

MUNICIPALITY OF Ohio

ORDINANCE NO. 261

AN ORDINANCE OF THE Township OF Ohio, COUNTY OF ALLEGHENY, AND COMMONWEALTH OF PENNSYLVANIA, ENACTED PURSUANT TO THE INTERGOVERNMENTAL COOPERATION ACT, 53 PA.C.S. § 2301, ET SEQ., AUTHORIZING THE Supervisors TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN ANY OR ALL OF THE MUNICIPALITIES OF THE BOROUGH OF BRADFORD WOODS, THE BOROUGH OF ETNA, THE BOROUGH OF FOX CHAPEL, THE BOROUGH OF FRANKLIN PARK, THE TOWNSHIP OF HAMPTON, THE TOWNSHIP OF INDIANA, THE TOWNSHIP OF MARSHALL, THE TOWN OF MCCANDLESS, THE BOROUGH OF MILLVALE, THE TOWNSHIP OF O'HARA, THE TOWNSHIP OF OHIO, THE TOWNSHIP OF PINE, THE TOWNSHIP OF RESERVE, THE TOWNSHIP OF RICHLAND, THE TOWNSHIP OF ROSS, THE TOWNSHIP OF SHALER, THE BOROUGH OF SHARPSBURG, THE TOWNSHIP OF WEST DEER, THE BOROUGH OF WEST VIEW AND THE NORTH HILLS COUNCIL OF GOVERNMENTS TO ESTABLISH THE NORTH HILLS COUNCIL OF GOVERNMENTS MUNICIPAL APPEALS BOARD; AND REPEALING ALL INCONSISTENT ORDINANCES.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by Supervisors of the Township of Ohio, County of Allegheny, Pennsylvania:

**SECTION 1. AUTHORIZATION TO ENTER INTO INTERGOVERNMENTAL COOPERATION AGREEMENT.** Pursuant to the Intergovernmental Cooperation Act, 53 Pa.C.S. § 2301, et seq., the Supervisors of the Township of Ohio is hereby authorized to enter into a joint intergovernmental cooperation agreement with any or all of the municipalities of the Borough of Bradford Woods, the Borough of Etna, the Borough of Fox Chapel, the Borough of Franklin Park, the Township of Hampton, the Township of Indiana, the Township of Marshall, the Town of McCandless, the Borough of Millvale, the Township of O'Hara, the Township of Ohio, the Township of Pine, the Township of Reserve, the Township of Richland, the Township of Ross, the Township of Shaler, the Borough of Sharpsburg, the Township of West Deer, the Borough of West View, (hereinafter "the member municipalities"), and the North Hills Council of Governments (hereinafter "the NHCOCG"), to establish the North Hills Municipal Appeals Board.

**SECTION 2. AUTHORIZATION TO EXECUTE INTERGOVERNMENTAL COOPERATION AGREEMENT.** The proper officers of the \_\_\_\_\_ are hereby authorized to take any and all steps necessary to execute an Intergovernmental Cooperation Agreement by and between the member municipalities, to effectuate the authorization granted by this Ordinance.

**SECTION 3. CONDITIONS OF INTERGOVERNMENTAL AGREEMENT.** The conditions of the Intergovernmental Cooperation Agreement are those conditions set forth therein, a copy of which is attached hereto and made a part hereof as Exhibit "1."

**SECTION 4. DURATION AND TERM.** The Intergovernmental Cooperation Agreement shall be effective for two years commencing August 1, 2004, and will remain in effect on a year-to-year basis thereafter, until renewed, amended or terminated as set forth in the Intergovernmental Cooperation Agreement by and between the member municipalities.

**SECTION 5. PURPOSE AND OBJECTIVES.** The purpose and objectives of the Intergovernmental Cooperation Agreement are those purposes and objectives set forth therein.

**SECTION 6. POWERS AND SCOPE OF AUTHORITY DELEGATED.** The NHCOC is hereby authorized to manage Municipal Appeals Board as set forth in the Intergovernmental Cooperation Agreement and the ByLaws of the Appeals Board.

**SECTION 7. MANNER AND EXTENT OF FINANCING.** The manner and extent of financing of the Municipal Appeals Board shall be as agreed upon by the member municipalities and as set forth in the ByLaws of the Municipal Appeals Board.

**SECTION 8. ORGANIZATIONAL STRUCTURE.** The organizational structure of the Association authorized by this Ordinance shall be the organizational structure set forth in the ByLaws between the member municipalities.

**SECTION 9. ACQUISITION, MANAGEMENT AND DISPOSAL OF PROPERTY.** The acquisition, management and disposal of property is set forth in the Intergovernmental Cooperation Agreement.

**SECTION 10. POWER TO ENTER INTO CONTRACTS.** The NHCOC Municipal Appeals Board is not authorized to enter into contracts.

**SECTION 11. SEVERABILITY.** If a final decision of a court of competent jurisdiction holds any provision of this Ordinance, or the application of any provisions of any circumstances of this Ordinance to be illegal or unconstitutional, the other provisions of this Ordinance, or the application of such provision to other circumstances, shall remain in full force and effect. The intention of the Supervisors of the Township of Ohio is that the provisions of this Ordinance shall be severable and that this Ordinance would have been adopted if any such illegal or unconstitutional provisions had not been included.

**SECTION 12. AUTHORITY.** This Ordinance is adopted pursuant to the powers and authority of the Intergovernmental Cooperation Act, 53 Pa.C.S. § 2305.

**SECTION 13. CONFLICT WITH OTHER ORDINANCES.** Any Ordinances or parts of Ordinances, conflicting with the provisions of this Ordinance be and the same are hereby repealed so far as the same affects this Ordinance; however, such repeal shall not affect any act done or any right, liability or violations accrued under any such Ordinance herein repealed or superseded and all such rights, liabilities and violations shall continue and may be enforced in the same manner as if such repeal or supersession had not been made but only to the extent otherwise permitted under the laws of the Commonwealth of Pennsylvania.

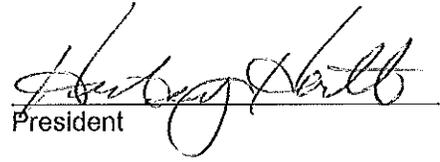
**SECTION 14. AFFIRMATION OF OTHER INTERGOVERNMENTAL COOPERATION AGREEMENT.** All provisions of all other Intergovernmental Cooperation Agreements between the member municipalities, not conflicting with the provisions hereof, are ratified and affirmed.

**SECTION 15. EFFECTIVE DATE.** The provisions of this Ordinance shall be effective immediately and shall remain effective until repealed.

ORDAINED AND ENACTED INTO LAW this 6th day of July, 2004.

ATTEST:

  
Secretary

  
President

Approved as to form:

  
Solicitor

**If a Borough**

Examined and approved by me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
, Mayor