TOWNSHIP OF JACKSON,
CAMBRIA COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

ORDINANCE FOR INTERGOVERNMENTAL COOPERATION

AN ORDINANCE ESTABLISHING AND AUTHORIZING PARTICIPATION IN AN AGREEMENT WITH CAMBRIA TOWNSHIP AND EBENSBURG BOROUGH FOR THE DEVELOPMENT OF A JOINT COMPREHENSIVE PLAN

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 Township of Jackson, hereinafter "Municipality", and effective five (5) days thereafter.

WHEREAS, Cambria Township, Ebensburg Borough and Jackson Township are charged with the responsibility to develop plans and regulations for the orderly development and growth of their respective municipalities; and

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

WHEREAS, members of the *Cambria County Coalition* have determined that a Joint Municipal Comprehensive Plan, as authorized by the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, et seq., would benefit the long term interests of the residents of each of their municipalities by cooperatively planning for the future and provide a basis for possible future enhancement and regulation of growth; 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 an inter-municipal comprehensive.

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, assist and develop a Joint Municipal Comprehensive Plan.

2. The Municipality hereby enters the *Intergovernmental Cooperation Agreement for Development of an Inter-municipal Comprehensive Plan*, 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 Development of an Inter-municipal Comprehensive Plan*.

4. The governing body of the Municipality shall allocate funds to pay the costs set forth in the *Intergovernmental Cooperation Agreement for Development of an Inter-municipal Comprehensive Plan*, and pay the same in the form of contractor invoices from time to time, upon proper warrants.

5. 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 cooperate and assist the Contractor in developing the Joint Municipal Comprehensive Plan.

6. The Contractor developing the Joint Municipal Comprehensive Plan under the terms of the Agreement shall be at all times under the supervision, direction and control of the three municipalities, and in the event of a disagreement as to how the contractor shall proceed , a majority of them

7. The Municipality shall make good faith efforts to cooperate in developing the joint municipal comprehensive plan, however shall not be bound to finally adopt the same unless the governing body determines that it meets the requirements and best interests of the Municipality.

8. The term of the Agreement shall commence upon adoption of this Ordinance and extend for a period of two (2) years and continue thereafter on a year-to-year basis

until terminated by action of the Township Supervisors as provided for in the Intergovernmental Agreement.

9. 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. _____ on the _____ day of _____, 2006.

TOWNSHIP OF JACKSON

ATTEST: By:_____
Chairman, Board of Supervisors

_____
Secretary

(Seal)

EXHIBIT “A”

Attach Intergovernmental Cooperation Agreement