

TOWNSHIP OF MOUNT JOY
Lancaster County, Pennsylvania

ORDINANCE NO. CV

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF MOUNT JOY, LANCASTER COUNTY, PENNSYLVANIA, TO JOIN WITH OTHER LOCAL GOVERNMENT UNITS AS A MEMBER OF THE PENNSYLVANIA INTERGOVERNMENTAL RISK MANAGEMENT ASSOCIATION (THE "ASSOCIATION") FOR THE PURPOSE OF ENTERING INTO AN INTERGOVERNMENTAL CONTRACT TO FORM A LOCAL GOVERNMENT RISK POOL, TO PROVIDE FOR JOINT OR COOPERATIVE ACTION BY MEMBERS RELATIVE TO THEIR FINANCIAL AND ADMINISTRATIVE RESOURCES FOR THE PURPOSE OF PROVIDING RISK MANAGEMENT SERVICES AND RISK SHARING FACILITIES TO THE MEMBERS AND TO THE MEMBERS' EMPLOYEES, AND TO DEFEND AND PROTECT, IN ACCORDANCE WITH THIS AGREEMENT, ANY MEMBER OF THE POOL AGAINST LIABILITY AS OUTLINED IN THE APPENDIX TO THE INTERGOVERNMENTAL CONTRACT.

WHEREAS, the Association was formed in accordance with the authorization contained in the Intergovernmental Cooperation Act (Act of July 12, 1972, P.L. 762, No. 180, as amended, 53 P.S. §481 et seq.), initially by the Borough of Bath and the Township of Moore; and

WHEREAS, the Intergovernmental Cooperation Act provides that any joint cooperation agreement shall be deemed in force as to any municipality when the same has been adopted by ordinance by all cooperating municipalities.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Mount Joy Township, Lancaster County, Pennsylvania, as follows:

Section 1. The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference.

Section 2. This Township shall join with other municipalities in accordance with the Pennsylvania Intergovernmental Cooperation Act by becoming a member of the Association and entering into the Intergovernmental Contract which is adopted by reference with the same effect as if it had been set out verbatim in this Section and a copy of which shall be filed with the minutes of the meeting at which this Ordinance was enacted.

Section 3. This Township is authorized to enter into the Intergovernmental Contract for the purposes contained therein. These actions are to be taken by the officials or employees of Mount Joy Township designated for this purpose, pursuant to general or specific instructions issued by the Board of Supervisors.

Section 4. The Association is designated as having official custody of such of the funds of this Township as are invested by the Association pursuant to the terms of the Intergovernmental Contract.

Section 5. As required by the Intergovernmental Cooperation Act the following matters are specifically found and determined:

(a) The conditions of the agreement are set forth in the Intergovernmental Contract referred to in Section 2;

(b) This Township's participation in the Association shall be terminable at any time by ordinance;

(c) The purpose and objectives of the agreement are to enter into an intergovernmental contract to form a local government risk pool, to provide joint or cooperative action by members for the purpose of providing risk management

services and risk sharing facilities to the members and to the members' employees, to defend and protect, in accordance with the agreement, any member of the pool against specified liability and to delegate the administration of the pool to an elected Board of Directors and an appointed Administrator;

(d) It is not necessary to finance the agreement authorized herein from municipal funds except through the contribution of this Township's Basis Rate (as such term is defined in the Intergovernmental Contract) to the Association;

(e) The Association shall be managed by a Board of Directors or Executive Committee as set forth in the By-Laws of said Association, a copy of which has been provided for review in connection with the enactment of this Ordinance; and

(f) All property, real or personal, shall be acquired, managed or disposed of by the Association in accordance with the terms of the Intergovernmental Contract.

Section 6. The provisions of this Ordinance are severable and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Mount Joy Township that such Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

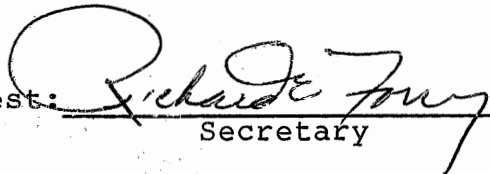
Section 7. Nothing contained in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action existing prior to the enactment of this Ordinance.

Section 8. This Ordinance shall take effect and be in force after its enactment by the Board of Supervisors of Mount Joy Township at the earliest date permitted by law.

DULY ENACTED AND ORDAINED the 13TH day of APRIL, 1989, by the Board of Supervisors of Mount Joy Township, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF MOUNT JOY
Lancaster County, Pennsylvania

By: 
(~~Vice~~) Chairman

Attest: 
Secretary

[TOWNSHIP SEAL]