

**ORDINANCE NO. 501
BOROUGH OF PARKESBURG
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE AUTHORIZING THE BOROUGH COUNCIL OF THE BOROUGH OF PARKESBURG TO ENTER AN INTERGOVERNMENTAL FIRE DISTRICT COOPERATION AGREEMENT WITH HIGHLAND TOWNSHIP, SADSBUY TOWNSHIP AND WEST SADSBUY TOWNSHIP UNDER THE AUTHORITY OF THE INTERGOVERNMENTAL COOPERATION ACT.

BE IT ENACTED AND ORDAINED by the Borough Council in and for the Borough of Parkesburg Chester County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: SHORT TITLE

This Ordinance shall be known and may be cited as the Intergovernmental Fire District Cooperation Agreement Ordinance of the Borough of Parkesburg, Chester County, Pennsylvania.

SECTION 2: LEGISLATIVE INTENT AND APPLICABILITY

The background of this Ordinance and the legislative intention of the Borough Council of the Borough of Parkesburg (hereinafter the "Borough Council") in enacting it are as follows:

- (a) The Borough of Parkesburg is a borough organized under the laws of the Commonwealth of Pennsylvania and other applicable laws;
- (b) The General Assembly of the Commonwealth of Pennsylvania has provided for intergovernmental cooperation in the performance of governmental functions and powers by the Act of December 19, 1996, P.L 1158, No. 177, 53 P.S. §2301, et seq., as amended;
- (c) The Intergovernmental Cooperation Act authorizes two or more local governments in the Commonwealth to jointly cooperate in the exercise or in the performance of their respective governmental functions, powers or responsibilities, so long as both municipalities adopt an ordinance so providing;
- (d) The Borough Council has determined that it is in the best interest of the Parkesburg Borough to enter into an agreement thereby permitting the establishment of a Fire District to provide for the pooling of resources and funds for the purpose of establishing and

operating a regional fire and emergency services response district, herein referred to as the "Fire District", cooperating with community non-profits in the use of volunteers, the bidding, purchasing and use of fire and other emergency response equipment and supplies, and the hiring and employment of employees.

SECTION 3: INTERGOVERNMENTAL COOPERATION AGREEMENT

The covenants, terms and conditions of the Intergovernmental Cooperation Agreement attached hereto as Exhibit "A" are hereby incorporated herein by reference.

SECTION 4: DURATION OF AGREEMENT

The duration of the Agreement is perpetual, divided into five year terms for administrative purposes, unless and until terminated.

SECTION 5: PURPOSE AND OBJECTIVES OF THE AGREEMENT

The purpose of the Agreement is to provide for the pooling of resources and funds for the purpose of establishing and operating a regional fire and emergency services response district, herein referred to as the "Fire District", cooperating with community non-profits in the use of volunteers, the bidding, purchasing and use of fire and other emergency response equipment and supplies, and the hiring and employment of employees under the terms set forth in the Intergovernmental Cooperation Agreement.

SECTION 6: ESTABLISHING A COMMISSION

Upon the initial agreement of all of the municipalities signatory to the intergovernmental cooperation agreement, a copy of which is attached hereto in substantially the form of the final agreement and marked as Exhibit "A", such municipalities shall form a commission to be composed of one representative from each of the governing councils and boards of such municipalities to provide, manage and operate the aforesaid fire and emergency services district for an initial term of five (5) years and, at the discretion of the member municipalities, renewable thereafter in five (5) year increments; that commission shall be empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees.

SECTION 7: AUTHORIZATION OF SIGNING

The President of the Borough Council is hereby authorized to execute on behalf of the Borough of the Parkesburg an intergovernmental cooperation agreement that is consistent with this ordinance and otherwise containing the essential terms of the agreement in substantially the form of the agreement attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 8: SEVERABILITY

If any sentence, clause, phrase or section of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Ordinance. It is hereby declared as the intention of the Borough Council of this borough that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

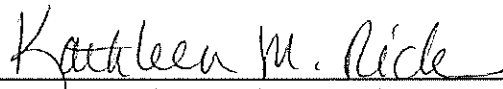
SECTION 9: REPEALER

Any other Ordinance or parts thereof inconsistent with this Ordinance be and are hereby expressly repealed.

SECTION 10: EFFECTIVE DATE

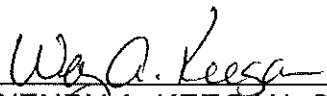
This Ordinance shall become effective as provided by law.

ENACTED and ORDAINED this *20th* day of *August*, 2012.



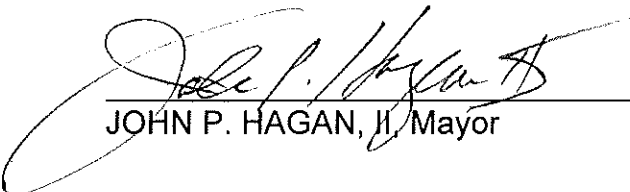
KATHLEEN M. RICK, President

ATTEST:



WENDY A. KEEGAN, Secretary

Approved this *20th* day of *August*, 2012.



JOHN P. HAGAN, II, Mayor