

TOWNSHIP OF SOUTH MIDDLETON  
CUMBERLAND COUNTY, PENNSYLVANIA

**ORDINANCE NO. 2014-06**

AN ORDINANCE AUTHORIZING THE TOWNSHIP OF SOUTH MIDDLETON TO ENTER INTO AN INTERMUNICIPAL COOPERATION AGREEMENT FOR THE UTILIZATION OF JOINT SEWER FACILITIES WITH THE BOROUGH OF CARLISLE, SOUTH MIDDLETON TOWNSHIP, AND MIDDLESEX TOWNSHIP, AND TO MAKE A REPEAL

**IT IS HEREBY ENACTED AND ORDAINED** by the Board of Supervisors in and for the Township of South Middleton, Cumberland County, Pennsylvania, as follows:

**SECTION 1 – SHORT TITLE**

This Ordinance shall be known and may be cited as the Joint Sewer Facilities Agreement 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. The Township of South Middleton ("South Middleton") is a township of the second class;
- B. The Act of December 19, 1996, P.L. 1158; No. 177, referred to as the Intergovernmental Cooperation Law, 53 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. Carlisle Borough, North Middleton Township, Middlesex Township, and South Middleton desire to enter into an intergovernmental agreement for the joint use of sewage facilities to be used by the residents of all municipalities for the specific purpose of discharging sewage to the Carlisle Treatment Plant; and

D. The Board of Supervisors determines that it is in the best interest of the public health, safety, and welfare of its citizens to participate in the cooperative use of this sewage facility.

**SECTION 3 – TERMS OF THE AGREEMENT**

The covenants, terms, and conditions of the Intermunicipal Agreement attached hereto as Exhibit "A" are hereby incorporated herein by reference.

**SECTION 4 – DURATION OF THE AGREEMENT**

The duration of the Agreement is perpetual unless and until terminated by either party.

**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, section, or parts of this Ordinance.

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

**SECTION 6 – REPEALER**


Any other ordinance or parts thereof inconsistent with this Ordinance are hereby expressly repealed.


**SECTION 7 – EFFECTIVE DATE**

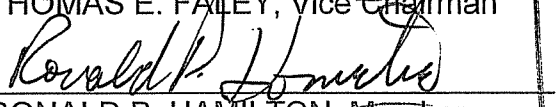
This Ordinance shall be effective five (5) days following enactment.

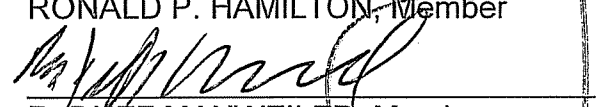
ENACTED AND ORDAINED this 26<sup>th</sup> day of June, 2014.

SOUTH MIDDLETON TOWNSHIP  
BOARD OF SUPERVISORS

  
BRYANNA GEMBUSIA, Chairman

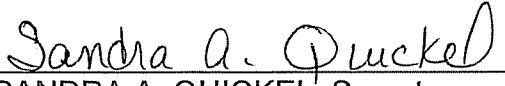
  
THOMAS E. FAHEY, Vice Chairman

  
RONALD P. HAMILTON, Member

  
R. DUFF MANWEILER, Member

*- Absent*  
WALTER G. REIGHARD, Member

ATTEST

  
SANDRA A. QUICKEL, Secretary