

ORDINANCE NO. 2165

AN ORDINANCE OF THE CITY OF GREENSBURG, WESTMORELAND COUNTY, PENNSYLVANIA, ADOPTING THE ARTICLES OF AGREEMENT AMONG THE MEMBER LOCAL GOVERNMENTS OF FOOTHILLS COUNCIL OF GOVERNMENTS, PENNSYLVANIA IN ACCORDANCE WITH THE PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW, 53 Pa.C.S.A. § 2301 et seq.

WHEREAS, Section 2304 of the Intergovernmental Cooperation Law provides that a municipality by act of its governing body may cooperate or agree in the exercise of any function, power or responsibility with or delegate or transfer any function, power or responsibility to one or more other local governments, the Federal Government or any other state or its government, and,

WHEREAS, Section 2305 of the Intergovernmental Cooperation Law allows that a local government may enter into intergovernmental cooperation with or delegate any functions, powers or responsibilities to another governmental unit or local government upon the passage of an ordinance by its governing body; and

WHEREAS, various local governments located in Westmoreland County, Pennsylvania seek to establish a council of governments to provide a means of communication, cooperation and joint action in the interest of the local governments individually and collectively; and,

WHEREAS, each local government wishes to authorize the other to take actions necessary for operation of this council of governments; and,

WHEREAS, the respective local governments have acted and intend to act pursuant to Article 9, Section 5, of the Pennsylvania Constitution and 53 Pa. C. S. § 2303, et seq., providing for intergovernmental cooperation; and,

WHEREAS, Section 2307 of the Intergovernmental Cooperation Law states that the ordinance adopted by the governing body of a local government entering into intergovernmental cooperation or delegating or transferring any functions, powers or responsibilities to another local government or to a council of governments, consortium or any other similar entity shall specify:

- (1) The conditions of agreement in the case of cooperation with or delegation to other local governments, the Commonwealth, other states or the Federal Government.
- (2) The duration of the term of the agreement.
- (3) The purpose and objectives of the agreement, including the powers and scope of authority delegated in the agreement.

- (4) The manner and extent of financing the agreement.
- (5) The organizational structure necessary to implement the agreement.
- (6) The manner in which real or personal property shall be acquired, managed, licensed or disposed of.
- (7) That the entity created under this section shall be empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees.

WHEREAS, the City of Greensburg wishes to enter into the Foothills Council of Governments by adopting the Articles of Agreement Among the Member Local Governments of the Foothills COG in accordance with the Pennsylvania Intergovernmental Cooperation Law.

NOW THEREFORE, be it hereby enacted and ordained by Mayor and Council of the City of Greensburg, as follows:

SECTION ONE: INCORPORATION OF PREAMBLE

The provisions set forth above in the preamble to this Ordinance are incorporated herein by reference in their entirety.

SECTION TWO: CONDITIONS OF AGREEMENT

The City of Greensburg does by this Ordinance join the Foothills Council of Governments subject to the following conditions:

1. That the City of Greensburg is hereby authorized to enter into intergovernmental cooperation agreements relating to the Foothills Council of Governments pursuant 53 Pa.C.S.A § 2301 et seq.
2. That the Mayor and Secretary of the City are authorized to sign intergovernmental cooperation agreements.
3. That the Articles of Agreement of the Foothills COG are incorporated fully in this Ordinance and contain the complete provisions of the agreement.
4. That each of the Local Governments of Westmoreland County, Pennsylvania that may join and become a member of the Foothills Council of Governments do so in accordance with the Articles of Agreement and any other laws, agreements or contracts which apply.

SECTION THREE: SEVERABILITY

The provisions of this Ordinance are severable and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction such decision of the court shall not affect the remaining sections, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the City that such Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect on the thirtieth (30th) day following its enactment.

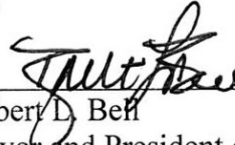
SECTION FIVE: REPEALER

Any Resolution or Ordinance or parts thereof that conflict with or are inconsistent with this Ordinance are hereby repealed to the extent of the conflict or inconsistency with this Ordinance.

ENACTED AND ORDAINED this 12th day of August, 2024.

COUNCIL OF THE CITY OF GREENSBURG

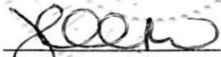
By:



Robert L. Bell
Mayor and President of Council



Attest:



Kelsye A. Hantz
City Administrator and Secretary of Council