

ORDINANCE NO. 7 -2007

**AN ORDINANCE AUTHORIZING MIDDLESEX TOWNSHIP TO
ENTER INTO AN INTERGOVERNMENTAL COOPERATION
AGREEMENT WITH CUMBERLAND COUNTY AND OTHER
MUNICIPALITIES IN CUMBERLAND COUNTY FOR THE USE
OF SPECIAL FIRE POLICE FOR MUTUAL AID AND
ASSISTANCE.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Middlesex Township, 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 the Special Fire Police Mutual Aid 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. Middlesex Township is a Pennsylvania Second Class township.
- B. The Act of December 19, 1996, P.L. 1158, No. 177, referred to as the Intergovernmental Cooperation Law, 53 Pa. 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. The use of Special Fire Police to perform traffic and crowd control services and other necessary functions, whether within or outside the boundaries of the municipality by which they are confirmed, is governed by statutory authority. 35 P.S. § 1201, *et seq.*
- D. The Board of Supervisors of Middlesex Township,, Cumberland County and the governing bodies of the participating municipalities, recognize the desirability of sharing Special Fire Police resources for both emergency and non-emergency events for the protection of the health, safety and welfare of all residents.

SECTION 3: TERMS OF THE AGREEMENT

- A. The conditions of membership, duration, purpose and objectives of the intergovernmental agreement, including the powers and scope of authority delegated therein, manner and extent of financing, and organizational structure necessary to implement the

agreement are set forth in the Intergovernmental Cooperation Agreement for Special Fire Police Mutual Aid and Emergency Assistance (“Agreement”), a copy of which is attached to this Ordinance as Exhibit “A” and incorporated herein as if set forth in full.

B. Any funds for implementation and continuing participation in the Agreement may be appropriated by the Board of Commissioners of Cumberland County and the governing bodies of participating municipalities as they shall determine, in their sole discretion, from time to time.

C. Real and personal property may be acquired, managed or disposed of under this Ordinance.

D. Each party has the power to enter into contracts for policies of group insurance and employee benefits, including social security, for all of their employees, including those whose duties further the purposes of the Agreement.

SECTION 4: AUTHORITY TO ENTER AGREEMENT

The Chairman of the Board of Supervisors of Middlesex Township is hereby authorized to execute all documents and perform all actions necessary to cause Middlesex Township to enter the Agreement.

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, sections or parts of this Ordinance.

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

SECTION 6: REPEALER

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

This Ordinance shall become effective as provided by law. Each Agreement shall be effective upon the effective date of the Intergovernmental Cooperation Ordinance last enacted by the parties.

ATTEST:

Secretary

By: Charles W. Shugart
Chairman, Board of Township
Supervisors

(Township Seal)