

# **CHAPTER 15: INTERMUNICIPAL AGREEMENTS**

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

## **Article I. Perry County Council of Governments**

[Adopted 4-1-2003 by Ord. No. 313]

§ 15-1. Consent to join.

[Amended 1-8-2013 by Ord. No. 348] The governing body hereby consents to joining the Perry County Council of Governments, an intergovernmental organization formed under the provisions of the Intergovernmental Cooperation Act (53 Pa.C.S.A. § 2301 et seq.) for the purpose of providing various services, including but not limited to building code enforcement.

§ 15-2. Execution of agreement.

The governing body of the Borough of Newport does hereby direct the officers of the Borough to execute an agreement with such other municipalities as a desire to enter into an agreement to accomplish the purposes as set forth herein. The agreement shall provide, *inter alia*, for the following:

- A. The intergovernmental organization shall provide initially for a building codes program and may provide for such other services and programs as it deems appropriate in the future.
- B. The term of the intergovernmental organization and the agreement shall be perpetual subject to the right to terminate upon at least 12 months' notice.
- C. The intergovernmental organization shall have all the powers necessary to accomplish the intent of the agreement.
- D. The intergovernmental organization shall be supported by contributions from its members, grants, and fees for services.
- E. A Board of Directors, Officers, and an Executive Committee shall govern the intergovernmental organization.
- F. Real and personal property may be purchased, sold, or leased by the intergovernmental organization, in accordance with applicable law.
- G. The intergovernmental organization shall have the power and authority to enter into contracts for group insurance and employee benefits.

§ 15-3. Entrance into contracts.

The governing body of the Borough of Newport is hereby authorized to enter into contracts with the Perry County Council of Governments to provide such services and programs as the governing body shall, by resolution, determine from time to time.

## **Article II. Regional Emergency Management Agency**

[Adopted 6-3-2003 by Ord. No. 315]

§ 15-4. Title.

This article shall be known as the “Newport Borough Regional Emergency Management Agency Ordinance.”

§ 15-5. Parties of agreement.

The Borough of Newport hereby resolves to enter into an intergovernmental cooperation agreement with other boroughs and townships of Perry County that have enacted a similar ordinance and such other municipalities as would desire to enter into an intergovernmental agreement in the future, whereby a Perry County Regional Emergency Management Agency will be created, hereinafter referred to as the “Regional Emergency Management Agency.”

§ 15-6. Purpose.

The purpose of the Regional Emergency Management Agency is to function as the emergency management agency for each of the respective municipalities, in accordance with the Emergency Management Services Code. Editor’s Note: See 35 Pa.C.S.A. § 7101 et seq.

§ 15-7. Conditions and agreement.

The conditions of the intergovernmental cooperation agreement to be entered into between the participating municipalities and the County are generally as follows:

- A. The municipalities agree that they shall take steps to assure the formation of the Regional Emergency Management Agency, said organization to be responsible for functioning as the Emergency Management Agency in each of the municipalities, and they shall adopt and declare the County Emergency Operations Plan to be the emergency operations plan of each of their municipalities for the purpose of fulfilling the requirements in Subsection 7503(1) of

the Emergency Management Services Code Editor's Note: See 35 Pa.C.S.A. § 7503(1). to prepare, maintain and keep current a disaster emergency management plan for each of their municipalities.

- B. Each municipality shall appoint two individuals to serve as members of the Regional Emergency Management Agency, which will have planning and resource development responsibilities for emergency operations within the territorial limits of the municipalities that have formed the Regional Emergency Management Agency. Actions taken by the Regional Emergency Management Agency must be ratified by the individual municipality governing bodies, as provided within the EMS Code.
- C. The Regional Emergency Management Agency will recommend one of the individuals named to the Agency to serve as the Regional Emergency Management Coordinator and another to serve as Deputy Emergency Management Coordinator of the Regional Emergency Management Agency, with responsibility for operational control of emergency response operations within the territorial limits of the municipalities that have formed the Regional Emergency Management Agency. The Regional Emergency Management Coordinator will be subject to the direction and control of the elected officials of the municipality affected by the emergency situation. In no case, however, shall the Regional Emergency Management Coordinator and his/her Deputy be from the same municipality. If two or more municipalities are affected by the same emergency situation, the Regional Emergency Management Coordinator shall be subject to the direction and control of the elected officials of the municipalities affected by the emergency situation.
- D. Each municipality may provide reimbursement to the Regional Emergency Management Agency for the costs incurred during the printing and reproduction of the Regional Emergency Operations Plan, Municipal Emergency Operations Plans, Notification and Resource Manuals, and Emergency Response Checklists.
- E. The Perry County Regional Emergency Management Agency shall be empowered to enter into contracts for policies of group insurance and employee benefits, including social security, for its employees.
- F. Each municipality shall be a member of the Regional Emergency Management Agency for a term of at least five years. At the end of this period of time, any municipality may withdraw from the Perry County Regional Emergency Management Agency after providing: 30 days' written notice to the other member municipalities; and acceptance by the Regional Director of Emergency Services of a standalone emergency operations plan for that municipality. The

establishing intergovernmental cooperation agreement, however, shall continue to exist among the remaining municipalities.

G. Real and personal property may be acquired, managed, licensed or disposed of by the Regional Emergency Management Agency in accordance with applicable law.[Added 1-8-2013 by Ord. No. 348]

§ 15-8. Registration with county.

A copy of this article shall be filed with the Regional Emergency Management Agency and shall remain in effect unless amended. Any amendments shall also be filed with the Regional Emergency Management Coordinator.