

BOROUGH OF CALIFORNIA
COUNTY OF WASHINGTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 536

**AN ORDINANCE OF THE BOROUGH OF CALIFORNIA,
WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA,
AUTHORIZING THE COUNCIL OF THE BOROUGH OF CALIFORNIA TO
ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE BOROUGH
OF LONG BRANCH FOR THE PURPOSES OF POLICE PROTECTION UNDER
THE AUTHORITY OF THE INTERGOVERNMENTAL COOPERATION ACT /
RATIFYING THE BOROUGH OF CALIFORNIA COUNCIL'S PREVIOUS
MOTION TO ENTER INTO SAID INTERMUNICIPAL AGREEMENT;
REPEALING INCONSISTENT ORDINANCES AND/OR PORTIONS OF
INCONSISTENT ORDINANCES; INCLUDING A SAVINGS CLAUSE, AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Borough of California and the Borough of Long Branch negotiated an agreement for the Borough of California to provide police services to the Borough of Long Branch pursuant to the terms and conditions of the attached agreement; and

WHEREAS, in an effort to have the attached agreement effective on January 1, 2013, the respective councils of both Boroughs passed motions in December 2012 that authorized entering into the attached agreement; and

WHEREAS, as referenced above, the Borough of California Council, on December 28, 2012, passed a motion that authorized the Borough to enter into the attached agreement to provide police services to the Borough of Long Branch; and

WHEREAS, the Borough Council of the Borough of California believed at that time, and continues to believe, that entering into the attached agreement was in the best interest of its residents and is passing this instant Ordinance to ratify entering into the attached agreement to be in accordance with the Intergovernmental Cooperation Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of California, County of Washington, Commonwealth of Pennsylvania, and by this Ordinance it is hereby ordained and enacted as follows:

SECTION 1. LEGISLATIVE INTENT.

The background of this Ordinance and the legislative intention of the Council of the Borough of California in enacting the aforesaid are as follows:

A. The Borough of California and the Borough of Long Branch are boroughs organized and existing under the Borough Code.

B. The General Assembly of the Commonwealth of Pennsylvania has provided for intergovernmental cooperation in the performance of governmental functions and powers pursuant to 53 Pa.C.S.A. § 2301, et seq., and any amendments thereto, otherwise known as the Intergovernmental Cooperation Act.

C. Said Act authorizes two or more local governments in the Commonwealth of Pennsylvania 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. California Borough Council determined that it is in the best interest of the Borough of California to enter into the agreement with the Borough of Long Branch to provide police services to the Borough of Long Branch as specifically detailed in the attached agreement.

E. By enacting this instant Ordinance, California Borough Council is ratifying the entering into the attached agreement to be in accordance with the Intergovernmental Cooperation Act.

SECTION 2. INTERMUNICIPAL AGREEMENT.

All terms and conditions of the intermunicipal agreement attached hereto as Exhibit "A" are hereby incorporated herein by reference.

SECTION 3. DURATION.

The duration of the aforesaid agreement is set forth in Exhibit "A" and is incorporated herein by reference.

SECTION 4. PURPOSE.

The purpose of the aforesaid agreement is to provide police protection by the Borough of California to the residents of the Borough of Long Branch as set forth therein.

SECTION 5. SAVINGS CLAUSE.

Should any section, provision or other part of this Ordinance be found to be illegal, unenforceable or void, such shall not affect the remainder hereof, which shall remain fully binding, valid and enforceable, and such section, provision or other part shall be modified to the extent necessary to so conform to the law.

The Borough Council of the Borough of California hereby declares its intention that should any section, provision or other part of this Ordinance be found to be illegal,

unenforceable or void, it would have made the foregoing Ordinance without such part or with such part so modified so as to conform to the law.

SECTION 6. REPEAL OF PRIOR ORDINANCES.

Any and all prior Ordinances or portions of prior Ordinances that are in conflict with this Ordinance are hereby repealed to the extent of such conflict. The remaining prior Ordinances and portions of prior Ordinances, not modified herein, shall remain the same.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.

DULY presented and adopted at a meeting of the Borough Council of the Borough of California, Washington County, Commonwealth of Pennsylvania, this _____ day of _____, 2013.

ATTEST:

BOROUGH OF CALIFORNIA

Borough Secretary

By: _____
President of Council

EXAMINED AND APPROVED by me this _____ day
of _____, 2013.

BOROUGH OF CALIFORNIA

By: _____
Mayor