

**BOROUGH OF ORWIGSBURG
SCHUYLKILL COUNTY, PENNSYLVANIA**

ORDINANCE NO. 367

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, ADOPTING AN INTERMUNICIPAL AGREEMENT IN ACCORDANCE WITH THE PROVISIONS OF THE PENNSYLVANIA CONSTRUCTION CODE TO ESTABLISH A JOINT BOARD OF APPEALS AMONG NORTH MANHEIM TOWNSHIP, THE BOROUGH OF CRESSONA, AND THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA:

WHEREAS, the Borough of Orwigsburg, the Township of North Manheim, and the Borough of Cressona (sometimes hereinafter referred to as the “municipalities”) have all enacted Ordinances to administer or to “opt in”, under the provisions of the Pennsylvania Construction Code Act (hereinafter referred to as “the Code”) and

WHEREAS, the Code provides in Section 403.121(d) that two or more municipalities may establish a joint Board of Appeals through the use of an intermunicipal agreement; and

WHEREAS, the municipalities have determined that it is in the best interest of their respective residents to establish a joint Board of Appeals to determine, and decide any appeals under the Code; and

WHEREAS, the municipalities have accordingly negotiated an Intermunicipal Agreement for the purpose of establishing a joint Board of Appeals, a copy of which is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Borough of Council of the Borough of Orwigsburg, Schuylkill County, and it is hereby ENACTED AND ORDAINED by the authority of the same, as follows:

1. The Borough Council of the Borough of Orwigsburg, having reviewed the terms and conditions of the attached Intermunicipal Agreement, by the power vested in them, hereby authorizes Borough President and Borough Secretary to execute the said Intermunicipal Agreement

on behalf of the Borough, creating a joint Board of Appeals to decide any appeals which may arise from the Act.

2. The Board hereby directs that after the aforesaid Intermunicipal Agreement has been executed by all three member municipalities, a fully executed copy shall be attached to this Ordinance.

3. The Borough Manager is hereby authorized to forward copies of this Ordinance to the Borough of Cressona and the Township of North Manheim.


4. The Intermunicipal Agreement shall become effective immediately upon the adoption by all three municipalities of authorizing ordinances.

5. If any section, subsection, sentence, or clause of this Ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

6. This Ordinance shall be effective five (5) days after enactment.

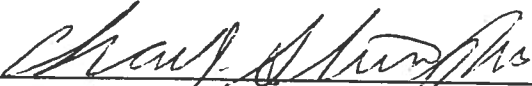
DULY ENACTED AND ORDAINED AND ENACTED this 11th day of August, 2004, by the Borough Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly assembled.

ATTEST:




Sherry Edwards
ACTING BOROUGH SECRETARY

BOROUGH OF ORWIGSBURG

By: 

CHARLES J. STERNER,
COUNCIL PRESIDENT

EXAMINED and APPROVED this 11th day of August 2004.



AUSTIN SCANDIBER
MAYOR OF THE BOROUGH OF ORWIGSBURG,
SCHUYLKILL COUNTY, PENNSYLVANIA