

Chapter 14

INTERGOVERNMENTAL COOPERATION

[HISTORY: Adopted by the Borough Council of the Borough of Seven Valleys as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Emergency Management Assistance

[Adopted 8-5-1996 by Ord. No. 96-4]

§ 14-1. Findings; agreement.

The Borough Council of the Borough of Seven Valleys has determined that it is in the best interest of the Borough and its residents to provide for mutual aid with adjacent municipalities to prepare for emergencies and to provide mutual aid services during emergencies. The same is to be provided by an Intergovernmental Cooperation Agreement for Reciprocal Emergency Management Assistance, a copy of which is attached hereto and made a part hereof.¹ The parties to said Agreement shall be New Salem Borough, North Codorus Township, Codorus Township, Heidelberg Township, Seven Valleys Borough, Jefferson Borough and Manheim Township.

§ 14-2. Financing; organization; ownership of equipment.

The said Intergovernmental Cooperation Agreement for Reciprocal Emergency Management Assistance provides for the financing, organization, and all other terms and provisions regarding the mutual aid. The ownership of emergency services equipment and other property to be used with regard to this mutual aid will remain with the municipality which owns the same.

§ 14-3. Authorization to execute agreement.

The President of Borough Council and the Borough Secretary are hereby authorized to execute and deliver said Intergovernmental Cooperation Agreement for Reciprocal Emergency Management Assistance under the terms and for the purposes as stated therein.

ARTICLE II

Shared Services of Zoning and Codes Enforcement Officer²

[Adopted 11-7-2005 by Ord. No. 2005-5; amended in its entirety 5-7-2007 by Ord. No. 2007-1]

§ 14-4. Articles of agreement.

Seven Valleys is hereby authorized to enter into an intermunicipal agreement with Jefferson, Paradise and Spring Grove authorizing Seven Valleys to work cooperatively with Jefferson,

1. Editor's Note: The agreement is on file in the Borough offices.

2. Editor's Note: Former Art. II, Shared Services of Zoning and Codes Enforcement Officer, adopted 6-2-2003 by Ord. No. 2003-1, was repealed 11-7-2005 by Ord. No. 2005-4.

Paradise and Spring Grove, and to share the costs with those four municipalities involved in jointly utilizing a Zoning and Codes Enforcement Officer. A copy of the agreement is attached hereto and incorporated by reference (and shall be filed with the minutes of the meeting at which this article was enacted), with the intent and effect that Seven Valleys Borough shall be bound by the agreement.³

§ 14-5. Authority to execute agreement.

Seven Valleys is authorized to enter into the agreement for the purposes contained therein and attached hereto, and the President or Vice President of the Borough Council, acting alone or together with the Secretary or Assistant Secretary, are hereby authorized and directed to execute said agreement on behalf of Seven Valleys, and to execute and deliver any additional instruments, and to take such further actions, as may be necessary or appropriate, to carry forth the articles of agreement and the transactions to be effected under the agreement, including payments as are due by Seven Valleys Borough pursuant to the agreement.

§ 14-6. Intergovernmental agreement.

As required by the Intergovernmental Cooperation Act, the following matters are hereby set forth:

- A. The purpose and objectives of the intermunicipal agreement are for Seven Valleys to work cooperatively with Jefferson, Paradise and Spring Grove to share the services of a Zoning and Codes Enforcement Officer, to create an advisory committee among the four municipalities, to identify the rights and responsibilities of the parties, to set the formula for and fix the reimbursements due from each municipality for those services, and otherwise to set forth the financial rights and obligations of the parties pursuant to such shared services.
- B. The intermunicipal agreement sets forth the terms of payment by the parties.
- C. The conditions of the agreement are set forth in the articles of agreement attached hereto.⁴
- D. The manner and extent of payment for the services are that all funds to pay Seven Valleys Borough's obligations under the agreement shall come from normal and usual budgeted amounts for such matters, and to be funded by general tax revenues and zoning and building permit fees.
- E. Pursuant to the intermunicipal agreement, the parties contemplate that the Zoning and Codes Enforcement Officer shall be an employee of Spring Grove.
- F. There will be no real property acquired nor any contracts for group insurance or employee benefits entered into pursuant to this joint cooperation.
- G. The intermunicipal agreement authorized by this article shall become effective upon the enactment of an ordinance by each other municipality, and the signing of the agreement by all parties.

3. Editor's Note: The agreement is on file in the Borough offices.

4. Editor's Note: The agreement is on file in the Borough offices.

§ 14-7. (Reserved)

ARTICLE III
Joint Administration and Enforcement of Uniform Construction Code
[Adopted 6-2-2004 by Ord. No. 2004-3]

§ 14-8. Articles of agreement.

Seven Valleys Borough hereby approves entering into Articles of Agreement (hereinafter referred to as "Agreement") with other municipalities to jointly administer and enforce the Pennsylvania Uniform Construction Code, Act No. 45 of 1999, to provide for a joint appeals board, and to permit other municipalities to participate in any of the above agreements. A copy of the agreements are attached hereto and incorporated by reference⁵ (and shall be filed with the minutes of the meeting at which this ordinance was enacted), with the intent and effect that Seven Valleys Borough shall be bound by the Agreements.

§ 14-9. Authority to execute agreement.

Seven Valleys Borough is authorized to enter into the Agreements for the purposes contained therein and attached hereto, and the President or Vice President of the Borough Council, acting alone or together with the Secretary or Assistant Secretary, are hereby authorized and directed to execute said Agreements on behalf of Seven Valleys Borough, and to execute and deliver any additional instruments, and to take such further actions as may be necessary or appropriate to carry forth the Articles of Agreement and the transactions to be effected under the Agreements, including payments to third-parties to administer and enforce the Uniform Construction Code and for appeals, as are due by Seven Valleys Borough pursuant to the Agreements.

§ 14-10. Intergovernmental Agreement.

As required by the Intergovernmental Cooperation Act, the following matters are hereby set forth:

- A. The conditions of the Agreements are set forth in the Articles of Agreement attached hereto.
- B. Seven Valleys Borough shall participate in joint administration and enforcement of the Uniform Construction Code and for a County Board of Appeals from the time of the effective date of the agreements until such time as the Borough chooses to withdraw from participation by exercising the provisions set forth in the agreements for withdrawal.
- C. The purposes and objectives of the intermunicipal agreements are to provide joint administration and enforcement of the Uniform Construction Code in partnership with the other municipalities, to participate in a county board of appeals, and to accomplish the other purposes and objectives as are set forth in the Articles of Agreement.
- D. The manner and extent of payment for services provided by the Articles of Agreement are that Seven Valleys Borough shall pay a proportionate cost of the Building Code Official (BCO), Code Administrator, and Board of Appeals as set forth in the agreements. All funds

5. Editor's Note: A copy of the Articles of Agreement is on file in the Borough offices.

to pay Seven Valleys Borough's obligations under the agreement shall come from normal and usual budgeted amounts for such matters and from fees charged, and other provisions governing the manner and extent of the payment for the services shall be as set forth in the Agreement.

- E. Seven Valleys Borough also authorizes the participation by other municipalities through additional intermunicipal agreements in the joint enforcement and administration of the Pennsylvania Construction Code and authorizes execution of agreements with other municipalities that may enact a similar ordinance authorizing such projects, either by participation with the intermunicipal group or by contract.