

ORDINANCE NO. 2008-06

**AN ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF NORTH MIDDLETON, PENNSYLVANIA,
WITH RESPECT TO INTERGOVERNMENTAL
COOPERATION, FOR SPECIAL FIRE POLICE MUTUAL
AID AND EMERGENCY ASSISTANCE.**

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of
North Middleton Township, Cumberland County, Pennsylvania, as follows:

**INTERGOVERNMENTAL COOPERATION FOR SPECIAL
FIRE POLICE MUTUAL AID AND EMERGENCY ASSISTANCE**

Short Title.

This Article shall be known and may be cited as the Special Fire Police Mutual Aid and Emergency Assistance Ordinance.

SECTION 1: LEGISLATIVE INTENT AND APPLICABILITY

The background of this Article and the legislative intention of the Board of Supervisors in enacting it are as follows:

- A. North Middleton Township is a Pennsylvania second class township.
- B. The Act of December 19, 1996, P.L. 1158, No. 177, referred to as the Intergovernmental Cooperation Law, 53 Pa. C.S. §2301, *et seq.*, provides that local governments may jointly cooperate in the exercise or in the performance of their respective governmental functions, powers or responsibilities.
- C. The use of Special Fire Police to perform traffic and crowd control services and other necessary functions, whether within or outside the boundaries of the municipality by which they are confirmed, is governed by statutory authority. 35 P.S. § 1201, *et seq.*
- D. The Board of Supervisors and the governing bodies of the County and participating municipalities recognize the desirability of sharing Special Fire Police resources for both emergency and non-

emergency events for the protection of the health, safety and welfare of all residents.

SECTION 2: TERMS OF THE AGREEMENT

- A. The conditions of membership, duration, purpose and objectives of the agreement, including the powers and scope of authority delegated therein, manner and extent of financing, organizational structure necessary to implement the agreement and manner in which real and personal property will be acquired, managed and disposed of are set forth in the master Intergovernmental Cooperation Agreement for Special Fire Police Mutual Aid and Emergency Assistance ("Agreement"), a copy of which is attached to this Article as Exhibit "A" and incorporated herein as if set forth in full.
- B. Any funds for the Agreement may be appropriated by the Board of Supervisors as it shall determine, in its sole discretion, from time to time.
- C. Real and personal property may be acquired, managed or disposed of under this Article.
- D. Each party has the power to enter into contracts for policies of group insurance and employee benefits, including social security, for all of their employees, including those whose duties further the purposes of the Agreement.

SECTION 3: AUTHORITY TO ENTER AGREEMENT

The Chairman of the Board of Supervisors is hereby authorized to execute all documents and perform all actions necessary to cause the Township to enter the Agreement.

SECTION 4: SEVERABILITY

If any sentence, clause, phrase or section of this Article is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Article.

It is hereby declared as the intention of the Board of Supervisors that this Article would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

SECTION 5: EFFECTIVE DATE

This Article shall become effective as provided by law. The Agreement shall be effective upon the effective date of the Intergovernmental Cooperation Ordinance last enacted by the parties.


SECTION 6: RELATIONSHIP TO OTHER ORDINANCES

In all other respects, the Code of the Township of North Middleton, Pennsylvania shall remain as heretofore enacted, ordained and amended, which said Chapter, as amended, is hereby re-enacted in its entirety herein.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ENACTED AND ORDAINED this 2nd day of October, 2008.

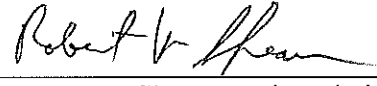
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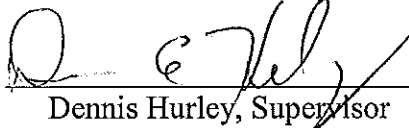
Deborah A. Ealer, Secretary

**NORTH MIDDLETON TOWNSHIP
BOARD OF SUPERVISORS**

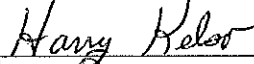
By: _____
Richard Bucher, Chair

By: 

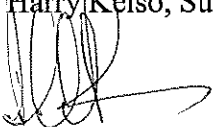
Robert Shearer, Vice-chair

By: 

Dennis Hurley, Supervisor

By: 

Harry Kelso, Supervisor

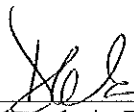
By: 

Robert Reisinger, Supervisor

CERTIFICATE

I, the undersigned, Secretary of the Township of North Middleton, Cumberland County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting held on October 2, 2008; said Ordinance has been duly recorded in the Ordinance Book of the Township; said Ordinance has been duly published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 2nd day of October, 2008.



Deborah A. Ealer, Secretary

(SEAL)