

**HONEY BROOK TOWNSHIP
CHESTER COUNTY, PA
ORDINANCE # 195-2018**

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE CODE OF ORDINANCES OF HONEY BROOK TOWNSHIP, CHAPTER 1 ENTITLED "ADMINISTRATION AND GOVERNMENT", TO ESTABLISH A PART 7 ENTITLED "INTERGOVERNMENTAL COOPERATION FOR ROAD MAINTENANCE", AUTHORIZING THE TOWNSHIP TO ENTER INTO AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT CONCERNING ROAD WORK AND SNOWPLOWING WITH CAERNARVON TOWNSHIP, LANCASTER COUNTY TO COOPERATE IN THE CONSTRUCTION, REPAIR AND MAINTENANCE OF PUBLIC ROADS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Honey Brook Township, Chester County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. AMENDMENT.

The Code of the Township of Honey Brook, Chapter 1 entitled "Administration and Government" is amended and supplemented to add a new Part 7, "Intergovernmental Cooperation for Road Maintenance", to read as follows:

PART 7

**Intergovernmental Cooperative Road Work Agreement for Honey Brook Township
and Caernarvon Township, Lancaster County**

§6701. Grant of Power.

This Ordinance is enacted pursuant to authority granted in the Pennsylvania Intergovernmental Cooperation Act, Act 177 of 1996 (53 Pa.C.S.A. §2301 et seq.), as amended.

§702. Agreement.

By enactment hereof, the Board of Supervisors of the Township of Honey Brook hereby approves entering into the Intergovernmental Cooperative Agreement Concerning Road Work and Snowplowing between Honey Brook Township and Caernarvon Township, Lancaster County ("Caernarvon Township") (said agreement referred to herein as the

“Agreement”), in substantially the form attached to this Ordinance, and authorizes and directs the Chairman of the Board of Supervisors to execute, and the Secretary of Honey Brook Township to attest, such Agreement.

§703. Duration of Agreement.

The term of the Agreement is undefined, and can be terminated by either municipality with ninety (90) days written notice to the other municipality.

§704. Purpose and Objectives.

The purpose of the Agreement is to authorize Honey Brook Township and Caernarvon Township to assist each other in the construction, repair and maintenance of their public roads by sharing manpower as well as equipment, for (i) construction, paving, improving, repairing and maintaining public roads, and (ii) snowplowing, treating and clearing public roads.

§705. Financing.

In the event that one municipality requests assistance from the other municipality, then such requesting municipality shall be required to provide payment to the responding municipality for all such labor and materials provided by the responding municipality, on a cost basis that is to be established prior to commencing any such work.

§706. Organizational Structure.

No collaborative entity with separate organizational structure is proposed. Each party to the Agreement shall act in its own individual capacity as provided for in the Agreement.

§707. Real and/or Personal Property.

No acquisition, management, or disposal of real property or real estate by Honey Brook Township is authorized.

§708. Employees.

No new entity has been created by the Agreement, and therefore no new employees are required. Each municipality shall utilize their current employees to provide any services to the other municipality pursuant to the terms of the Agreement.

SECTION 2. FULL FORCE AND EFFECT. All other articles, sections, parts and provisions of the Ordinances of the Township of Honey Brook shall remain in full force and effect as previously enacted and amended.

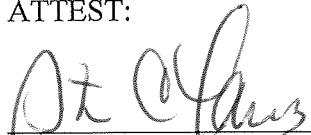
SECTION 3. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 4. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

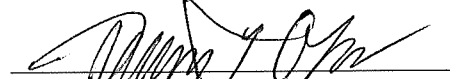
SO IT IS ENACTED AND ORDAINED this 13th day of June, 2018.

ATTEST:



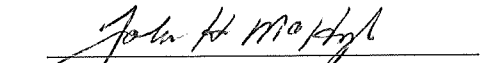
Steven C. Landes, Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS

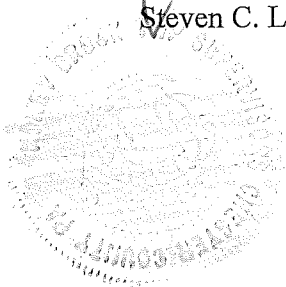


Tracy Olsen, Chairperson

Travis Stacey, Vice-Chairperson




John McHugh, Member



CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. ¹⁹⁴____-2018 enacted by the Board of Supervisors of Honey Brook Township, Chester County, Pennsylvania at a regular meeting held on June 13, 2018, pursuant to notice as required by law.

Dated: June 13 2018



Township Secretary