

BOROUGH OF AVALON

COUNTY OF ALLEGHENY

ORDINANCE NO. 1812

AN ORDINANCE OF THE BOROUGH OF AVALON, ALLEGHENY COUNTY, PENNSYLVANIA AUTHORIZING INTERGOVERNMENTAL COOPERATION BY AGREEMENT BETWEEN THE BOROUGH OF AVALON AND THE BOROUGH OF BELLEVUE, TO PROVIDE FOR THE CREATION OF THE NORTH BOROUGH'S POLICE COMMISSION FOR THE PURPOSE OF PROVIDING POLICE SERVICE TO THE AFOREMENTIONED MUNICIPALITIES.

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Borough Council of the Borough of Avalon, Allegheny County, Pennsylvania, under the authority of law providing for intergovernmental cooperation, Act No. 180 of July 12, 1972, P.L. Section 481 et seq. as follows:

SECTION 1. The Borough of Avalon shall enter into an agreement with the Borough of Bellevue, creating the North Boroughs Police Commission, to provide police services to an independent police district known as the North Boroughs Police District, consisting of the geographic areas of the Borough of Avalon and the Borough of Bellevue.

SECTION 2. The term of Agreement shall commence January 1, 1995, and shall continue for three (3) years, that is to December 31, 1997, and shall automatically renew for one (1) year periods thereafter, subject to termination by either municipality, one (1) year in advance of such termination.

SECTION 3. The purpose of entering into such an Agreement is to provide police services to the participating municipalities.

SECTION 4. The North Boroughs Police Commission shall be funded primarily through assessed contributions from the Borough of Avalon and the Borough of Bellevue, in proportion to the amount of police services required by each, plus supplemental funding as may be available from time to time from other local, state, or federal sources.

SECTION 5. The Agreement creates the North Boroughs Police Commission, which is comprised of two (2) representatives from each participating municipality. One such representative shall be the Mayor of each of the participating municipalities, and one (1) elected official appointed by the President of Council of the participating municipality. The alternate member shall be a Council Member appointed by the President of Council of the participating municipality, and shall participate in the deliberation of issues, but shall not vote unless they are attending the meeting as a substitute for one of the regular members who is absent.

The participating municipalities shall appoint the regular and alternate members annually at the reorganization meeting of the municipality.

The members of the North Boroughs Police Commission shall serve without compensation.

SECTION 6. All real and personal property acquired by the Commission as of the effective date of the Agreement aforementioned shall be owned by the North Boroughs Police Commission and shall be managed by it. In the event of dissolution of the Commission, personal property shall be appraised and distributed to the participating municipalities in the same proportion as the funding assessments for the participants in that year; or, if no agreement can be reached, the personal property shall be sold and the proceeds thereof distributed in the same proportion.

All real estate owned by the Commission shall be appraised and sold and the proceeds shall be distributed in the same proportion.

SECTION 7. The agreement entered into between the Borough of Avalon and the Borough of Bellevue shall supersede any and all

prior organizational and contractual agreements previously entered into, and presently in force by and between the Borough of Avalon and the Borough of Bellevue.

SECTION 8: The President of Council and the Secretary of the Borough of Avalon are hereby authorized and directed to execute whatever documents may be necessary to carry into effect such Agreement, including, but not limited to, the Agreement heretofore referred to.

SECTION 9: The provisions of this Ordinance shall become null and void and of no effect in the event the proposition of whether to consolidate the police departments of the Borough of Avalon and the Borough of Bellevue is not approved by the voters of the Borough of Bellevue at the General Election on November 8, 1994, and further all agreements, understandings, letters of understanding and similar obligations and undertakings shall also be null and void and of no effect.

SECTION 10: The provisions of this Ordinance shall be severable and shall any one of its provisions for any reason be held illegal or invalid, such illegality or invalidity shall not affect any of the remaining or other provisions of this Ordinance, and this Ordinance shall, in such circumstances, be construed and enforced as if such illegal or invalid provisions had not been enacted.

SECTION 11: This Ordinance shall become effective immediately upon publication as per the Borough Code.

SECTION 12: Any Ordinance, or part thereof, conflicting with provisions of this Ordinance, shall be, and the same is hereby repealed insofar as the same affects this Ordinance.

ORDAINED AND ENACTED this 6th day of July, 1994.

ATTEST:

BOROUGH OF AVALON

Jean A. Welsh
Secretary

Harold Moore
President of Council

EXAMINED AND APPROVED this 6th day of July, 1994.

Janice Brimont
Mayor