

ORDINANCE

AN ORDINANCE OF THE COUNCIL OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA ("CITY"), AUTHORIZING THE CITY COUNCIL TO ENTER INTO INTERGOVERNMENTAL COOPERATION AGREEMENTS WITH VALLEY TOWNSHIP, CHESTER COUNTY PENNSYLVANIA FOR: (1) THE PUBLIC ROAD MAINTENANCE AGREEMENT AS IDENTIFIED IN EXHIBIT "A" ATTACHED HERETO (AND AS MAY BE AMENDED); AND, (2) SUCH OTHER AGREEMENTS AS MAY, FROM TIME TO TIME, BE DEEMED MUTUALLY BENEFICIAL TO THE TWO MUNICIPALITIES

WHEREAS, the City of Coatesville is a Chartered Third Class City in the Commonwealth of Pennsylvania with offices at One City Hall Place, Coatesville, Pennsylvania 19320 (hereinafter the "City"); and

WHEREAS, Valley Township, is a neighboring community to the City, a Second Class Township (hereinafter "Valley") with offices at 890 West Lincoln Highway, Coatesville, Pennsylvania 19320; and

WHEREAS, Valley wishes to enter into an agreement with Coatesville (1) for the maintenance by Coatesville of that portion of Regency Drive within the corporate boundaries of Valley, and (2) to enter into other such agreements that may, from time to time, be mutually beneficial to both Valley and Coatesville; and

WHEREAS, Coatesville is willing to enter into agreements as aforesaid with Valley for the performance of such services, as specified, as well as other agreements that may, from time to time, be mutually beneficial to both Valley and Coatesville; and

WHEREAS, under the laws of the Commonwealth of Pennsylvania, where there is an intergovernmental cooperation agreement of this nature, it must be adopted by Ordinance and Valley Township is passing a similar ordinance to this ordinance; and,

WHEREAS, the Second Class Township Code, at 53 P.S. §66903 expressly authorizes Townships of the Second Class to contract with any municipal corporation to secure the services of the police of the municipal corporation within the Township; and

WHEREAS, the Act Relating to Intergovernmental Cooperation, 53 Pa.C.S.A. §2301, et seq., expressly authorizes Coatesville to enter into joint agreements with Valley in the exercise or performance of their respective governmental functions, duties or responsibilities.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE AUTHORIZATION FOR SAME AS PROVIDED BY THE THIRD CLASS CITY CODE, THE CITY CHARTER AND APPLICABLE LAW, IT IS HEREBY ENACTED AND ORDAINED, by the Council of the City of Coatesville that the City authorizes the entry of an Intergovernmental Cooperation Agreement ("Public Road Maintenance

Agreement “) with Valley Township in the form attached hereto as Exhibit “A” which agreement may be amended by such further agreements approved by both municipal bodies by Resolution as an amendment hereto, and also as follows:

1. Agreements between Coatesville and Valley, once approved by their respective governing bodies, shall continue until revoked by either municipality, notice of which revocation shall promptly be given by mail to the other municipality;
2. Agreement between the respective municipalities are for the purpose of facilitating inter-municipal cooperation and the promotion of health, safety, welfare and morals of the residents of Coatesville and Valley, and to effect, where possible, economies for the municipalities;
3. Any agreements between Coatesville and Valley shall specify what services are to be performed, as well as the costs and payments for those services; and
4. Each municipality shall designate a representative authorized to execute such agreements as may be approved by their respective Boards. Coatesville’s Council hereby authorizes its President, or in his/her absence, its Vice President, to execute all such agreements.

In the event that any term of provision of this Ordinance shall be determined to be invalid or unenforceable, for any reason, this determination shall not affect any of the remaining terms and obligations of this Ordinance, which shall be read and construed as if the parties has initially intended to omit that term or provision determined to be invalid or unenforceable.

ENACTED AND ORDAINED by the City of Coatesville City Council in a Public Meeting held the 26th day of March, 2012.



Edward Simpson,
City Council President

ATTEST:



Gary Rawlings,
City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 12th day of March, 2012 and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 26th day of March, 2012, that the vote upon said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Gary Rawlings,
City Manager