

**TOWNSHIP OF DARBY  
DELAWARE COUNTY, PENNSYLVANIA**

**ORDINANCE No. 2020-745**

**AN ORDINANCE AUTHORIZING THE TOWNSHIP OF DARBY TO ENTER INTO A POLLUTANT REDUCTION PLAN SUPPLEMENTAL AGREEMENT AMONG THE BOROUGH OF COLLINGDALE, THE BOROUGH OF DARBY, THE TOWNSHIP OF DARBY, THE BOROUGH OF EAST LANSDOWNE, THE BOROUGH OF GLENOLDEN, THE BOROUGH OF MORTON, THE BOROUGH OF SHARON HILL, THE BOROUGH OF YEADON, AND UPPER DARBY TOWNSHIP PURSUANT TO WHICH SUCH MUNICIPALITIES AGREE TO UNDERTAKE THEIR OBLIGATIONS UNDER MS4 PERMITTING REGULATIONS RELATING TO POLLUTANT REDUCTION PLAN COLLABORATIVELY**

**WHEREAS**, Pennsylvania Consolidated Statutes, Title 53, Sections 2301 through 2315, commonly known and referred to as Act 180, Intergovernmental Cooperation Law, is the law governing intergovernmental cooperation within the Commonwealth of Pennsylvania; and

**WHEREAS**, the Township of Darby and each of the other municipalities listed in the heading of this Ordinance have agreed to cooperate with each other with respect to fulfilling their obligations under MS4 permitting regulations applicable to each municipality's separate stormwater sewer system relating to the preparing, filing and implementation of a pollutant reduction plan; and

**WHEREAS**, the Intergovernmental Cooperation Law of the Commonwealth of Pennsylvania requires that intergovernmental cooperation agreements be approved by ordinance to be in force and effect; and

**WHEREAS**, the Township of Darby and each of the other municipalities listed in the heading of this Ordinance therefore desire to enter into a certain Eastern Delaware County Stormwater Collaborative Pollutant Reduction Plan Supplemental Agreement, a copy of which is appended hereto as Exhibit "A" and made a part hereof (the "PRP Agreement"), and to approve said agreement by the enactment of this ordinance; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP OF DARBY COMMISSIONERS.**


**Section 1. Approval of Cooperative PRP Agreement:** The Township of Darby hereby approves that certain PRP Agreement, a copy of which is appended hereto as Exhibit "A," among , the Township and each of the other municipalities listed in the heading of this Ordinance, and the appropriate officers of the Township are hereby authorized and directed to execute and deliver said PRP Agreement on behalf of the Township.

**Section 2. Repealer:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any inconsistency.


**Section 3. Severability:** If any clause, sentence, paragraph or part of this Ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance nor the application of such clause, sentence, paragraph or part to other persons or circumstances, directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage.


**Section 4. Effective Date:** This ordinance shall be effective immediately.

**ENACTED** and **ORDAINED** this 21 day of December 2020.

  
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Robert Gougler, President

**APPROVED** this 21<sup>st</sup> day of December 2020

  
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Robert Gougler, President

**ATTEST:**   
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Beatrice Poe, Secretary