

**NORTH MIDDLETON TOWNSHIP  
CUMBERLAND COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2014-02**

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF NORTH  
MIDDLETON TO ENTER INTO AN INTERMUNICIPAL COOPERATION  
AGREEMENT FOR THE UTILIZATION OF JOINT SEWER FACILITIES  
WITH CARLISLE, SOUTH MIDDLETON TOWNSHIP AND MIDDLESEX  
TOWNSHIP

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of North Middleton, Cumberland 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 Joint Sewer Facilities Agreement Ordinance.

**SECTION 2: LEGISLATIVE INTENT AND APPLICABILITY**

The background of this Ordinance and the legislative intention of the Board of Supervisors in enacting it are as follows:

A. The Township of North Middleton ("North Middleton") is a township of the second class.

B. The Act of December 19, 1996, P.L. 1158, No. 177, referred to as the Intergovernmental Cooperation Law, 53 C.S. § 2301, et seq., provides that local governments may jointly cooperate in the exercise or in the performance of their respective governmental functions, powers or responsibilities.

C. Carlisle, South Middleton Township, Middlesex Township and North Middleton Township ("North Middleton") desire to enter into an intergovernmental agreement for the joint use of sewage facility to be used by the residents of all municipalities for the specific purpose of discharging sewage to the Carlisle Treatment Plant.

D. The Board of Supervisors determines that it is in the best interest of the public health, safety and welfare of its citizens to participate in the cooperative use of this sewage facility.

**SECTION 3: TERMS OF THE AGREEMENT**

A. The conditions of participation, duration, purpose and objectives of the Agreement, including the powers and scope of authority delegated therein, manner and extent of financing, organizational structure necessary to implement the Agreement are set forth in the Carlisle, South Middleton, Middlesex, North Middleton Intermunicipal Agreement ("Agreement"), a copy of which Agreement is attached to this Ordinance as Exhibit "A" and incorporated herein as if set forth in full in this Ordinance.

B. In addition to required funding under the terms of the Agreement, any additional funds for implementation and performance of the Agreement may be appropriated by the Board of Supervisors as it shall determine, in its sole discretion, from time to time by Resolution.

**SECTION 4: AUTHORITY TO ENTER AGREEMENT**

The Chairman of the Board of Supervisors of North Middleton Township is hereby authorized to execute all documents and perform all actions necessary to cause the Township to enter the Agreement, the terms of which are officially adopted hereby.

**SECTION 5: 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, section or parts of this Ordinance.

It is hereby declared as the intention of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof had not been included therein.

**SECTION 6: REPEALER**

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

**SECTION 7: EFFECTIVE DATE**

This Ordinance shall become effective as provided by law.

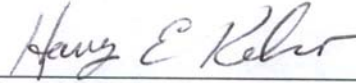
ADOPTED AND ORDAINED this 6<sup>th</sup> day of March, 2014.

ATTEST:

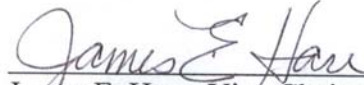


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Township Secretary

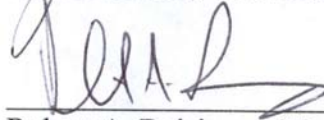
NORTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS



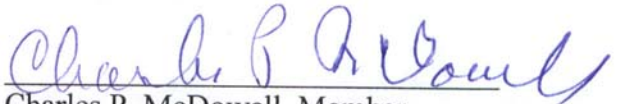
\_\_\_\_\_  
Harry Kelso, Chairman



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James E. Hare, Vice Chairman



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Robert A. Reisinger, Member



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Charles P. McDowell, Member



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David B. Smith, Member

CERTIFICATE

I, the undersigned, Secretary of the Township of North Middleton, Cumberland County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which duly was enacted by affirmative vote of a majority of the members of the Board at a meeting held on March 6, 2014; said Ordinance duly has been recorded in the Ordinance Book of the Township; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 17 day of March, 2014.

  
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Secretary

(SEAL)

