

**BOROUGH OF HARMONY
BUTLER COUNTY, PENNSYLVANIA
ORDINANCE NO. _____**

AN ORDINANCE AUTHORIZING THE BOROUGH OF HARMONY TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE BOROUGH OF ZELIENOPLE, AUTHORIZING THE BOROUGH TO SHARE ITS EQUIPMENT AND EMPLOYEES IN ACCORDANCE WITH THE INTERGOVERNMENTAL COOPERATION ACT, AUTHORIZING THE BOROUGH OF HARMONY TO ENTER INTO AN AGREEMENT TO EFFECTUATE THE PURPOSES OF THE ORDINANCE, AUTHORIZING THE BOROUGH OF HARMONY TO PARTICIPATE IN A STEERING COMMITTEE WITH THE BOROUGH OF ZELIENOPLE AND PARTICIPATE IN THE PROGRAM, AUTHORIZING AND PROVIDING THE OPTION TO ESTABLISH OF FEES FOR THE USE OF BOROUGH EQUIPMENT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Borough of Harmony has determined that it is in the best interest of the health, safety and welfare of the citizens of the Borough of Harmony to provide efficient and cost effective public works services by sharing and using equipment with the Borough of Zelienople; and

WHEREAS, the Pennsylvania Intergovernmental Cooperation Act, 53 P.S. 481 et seq. authorizes and requires municipalities to adopt an ordinance to facilitate the purposes of the Act; and

WHEREAS, the Borough of Harmony has determined that adoption of this ordinance and the authorization of an Intergovernmental Cooperation Agreement with the Borough of Zelienople will serve to promote the general health, safety and welfare of the citizens of the Borough of Harmony.

NOW, THEREFORE, it is hereby enacted and ordained as follows:

1. The Borough of Harmony, Butler County, Pennsylvania, pursuant to the authority cited above, hereby elects to participate in a Shared Services Program with the Borough of Zelienople, upon the execution of the appropriate Intergovernmental Cooperation Agreement;
2. The Shared Services Program shall be facilitated and administered in accordance with an Intergovernmental Cooperation Agreement, a specimen

of which is attached to this ordinance, and shall become effective upon the approval of the Agreement by the Borough of Harmony and the Borough of Zelienople governing bodies according to law;

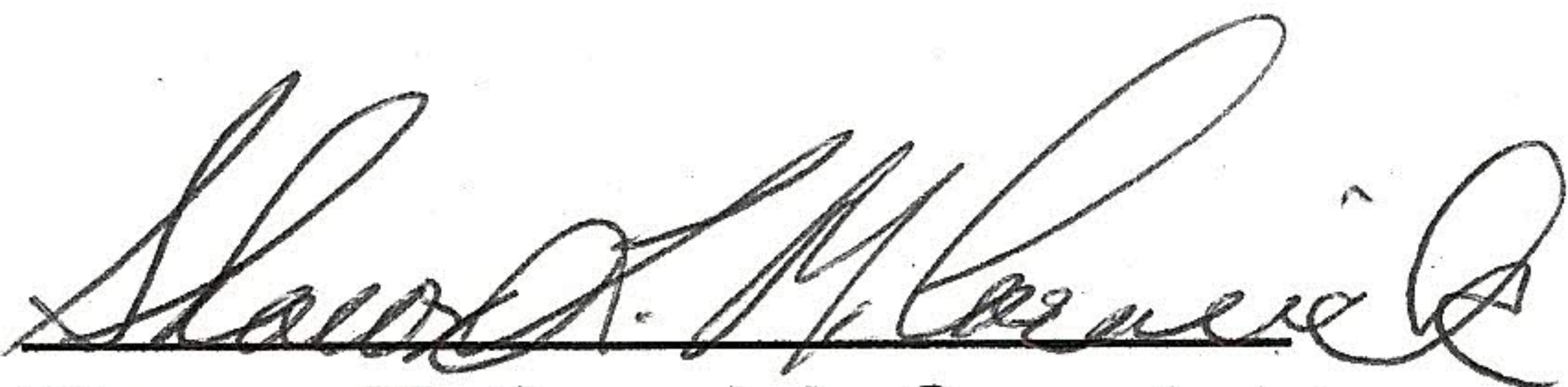
3. Governance of the Shared Services Program within the Borough of Harmony shall be undertaken by the Shared Services Program Steering Committee with representation of the Borough of Harmony and the Borough of Zelienople and administration of the Shared Services Program shall be undertaken by the Borough's administrative staff.
4. The Borough Council of the Borough of Harmony shall have the option to establish fees, assessable by the Borough of Harmony, for the use of equipment by the Borough of Zelienople, pursuant to the provisions of this ordinance and the Shared Services Program Intergovernmental Cooperation Agreement. Such rates may be established from time to time by resolution of the Borough Council of the Borough of Harmony.
5. The Borough of Harmony will provide the necessary liability insurance, equipment insurance and workers compensation insurance to protect its equipment and its employees involved in the use of such equipment when working in the Borough of Zelienople through the Shared Services Program.
6. The term of this Agreement shall be for a period of one (1) year commencing with the date of execution by the Borough of Harmony and the Borough of Zelienople. This Agreement shall be automatically renewed for an *additional* term of one (1) year at the conclusion of the initial term and each renewal term thereafter. Either Borough may terminate this Agreement upon furnishing the other Borough with at least 60 days written notice of their desire for termination.
7. All real or personal property to be acquired, managed, licensed or disposed of shall be in accord with the provisions contained in the Intergovernmental Cooperation Act, 53 Pa. C.S.A. § 2301, et seq.
8. If any section, subsection, sentence or clause of this ordinance is held for any reason, to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance;

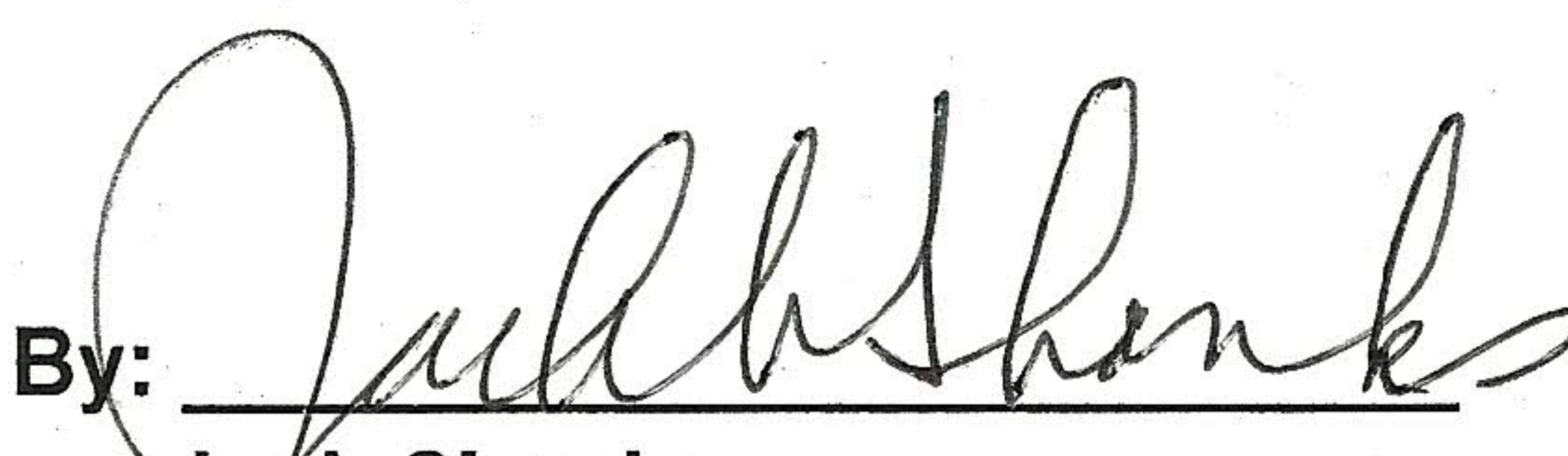
9. This ordinance shall become effective five (5) days after the date of its enactment.

DULY ENACTED AND ORDAINED this 1ST day of MARCH, 2011,
by the Borough Council of the Borough of Harmony at a regularly scheduled meeting of
the same duly advertised according to law.


ATTEST

BOROUGH OF HARMONY


Sharon McCormick, Secretary

By: 
Jack Shanks,
President of Council

EXAMINED AND APPROVED BY ME THIS 1 **DAY OF**
March, 2011.


Cathryn Rape, Mayor