

TOWNSHIP OF JACKSON

ORDINANCE #164

AN ORDINANCE ESTABLISHING AND AUTHORIZING PARTICIPATION IN AN INTERGOVERNMENTAL AGREEMENT WITH CAMBRIA TOWNSHIP, JACKSON TOWNSHIP AND EBENSBURG BOROUGH FOR THE ESTABLISHMENT OF A CENTRAL CAMBRIA BUILDING AND HOUSING CODE BOARD OF APPEALS

THIS ORDINANCE, ESTABLISHING AN AGREEMENT, pursuant to the Pennsylvania Intergovernmental Cooperation Law, 53 Pa. C. S. § 2303, et seq., is hereby approved and entered as of the date of adoption of the Ordinance by the Borough of Ebensburg, hereinafter “Municipality”, and effective January 1, 2010.

WHEREAS, Cambria Township, Ebensburg Borough and Jackson Township are charged with the responsibility of providing an appeals board relative to enforcement of the Uniform Construction Code and other construction related regulations; and

WHEREAS, Cambria Township, Ebensburg Borough and Jackson Township have previously established an informal association designated as the *Central Cambria Coalition* for the purpose of meeting and coordinating activities within the respective municipalities for the mutual benefit of all the municipalities; and

WHEREAS, the Act of July 12, 1972, P.L. 762, as amended, 53 P.S. §481, et seq., also known as the Intergovernmental Cooperation Act, permits Municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, the Municipality desires to enter into an agreement whereby it will jointly develop and implement a regional appeals board with jurisdiction in the three Municipalities.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED and an Intergovernmental Cooperation Agreement is approved, in consideration of the various covenants, promises, and conditions hereinafter set forth and for other good and valuable consideration receipt of which is hereby acknowledged, it is hereby authorized and agreed by and between Cambria Township, Ebensburg Borough and Jackson Township as follows:

1. The Municipality hereby establishes and agrees to participate in the Central Cambria Building and Housing Code Board of Appeals.

2. The Municipality hereby enters the Intergovernmental Cooperation Agreement for Establishment of said Board of Appeals, as attached hereto as Exhibit "A", the terms of which are incorporated herein by reference.

3. The Municipality hereby authorizes its officers to execute the Intergovernmental Cooperation Agreement for Establishment of said Board of Appeals.

4. This Ordinance and the Agreement adopted herewith shall constitute a binding agreement and shall be sufficient warrant and authority for the officials and agents as appointed by the Municipality to create said Board of Appeals.

5. The term of the Agreement shall commence on January 1, 2010 and extend for a period of one (1) year and continue thereafter on a year-to-year basis until terminated by action of the governing bodies as provided for in the Intergovernmental Agreement.

6. This Agreement shall be binding and shall inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS OF THE PROPER ADOPTION OF THIS ORDINANCE AND APPROVAL OF THE INTERGOVERNMENTAL COOPERATION AGREEMENT SET FORTH HEREIN, the duly appointed officers of the governing bodies of the respective municipalities have hereunto set forth their hands and seals.

Adopted by the Township of Jackson as Ordinance No. 164 on the 29th day of October, 2009.

TOWNSHIP OF JACKSON

Bruce A. Baker, Chairman

Attest:

David J. Bracken, Supervisor

David M. Hirko, Secretary

John A. Wallet, Supervisor