

AN ORDINANCE OF THE TOWNSHIP OF MONROE, SNYDER COUNTY, PENNSYLVANIA, PROVIDING FOR THE ENTERING INTO INTERGOVERNMENTAL COOPERATION WITH OTHER MUNICIPALITIES OF SNYDER COUNTY TO ESTABLISH AND MAINTAIN THE SNYDER COUNTY SEWAGE CODE ENFORCEMENT COMMITTEE TO PERFORM AND ENFORCE THE REQUIREMENTS OF THE PENNSYLVANIA SEWAGE FACILITIES ACT.

BE IT ORDAINED, AND IT IS HEREBY ORDAINED AND ENACTED by the TOWNSHIP of MONROE as follows:

SECTION ONE: That, pursuant to the provisions of the Intergovernmental Cooperation Law (Act 180, approved July 12, 1972), the TOWNSHIP of MONROE (hereinafter referred to as the Municipality), shall and does hereby enter into and adopt Articles of Agreement of Cooperation (hereinafter called Agreement) with such other municipalities of Snyder County as may ordain to do so, providing for the establishment and maintenance of a joint local agency as authorized by Section 8 of the Sewage Facilities Act, Act No. 537, January 24, 1966, P.L. 1965 (hereinafter called Act) to be known as the SNYDER COUNTY SEWAGE CODE ENFORCEMENT COMMITTEE (hereinafter called the Committee).

SECTION TWO: That the Agreement shall provide, inter alia:

(A) For the delegating and transferring to the Committee of all functions, powers and/or responsibilities of the Municipality, as provided for by the Act, as amended or hereafter amended, which shall include, but not be limited to, the following:

(1) Setting fee schedules for processing permit applications and issuing permits.

(2) Employing certified sewage enforcement officers and such other employees or personnel, as may be necessary, and determine the amount and method of compensation for them.

(3) Applying for and receiving reimbursement from the Pennsylvania Department of Environmental Resources.

(4) Establishing all necessary provisions and procedures for the issuance of permits, collection of fees, enforcement of the Act and the Rules and Regulations promulgated pursuant thereto,

prosecution of violations, hearing appeals from decisions of the sewage enforcement officers and appearing as a party respondent to appeals taken from the decision of the local agency pursuant to the Local Agency Law.

(5) Adopting rules and regulations and procedures not inconsistent with the Sewage Facilities Act or the Rules and Regulations promulgated pursuant thereto, which the Agency deems necessary and proper to the effective administration of the Act and to the effective execution of the powers, duties and responsibilities granted by the Act, the Ordinances of the participating municipalities and the Agreement.

(6) Exercising all the powers and duties delegated to local agencies by Section 7 and 8 of the Act.

(B) That the purposes and objectives of the Agreement are to create a local agency which will equally administer and enforce the provisions of the Act within each municipality that is part of and included within the jurisdiction of the Committee created.

(C) That the manner and extent of financing the activities of the Committee shall be determined by the Committee which shall annually, before preparation of the budgets of the participating municipalities, specify the amount of funds, if any, that will be needed from each member municipality to finance any costs not covered by fees and reimbursements, which amounts shall be approved by each member municipality, said costs to be prorated among the participating municipalities upon a population per member basis. The Committee shall attempt as nearly as feasible, to limit its expenditures to income received from fees and reimbursements.

(D) That the organizational structure of the Committee shall include, but not be limited to, a governing body composed of one elected official or other designated representative from each participating municipality to be chosen on an annual basis by each participating municipality.

(E) For the manner in which property, real or personal, shall be acquired, managed or disposed of, including provision that upon complete termination of the Committee's existence, its remaining assets shall be reimbursed to the participating municipalities existing at such time equally.

(F) That the Committee shall serve only those municipalities participating therein.

(G) That non-member municipalities in the County may become participating members of the Committee by proper Ordinance adopting the Agreement.

(H) That the Articles of Agreement of Cooperation may be amended or terminated by approval of all participating members.

(I) That any member municipality may withdraw from the Agreement by enacting an a-proprate Ordinance to that effect. Withdrawal by any participating municipality prior to complete termination of the Committee's existence shall operate as a forfeiture by the withdrawing municipality of any right or claim that said municipality may have in or to any Committee assets.

(J) That the Agreement shall be perpetual unless earlier terminated by approval of all participating members.

SECTION THREE: All prior ordinances or parts thereof inconsistent with the provisions of this Ordinance, the Agreement entered into pursuant hereto, or requirements legally adopted by the Committee are hereby repealed.

SECTION FOUR: Any person who shall violate or fail to comply with any rule or regulation adopted by the Committee pursuant to the powers delegated in Section Two hereof, shall be guilty of a summary offense and shall be subject to the same fines and penalties as are provided for in Section 13 of the Act.

SECTION FIVE: Any portion of this Ordinance that may subsequently be determined to be invalid shall not affect the remaining portion without regard to the portion declared invalid.

ORDAINED AND ENACTED the 11th day of August, 19 81.

Township OF Monroe

By: Lee A. Shaffer
Lee A. Shaffer/Chairman

George A. Hare
George A. Hare/Vice-Chairman

Fred A. Roush
Fred A. Roush/Supervisor

ATTEST:

Gail B. Nichols
Secretary Gail B. Nichols