indian Lake Borough that this Ordinance would have been adopted even if such provisions or parts found to be unconstitutional, illegal, or invalid had not been included in the original Ordinance. Any and all Ordinances inconsistent herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE:

This Ordinance shall be effective immediately upon the date of enactment.

ENACTED and ORDAINED on this, the 14th day of AUGUST

2019.

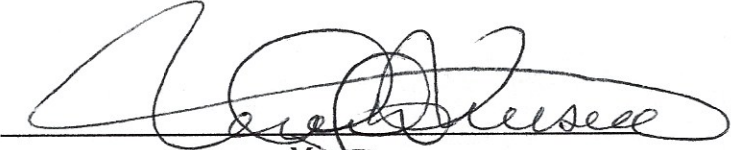
Attest:

Kirsten Kingle
Secretary

BOROUGH OF INDIAN LAKE

By [Signature]
President of Council

EXAMINED AND APPROVED by me this 14th day of AUGUST, 2019



Mayor

SECRETARY'S CERTIFICATE

I, Hirsten Ringler, Secretary for Council of the Indian Lake Borough, Somerset County, Pennsylvania, a municipal corporation, do hereby certify:

1. The undersigned is the duly appointed, qualified and acting Secretary of the Indian Lake Borough, and as such, the minute books, ordinances, and resolutions and other books of said Borough are in my possession and custody.

2. The foregoing Ordinance is a true and correct Ordinance of the Indian Lake Borough duly and regularly adopted by the Council of Indian Lake Borough, Somerset County, Pennsylvania, at its regular monthly meeting held on the 14th day of AUGUST 2019, which said meeting was at all times open to the public, due notice of which was given as required by law, and at said meeting a quorum of the said Councils were present and participating and did vote in majority for adoption of the Ordinance.

3. Further, said Ordinance was duly advertised according to law before said regular monthly meeting and said Ordinance was duly adopted after such

proper advertisement, and duly recorded in the Ordinance Book of said Borough and said Ordinance has not been modified or rescinded and is still in full force and effect.

Attest:

Dated: 8.14.19

Kristen Ringle
Indian Lake Borough Secretary