

ORDINANCE NO. 348

AN ORDINANCE ADOPTING AND RATIFYING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN THE TOWNSHIP OF RICHLAND, THE BOROUGH OF GEISTOWN AND THE RICHLAND SCHOOL DISTRICT PROVIDING FOR THE POLICE SERVICES TO AND WITHIN THE RICHLAND SCHOOL DISTRICT, RELATIVE TO ENFORCEMENT OF CERTAIN STATUTES AND LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AND ORDINANCES OF THE BOROUGH (INCLUDING BUT NOT LIMITED TO THE PENNSYLVANIA MOTOR VEHICLE (75 P.S. 101 ET SEQ.),

**WHEREAS**, the Richland School District (Cambria County, Pennsylvania), organized and existing under the substantive laws of the Commonwealth of Pennsylvania with its offices located at an address of 1 Academic Drive within the Township of Richland (Cambria County), Pennsylvania, and the Borough of Geistown (Cambria County), Pennsylvania, organized and existing under the substantive laws of the Commonwealth of Pennsylvania, with its offices located at an address of 721 E. Oakmont Boulevard, Pennsylvania, and the Township of Richland with its offices located at 322 Schoolhouse Road, Johnstown, Pennsylvania desire to enter into an intergovernmental cooperation agreement whereby the Township of Richland will provide police services to the Richland School District for the side stop signal arm violations; and

**WHEREAS**, municipalities and school districts are authorized to enter into any joint agreements as may be deemed appropriate in the exercise or in the performance of their respective governmental functions, powers or responsibilities in accordance with the *Pennsylvania Intergovernmental Cooperation Law*, [53 Pa. C. S. §2301 et seq.] and Article IX, Section 5 of the *Pennsylvania Constitution*.

**BE IT ENACTED AND ORDAINED**, by the Township of Richland, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

**SECTION 1.** There is hereby adopted and ratified an agreement for intergovernmental cooperation generally known as the "AGREEMENT FOR CERTAIN MUNICIPAL POLICE SERVICES", hereinafter referred to as the "AGREEMENT."

**SECTION 2.** This AGREEMENT is entered into pursuant to the provisions of the *Pennsylvania School Code* [24PS §13-1309 (c)], and the *Pennsylvania Borough Code* [8 Pa. C.S.A. §§1122; 1202(24)] (regarding contracts to secure police service), the *Pennsylvania Intergovernmental Cooperation Law*, [53 Pa. C. S. §2301 et seq.], and the *Pennsylvania*

*Constitution* [Article IX, Section 5] and the *Second-Class Township Code*, [53 PS §66507].

**SECTION 3.** The purposes and objectives of the AGREEMENT are as follows:

(a) To enter into certain police services conducted, as referenced herein, and as authorized by the *Pennsylvania School Code* [24 PS §13-1309 (c)], the *Pennsylvania Borough Code* [8 Pa. C.S.A. §§1122; 1202(24)], the *Second-Class Township Code* [53 PS §66507], the *Pennsylvania Intergovernmental Cooperation Law*, [53 Pa. C. S. §2301 et seq.], and the *Pennsylvania Constitution* [Article IX, Section 5]; and the

(b) To enter into all conduct identified in the attached AGREEMENT by and between Borough of Geistown, the Township of Richland, and the Richland School District providing for the Township of Richland to provide Police Services to and within the Richland School District, relative to enforcement of all statutes and laws of the Commonwealth of Pennsylvania, and Ordinances of the Borough (including but not limited to the *Pennsylvania Motor Vehicle Code* (75 P.s. 101 et Seq.), Municipal Ordinances, and the *Pennsylvania Crimes Code* (18 Pa. C.S.A. 101 et Seq.)).

(c) The Borough of Geistown authorizes the Richland Township Police Department to certify videos of the stop arm violations occurring within the Borough of Geistown.

(d) Per the Agreement, the Richland Township Police Department agrees to read and review videos of the stop arm violations occurring within the Borough of Geistown and to certify them when appropriate.

**SECTION 4.** The AGREEMENT shall be subject to all conditions and terms identified in the *Pennsylvania Intergovernmental Cooperation Law* and the *Pennsylvania Borough Code* and the *Pennsylvania School Code and the Second-Class Township Code*.

**SECTION 5.** The duration of this AGREEMENT shall be indefinite, subject to termination by either party as provided in the AGREEMENT.

**SECTION 6.** It is the intent of the Township of Richland that the provisions of this Ordinance are severable and the invalidity of any Section, subsection, clause or provision of this Ordinance shall not affect or impair the validity of any other part of this Ordinance which can be given effect without the invalid part or parts.

**SECTION 7.** Any/all other proper Officers of the Township of Richland, as applicable, are authorized and directed to execute, to attest, to acknowledge and to deliver all documents, on behalf of the Township, in the form so approved. Proper officers of the



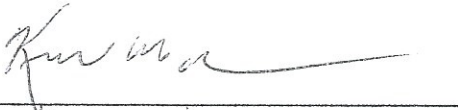
Richland School District are authorized and directed to execute any and all documents and to do any and all other acts that may be necessary and proper to carry out this Ordinance and the undertakings of the Richland School District as required hereunder.

**SECTION 8.** All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as same affects this Ordinance.

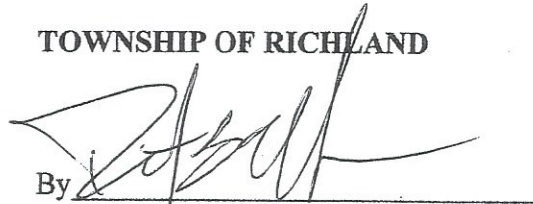
**SECTION 9.** This Ordinance shall become effective immediately, or as soon as legally permissible and shall remain in effect unless and until subsequently repealed or amended.

**ENACTED AND ORDAINED** the 28th day of JUNE 2023 at a duly assembled public meeting of the Township of Richland, Cambria County, Pennsylvania.

Attest:

  
\_\_\_\_\_  
Secretary

**TOWNSHIP OF RICHLAND**

  
By \_\_\_\_\_  
Chairman

Approved this 28th day of June, 2023