

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ANNVILLE, LEBANON COUNTY, PENNSYLVANIA, AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF ANNVILLE AND THE TOWNSHIP OF SOUTH ANNVILLE FOR THE ANNVILLE TOWNSHIP POLICE DEPARTMENT TO PROVIDE POLICE SERVICES TO SOUTH ANNVILLE TOWNSHIP.

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa. C.S. § 2301 *et. seq.* permits municipalities to enter into agreements to cooperate in their performance of their respective functions, powers, or responsibilities; and

WHEREAS, the municipalities desire to enter into an Intergovernmental Cooperation Agreement relating to the providing of police services by the Annville Township Police Department to South Annville Township; and

WHEREAS, the Intergovernmental Cooperation Act provides that any joint cooperation agreement shall be deemed enforced as to any municipality when the same has been adopted by Ordinance/Resolution by all cooperating municipalities; and

WHEREAS, the municipalities desire to enact such an Ordinance approving the Intermunicipal Agreement.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of Annville Township, Lebanon County, Pennsylvania, and it is hereby ordained and enacted as follows:

SECTION 1. AUTHORIZATION OF ORDINANCE.

This Ordinance is authorized by the Intergovernmental Cooperation Act, 53 Pa. C.S.A. § 2301 *et seq.*

SECTION 2. ADOPTION OF POLICE SERVICES INTERGOVERNMENTAL COOPERATION AGREEMENT.

The Police Services Intergovernmental Cooperation Agreement between Annville Township and South Annville Township (hereinafter "Agreement"), which is attached hereto, and made part hereof, and marked as Exhibit "A", is hereby adopted.

SECTION 3. PURPOSE AND OBJECTIVES OF AGREEMENT.

The purpose and objectives of the Agreement include, but are not limited to, the following:

- A. To enable Annville Township to provide police services to South Annville Township.
- B. Annville Township and South Annville Township believe it is within their mutual benefit for the Annville Township Police Department to provide police services to South Annville Township.

SECTION 4. AGREEMENT TO JOIN WITH SOUTH ANNVILLE TOWNSHIP.

Annville Township agrees that it shall join with South Annville Township in accordance with the Intergovernmental Cooperation Act by entering into the Agreement attached hereto as Exhibit "A", which is adopted by reference with the same effect as if it had been set out verbatim.

SECTION 5. AUTHORIZATION TO EXECUTE.

The appropriate members of the municipal body and any representatives thereof are hereby authorized to execute the Agreement. The appropriate members of the Board of Commissioners are further authorized to do whatever is

necessary and appropriate to carry out the provisions of the Agreement and this Ordinance, and to comply with the purpose and intent of the Agreement and this Ordinance. Any actions already taken by Annville Township in accordance with the terms of the Agreement and this Ordinance are hereby ratified.

SECTION 6. REQUIREMENTS OF THE INTERGOVERNMENTAL COOPERATION ACT.

As required by the Intergovernmental Cooperation Act, the following matters are specifically found and determined:

- A. The conditions of the Agreement are set forth above in Sections 1 through 5 and the Agreement attached as Exhibit "A" to this Ordinance.
- B. The Agreement shall commence on the first day of the month following the date the Ordinance is adopted by Annville Township, or the date the Ordinance is adopted by South Annville Township, whichever occurs last. The Agreement shall extend until the Annville Township Board of Commissioners or South Annville Township Board of Supervisors vote to terminate the Agreement in accordance with the terms of said Agreement.
- C. The purpose and objective of the Agreement is for Annville Township and the Annville Township Police Department to provide police services to South Annville Township.
- D. Annville Township shall bear whatever costs which it has agreed to incur as set forth in the Agreement. South Annville Township shall also agree to bear whatever costs which it has agreed to incur as set forth in the Agreement.
- E. No new organizational structure is proposed by the Agreement.

- F. The Agreement does not contemplate the acquisition of any real or personal property by the Township.
- G. Annville Township has the power to enter into contracts or policies of insurance or other employee benefits. No new entity will be created pursuant to the Agreement which shall be empowered to enter into contracts or policies of group insurance and employee benefits, including Social Security, or its employees.

SECTION 7. AUTHORITY OF THE BOARD OF COMMISSIONERS.

The Annville Township Board of Commissioners is authorized to take such other action as may be necessary to carry out the purposes of this Ordinance in connection with the implementation of the Agreement.

SECTION 8. RIGHT TO MODIFY, SUPPLEMENT OR AMEND AGREEMENT.

The Annville Township Board of Commissioners reserves the right to modify, supplement or amend the Agreement from time to time by resolution or ordinance.

SECTION 9. SEVERABILITY.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clauses, sections, or parts thereof. It is hereby declared that the intent of the Board of Commissioners of the Township of Annville that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included therein.

SECTION 10. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 11. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon adoption.

ORDAINED AND ENACTED this 2nd day of July, 2019 by the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF ANNVILLE

Rex Moore, President, Annville Township
Board of Commissioners

ATTEST:

Nicholas T. Yingst, Secretary