

TOWNSHIP OF WEST HEMPFIELD

Lancaster County, Pennsylvania

ORDINANCE NO. 02-20

AN ORDINANCE SIGNIFYING THE DESIRE AND INTENTION OF THE TOWNSHIP OF WEST HEMPFIELD, LANCASTER COUNTY, PENNSYLVANIA, TO ORGANIZE AN AUTHORITY UNDER THE MUNICIPALITY AUTHORITIES ACT, AS AMENDED, FOR THE PURPOSES OF EXERCISING ANY AND ALL POWERS CONFERRED BY SAID ACT; SETTING FORTH, IN FULL, THE PROPOSED ARTICLES OF INCORPORATION; APPOINTING MEMBERS TO THE BOARD OF THE AUTHORITY; AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION AND DOING ALL MATTERS NECESSARY FOR CREATION OF SAID AUTHORITY; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES.

BE AND IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, as follows:

Section 1. The Board of Supervisors of the Township of West Hempfield signifies the intention and desire to organize an authority under the Pennsylvania Municipality Authorities Act, 53 Pa. C.S. §5601 et seq., as amended and supplemented (the "Act"), for the purposes of exercising any and all powers conferred by the Act.

Section 2. The Chairman of the Board of Supervisors and the Secretary, respectively, of this Township are authorized and directed to execute, in behalf of this Township, Articles of Incorporation for said Authority, in substantially the following form:

ARTICLES OF INCORPORATION

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

In compliance with requirements of the Municipality Authorities Act, 53 Pa. C.S. §5601 et seq., and pursuant to Ordinance duly enacted by the municipal authority of the Township of West Hempfield, Lancaster County, Pennsylvania, expressing the intention and desire of the municipal authority of said municipality to organize an Authority, jointly, under provisions of said Municipality Authorities Act, said municipality certifies:

1. The name of the Authority is "West Hempfield Township Municipal Authority".

2. The Authority is formed under said Municipality Authorities Act, as amended and supplemented, and shall have all powers set forth in Section 5607 of the Act.

3. No other authority has been organized under provisions of the Municipality Authorities Act, 53 Pa. C.S. §5601 et seq., or under the Act of Assembly, approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945" or under provisions of the Act of Assembly, approved June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for the incorporating municipality, except that:

a. West Hempfield Township, together with the Borough of East Petersburg, Borough of Mountville, Township of East Hempfield, Township of Lancaster, and Township of Manor organized "Lancaster Area Sewer Authority" under the Municipality Authorities Act of 1945, as amended and supplemented.

4. The name and address of the incorporating municipality is:

The Township of West Hempfield
3476 Marietta Avenue
Lancaster, PA 17601

5. The names and addresses of the municipal authorities of said incorporating municipality are:

<u>Office</u>	<u>Name</u>	<u>Address</u>
Chairman	David M. Dumeyer	1665 W. Silver Spring Road Landisville, PA 17538
Vice Chairman	Edward C. Fisher	2672 Hemlock Drive Columbia, PA 17512
Supervisor	Kent B. Gardner	1609 Silver Spring Road Landisville, PA 17538
Supervisor	Naomi G. Martin	990 Stony Battery Road Lancaster, PA 17601
Supervisor	Robert M. Munro	127 Strickler Run Drive Columbia, PA 17512

The members of the Board of the Authority shall be five (5) in number and shall be apportioned by the Board of Supervisors.

6. The names, addresses and terms of office of the first members of the Board of the Authority, each of whom is a citizen of the incorporating municipality, are as follows:

<u>Name</u>	<u>Address</u>	<u>Term of Office</u>
David M. Dumeyer	1665 W. Silver Spring Road Landisville, PA 17538	1 Year
Edward C. Fisher	2672 Hemlock Drive Columbia, PA 17512	5 Years
Kent B. Gardner	1609 Silver Spring Road Landisville, PA 17538	4 Years
Naomi G. Martin	990 Stony Battery Road Lancaster, PA 17601	2 Years
Robert M. Munro	127 Strickler Run Drive Columbia, PA 17512	3 Years

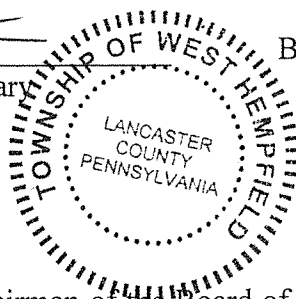
IN WITNESS WHEREOF, the Township of West Hempfield, Lancaster County, Pennsylvania, has caused these Articles of Incorporation to be executed by its Chairman of the Board of Supervisors and to be attested by its Township Secretary and its seal to be affixed hereunto, as of the 4th day of February, 2020.

TOWNSHIP OF WEST HEMPFIELD
Lancaster County, Pennsylvania

Attest: Adm St
(Assistant) Secretary

By: David M Dumeyer
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]



Section 3. The Chairman of the Board of Supervisors and the Secretary, respectively, of this Township further are directed to cause notice of the substance of this Ordinance, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of such Articles of Incorporation to be published as required by the Act.

Section 4. The Chairman of the Board of Supervisors and the Secretary, respectively, of this Township further are directed to cause such Articles of Incorporation, together with the necessary proofs of publication, to be filed with the Secretary of the Commonwealth of Pennsylvania, and to do all other acts and things necessary or appropriate to effect the incorporation of such Authority, including payment of any filing fees required in connection therewith.

Section 5. The Board of the Authority shall consist of five members, all of whom are appointed by the Board of Supervisors of the Township of West Hempfield.

Section 6. The enactment of this Ordinance is deemed necessary for the benefit and

preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of the citizens of this Township.

Section 7. All ordinances or parts of ordinances, insofar as such shall be inconsistent herewith, shall be and the same expressly are repealed.

DULY ORDAINED AND ENACTED this 4th day of February, 2020, by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST HEMPFIELD
Lancaster County, Pennsylvania

Attest: *Adw St*
(Assistant) Secretary

By: *David M. Remyer*
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]



CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Township of West Hempfield, Lancaster County, Pennsylvania ("Township") certify that: The foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which duly was enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of West Hempfield at a meeting duly held on the 4th day of February, 2020; that such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of West Hempfield met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township of West Hempfield or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township of West Hempfield, this 4th day of February, 2020.

Adrian St

(Assistant) Secretary

[TOWNSHIP SEAL]

