

BOROUGH OF AVALON  
ORDINANCE NO. 1230

AN ORDINANCE OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE FORMATION OF A NONPROFIT CORPORATION FOR THE PURPOSE OF PROVIDING 911 SERVICES; AUTHORIZING THE EXECUTION AND DELIVERY OF A COOPERATION AGREEMENT WITH THE BOROUGH OF BELLEVUE AND NORTHWEST REGIONAL MANAGEMENT; AUTHORIZING THE OBTAINING OF APPROVALS FROM THE INTERNAL REVENUE SERVICE; AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF ALLEGHENY; AUTHORIZING THE TRANSFER OF MONEYS RECEIVED FROM THE COUNTY OF ALLEGHENY AND THE COMMONWEALTH OF PENNSYLVANIA TO NORTHWEST REGIONAL MANAGEMENT; AUTHORIZING OTHER NECESSARY ACTION; AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, the Borough of Avalon (the "Borough") has determined that it is in the best interest of the citizens of the Borough to provide its police officers, fire fighters and emergency medical service personnel with a reliable communication system within the Borough and across municipal boundaries;

WHEREAS, it is possible to provide a reliable communication system (the "911 System") by the use of an intergovernmental cooperative emergency dispatching and communication service which conforms to the County of Allegheny 911 Plan (the "911 Plan"); and

WHEREAS, the Borough desires to cooperate with the Borough of Bellevue and other municipalities in providing the 911 System in accordance with the 911 Plan; and

WHEREAS, in order to implement the 911 System, the Borough desires to approve the formation of a nonprofit corporation to be known as Northwest Regional Management which will be an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code") and an organization described in Rev. Proc. 63-20, as amplified by Rev. Proc. 82-26; and

WHEREAS, in order to implement the 911 System, the Borough desires to enter into an Intergovernmental Cooperation Agreement with the Borough of Bellevue, Northwest Regional Management, and other municipalities which elect to join with the Borough in the use of the 911 System;

NOW, THEREFORE, the Borough of Avalon hereby ordains and enacts as follows:

**SECTION 1:**

The Borough hereby determines to undertake the creation and implementation of a 911 System in cooperation with the Borough of Bellevue and other municipalities, in the manner described in this Ordinance.

**SECTION 2:**

The Articles of Incorporation and the By-Laws, as presented to this meeting, of the nonprofit corporation to be known as Northwest Regional Management are hereby approved and the filing with Department of State of the Articles of Incorporation is hereby authorized.

**SECTION 3:**

The filing with the Internal Revenue Service of a request for a determination that Northwest Regional Management is a corporation described in Section 501(c)(3) of the Code is hereby authorized and approved.

**SECTION 4:**

The filing with the Internal Revenue Service of a request for a determination that obligations of Northwest Regional Management will, in accordance with Rev. Proc. 63-20 as amplified by Rev. Proc. 82-26, be considered as obligations of the Borough for purposes of Section 103 of the Code is hereby authorized and approved.

**SECTION 5:**

The Intergovernmental Cooperation Agreement presented to this meeting is hereby approved and the proper officers of the Borough are authorized and directed to execute and deliver that Agreement.

**SECTION 6:**

The Agreement between the County of Allegheny and the Borough relating to the establishment of a consolidated Local Answering Point and other matters is hereby approved and the proper

officers of the Borough are authorized and directed to execute and deliver that Agreement.

**SECTION 7:**

The Borough hereby assigns to Northwest Regional Management all grants received and to be received for the 911 System from the County of Allegheny or the Commonwealth of Pennsylvania and directs the proper officers of the Borough to deliver such amounts, when received, to Northwest Regional Management.

**SECTION 8:**

The officers of the Borough are authorized and directed to execute all documents required in connection with the foregoing sections of this Ordinance, provided that such documents have been approved by the Borough Solicitor and to cause those documents to be delivered to the proper persons.

**SECTION 9:**

The proper officers of the Borough are authorized to take such other actions and to execute and deliver such other documents as may be necessary and proper for the implementation of this Ordinance.

**SECTION 10:**

All Ordinances which are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED into law this 16<sup>TH</sup> day of July, 1996.

ATTEST:

BOROUGH OF AVALON

Joan A. Welsh  
Joan A. Welsh,  
Secretary  
(SEAL)

By Harvy W. Dilmore  
Harvy W. Dilmore,  
President of Council

Examined and Approved by me this 16<sup>TH</sup> day of  
JULY, 1996.

Daniel K. Bricmont  
Daniel K. Bricmont  
Mayor

LAW OFFICES  
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May 22, 1996

Michael R. Stabile, Jr.  
Eckert, Seamans, Cherin & Mellott  
600 Grant Street, 42nd Floor  
Pittsburgh, PA 15219

Re: Borough of Avalon  
Northwest Regional 911

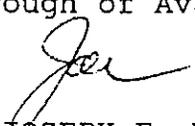
Dear Mike:

Pursuant to our discussion last week, enclosed please find a copy of the proposed Ordinance that the Borough of Avalon intends to adopt in this matter. So as not to delay this important project, the Borough adopted your proposed Resolution on May 21, 1996.

If you have any questions concerning the above, please do not hesitate to contact the above.

Very truly yours,

SCOTT, VOGRIN & RIESTER  
Solicitor  
Borough of Avalon



BY JOSEPH E. VOGRIN, III, ESQUIRE

JEV:mag  
Enclosure  
cc: Joan A. Welsh, Manager