

ORDINANCE NO. 44

AN ORDINANCE OF CATHARINE TOWNSHIP, BLAIR COUNTY, PENNSYLVANIA, APPROVING THE AGREEMENT BY AND AMONG VARIOUS MUNICIPALITIES IN BLAIR COUNTY, PENNSYLVANIA, TRANSFERRING AND DELEGATING THE ADMINISTRATION OF SECTIONS 7, 8, 12, 13, 13.1, 14, 15 AND 16 OF THE PENNSYLVANIA SEWAGE FACILITIES ACT, ACT OF 1966, JANUARY 24, P.L. (1965) 1535, NO. 537 (35 P.S. 750.1 et seq.)

CATHARINE TOWNSHIP Blair County, Pennsylvania, in accordance with the powers granted under the laws of the Commonwealth of Pennsylvania, and in particular under the law relating to Intergovernmental Cooperation, Act of 1972, July 12, No. 180, as supplemented and amended, (53 P.S. 481 et seq) and also, under the Pennsylvania Sewage Facilities Act, Act of 1966, January 24, P.L. (1965) 1535, No. 537, as supplemented and amended (35 P.S. 750.1 et seq).

HEREBY ENACTS AND ORDAINS AND IT IS HEREBY ENACTED AND ORDAINED as follows:

1.
CATHARINE TOWNSHIP is hereby authorized to enter into and execute the Agreement By And Among Various Municipalities In Blair County, Pennsylvania, Transferring And Delegating the Administration Of Sections 7, 8, 12, 13, 13.1, 14, 15 and 16 of The Pennsylvania Sewage Facilities Act, Act of 1966, January 24, P.L. (1965) 1535, No. 537 (35 P.S. 750.1 et seq) in form as attached to this ordinance.

2.
The condition of this Agreement is that at least one other municipality approve and enter into the Agreement in substantially the same form as adopted by this municipality.

3.

The Agreement shall become effective upon the approval of at least two municipalities.

4.

The duration of the term of the Agreement shall be perpetual except as to municipalities which have provided a Notice of Withdrawal as set forth in the Agreement.

5.

The purpose and objectives of the Agreement, including the powers and scope of authority delegated in the Agreement are as follows:

A. It is the intention of the member municipalities that the Blair County Sanitary Administrative Committee shall have all powers authorized and act in accordance with and to the fullest extent possible under the Act of 1972, July 12, No. 180 (53 P.S. 481 et seq), as supplemented and amended, and The Pennsylvania Sewage Facilities Act, as supplemented and amended, 35 P.S. 750.1 et seq.

B. It is the intention of the member MUNICIPALITIES that the Blair County Sanitary Administrative Committee shall administer, on behalf of the MUNICIPALITIES, as many provisions of the Pennsylvania Sewage Facilities Act as supplemented and amended, as are possible, specifically including but not limited to Sections 7,8,12,13,13.1,14,15 and 16 of the Pennsylvania Sewage Facilities Act, as supplemented and amended. It is specifically intended that the administration of Sections 7,8,12,13,13.1,14, 15 and 16 of the Pennsylvania Sewage Facilities Act be transferred, delegated to the Blair County Sanitary Administrative Committee and that the member MUNICIPALITIES are cooperating in the administration of said sections in accordance with the provisions of Section 8a of the Pennsylvania Sewage Facilities Act, as supplemented and amended [35 P.S. 750.8(a)].

C. The Blair County Sanitary Administrative Committee shall have power to administer any and all provisions of the Pennsylvania Sewage Facilities Act, as supplemented and amended, any and all rules and regulations promulgated pursuant to the Pennsylvania Sewage Facilities Act, as supplemented and amended, to specifically administer Sections 7,8,12,13,13.1,14,15 and 16 of the Pennsylvania Sewage Facilities Act, as supplemented and amended, and to do and perform all acts authorized in accordance with an act relating to inter-governmental cooperation, Act of 1972, July 12, No. 180 (53 P.S. 481 et seq), as supplemented and amended.

6.

The manner and extent to financing the agreement shall be as follows: Each member municipality shall pay an annual assessment to be determined by the Committee and in addition thereto, the Committee shall have the capability of assessing fees in accordance with a schedule to be determined from time to time by the Committee. In addition thereto, the Committee shall have the capability of making application for grants, loans and other payments provided for the enforcement of the Pennsylvania Sewage Facilities Act, as may be available from local, state and/or federal governments and any private and/or charitable entities.

7.

The organizational structure of the Committee shall be as follows: Each member municipality shall designate one person who shall be an elected officer of said municipality to be a member of the Committee. All actions of the Committee shall be taken by majority vote of the representatives designated in accordance with this Agreement. The Committee may act by majority vote at any regularly or specially called meeting of the Committee at which a quorum (50% or more of the members of the Committee) is present. From the persons delegated by member municipalities, the Committee shall designate a chairperson and such other officers as shall be deemed necessary and appropriate. The Committee may hire employees including but not limited to persons who are licensed as sewage enforcement officers within the Commonwealth of Pennsylvania and such stenographic and secretarial workers as are necessary and appropriate in order to efficiently conduct the business of the Committee. All actions of the Committee shall be taken by the members of the Committee at regularly or specially called meetings at which a quorum is present and voting. The issuance of any permits or the taking of any action which may be taken only by a person licensed as a sewage enforcement officer within the Commonwealth of Pennsylvania shall be taken on behalf of the Committee only by the sewage enforcement officer or officers as duly designated by the Committee.

8.

Real property and personal property shall be acquired, managed, licensed, or disposed of by proper vote of the Committee at properly called regular or special meetings of the Committee at which a quorum is present and voting.

9.

The Blair County Sanitary Administrative Committee shall be empowered to enter into contracts or policies of group insurance and employee benefits including social security for its employees.

10.

If any section, portion or provision of this ordinance is judicially held to be illegal, unconstitutional or unenforceable, such decision shall not effect the remainder hereof. It is hereby declared to be the intent and purpose of CATHARINE TOWNSHIP that this ordinance would have been adopted if any such illegal, unconstitutional or unenforceable provision had not been included herein.

11.

This ordinance shall be effective at the earliest date authorized by applicable law.

Christine E Shankoff
Secretary

June 17, 1997

David C. [Signature]
Ralph T. [Signature]
Barrie R. [Signature]

AMENDMENT 1 TO ORDINANCE 45, LICENSING AND REGULATING
SEXUALLY ORIENTED BUSINESSES AND EMPLOYEES, DATED 16 December
1997.

It is hereby enacted and ordained by the Board of
Supervisors of Catharine Township that Ordinance #45, dated
16 December 1997, be amended as follows:

Section 3H shall be changed to read, "No sexually
oriented business shall be licensed, operated or maintained
within less than one-thousand (1000) feet of any church,
school, park, playground, recreational area, or residential
dwelling."

Section 3I shall be deleted in its entirety.

Ordinance #45 is hereby ratified and confirmed except as
amended by this Ordinance.

This amendment to Ordinance #45, dated 16 December 1997,
shall become effective five (5) days after enactment.

Board of Supervisors of
Catharine Township

ATTEST:

Christine E. Starbuck
Secretary

SIGNED:

James C. Allen

DATE

ENACTED:

April 13, 2000

Bennie R. Kuykendall

Ralph F. Resnick