

AN ORDINANCE

NO. 4279

AN ORDINANCE Signifying The Intention Of The Board Of Commissioners Of The Township Of Lower Merion To Authorize The Filing Of Articles Of Amendment To The Articles Of Incorporation Of The Ardmore Business District Authority Extending The Term Of Existence Of The Authority Until December 31, 2033 And Directing The Authority To File Articles Of Amendment With The Secretary Of The Commonwealth Of Pennsylvania Incorporating These Provisions.

WHEREAS, on September 14, 1993, the Board of Commissioners of the Township of Lower Merion executed Articles of Incorporation creating the Ardmore Business District Authority, also known as the Ardmore Initiative, as a Pennsylvania Municipal Authority in compliance with the Municipalities Authorities Act of May 2, 1945, P.L. 382 as amended; and

WHEREAS, paragraph (G) of the Articles of Incorporation provided:

“The term of existence of the Authority shall be five (5) years from the date of the ordinance ordaining its creation, unless said ordinance is otherwise amended by the Board of Commissioners”; and

WHEREAS, by Ordinance enacted September 17, 2008, the Board of Commissioners authorized the extension of the term of existence of the Ardmore Business District Authority to December 31, 2018, and its Articles of Incorporation were subsequently amended to so provide; and

WHEREAS, by Ordinance enacted October 16, 2013, the Board of Commissioners authorized the extension of the term of existence of the Ardmore Business District Authority to December 31, 2023, and its Articles of Incorporation were subsequently amended to so provide; and

WHEREAS, the Board of Commissioners of the Township of Lower Merion has received from the Ardmore Business District Authority a certified copy of a Resolution expressing the desire of the Authority that its term of existence and boundary be further extended until December 31, 2033 and that its Articles of Incorporation be amended to provide therefore.

The Board of Commissioners of the Township of Lower Merion hereby ordains as follows:

Section 1. The Board of Commissioners of the Township of Lower Merion hereby signifies its authorization that the term of existence of the Ardmore Business District Authority

be extended to December 31, 2033 and that paragraph (G) of the Articles of Incorporation of the Ardmore Business District Authority be amended to read as follows:

(G) The Authority shall remain in existence until December 31, 2033, unless such term of existence is amended by ordinances of the Board of Commissioners of Lower Merion Township.

Section 2. The Secretary of the Ardmore Business District Authority is here authorized and requested to file Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania incorporating the amendments set forth herein.

Section 3. Nothing in this Ordinance, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing hereunder prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of Lower Merion the 18th day of October, 2023.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary