

**TOWNSHIP OF PORTAGE,
CAMBRIA COUNTY, PENNSYLVANIA**

**ORDINANCE 2012-6
for
INTERGOVERNMENTAL COOPERATION**

AN ORDINANCE AMENDING ORDINANCE #2010-6 WHICH AUTHORIZED PARTICIPATION IN PROPERTY MAINTENANCE PROGRAM OF THE CAMBRIA COUNTY BUILDING CODE ENFORCEMENT AGENCY, DELEGATING MUNICIPAL POWERS OF ENFORCEMENT RELATED TO CERTAIN, SPECIFIED, PREVIOUSLY ADOPTED ORDINANCES AND MODIFYING THE PENALTIES FOR THE VIOLATION THOSE ORDINANCES.

THIS ORDINANCE, ESTABLISHING AN AGREEMENT, pursuant to the Pennsylvania Intergovernmental Cooperation Law, 53 Pa. C. S. § 2303, et seq., is hereby approved and entered as of the date of adoption of the Ordinance by the Township of Portage, (hereinafter "Municipality") and effective five (5) days thereafter.

WITNESSETH:

WHEREAS, the Township of Portage("Municipality") is a municipality located within Cambria County, Pennsylvania; and

WHEREAS, the Municipality recognizes that the growth and development in Cambria and Somerset Counties in general, and in the geographic limits of the Municipality in particular, have increased the need for municipal services to their residents; and

WHEREAS, the Municipality has previously joined with the Cambria County Building Code Enforcement Agency for local enforcement of the Uniform Construction Code, and has determined that participation has been beneficial and convenient for its residents both in terms of cost and efficiency of administration all of which protect and preserve the health, safety, and welfare of its citizens; and

WHEREAS, the Act of July 12, 1972, P.L. 762, as amended, 53 P.S. §481 et seq., also known as the Intergovernmental Cooperation Act, permits Municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, the Municipality has determined that it has a need for administration of a property maintenance enforcement program including ordinances previously adopted by the Municipality, as listed on the attached Exhibit “B” herein, for the protection of the persons and property of its residents and protection of the general public safety; and

WHEREAS, the Township of Portage heretofore adopted Ordinance No. 2010-6 providing for the Municipality to enter into an Intergovernmental Cooperation Act agreement whereby it will jointly establish and participate in a property maintenance code enforcement program including enforcement of related ordinances as listed on Exhibit “B”, to serve Municipalities throughout Cambria and Somerset Counties; and

WHEREAS, the purpose of this Ordinance is to amend Ordinance Number 2010-6, by modifying Exhibit “B” of the Intergovernmental Cooperation Agreement applicable to adding enforcement of the Township’s Floodplain Ordinance to the existing property maintenance code enforcement program.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Board of Supervisors of the Township of Portage, and **IT IS HEREBY ORDAINED AND ENACTED** by the authority of the same as follows:

1. The Municipality hereby adopts this Ordinance amending Portage Township Ordinance Number 2010-6, by modifying the attached Exhibit “B” applicable to adding enforcement of the Township’s Floodplain Ordinance No. 2012-2, to the existing property maintenance code enforcement program.
2. The qualified Code Official(s) hired by the Program Committee of the Cambria County Building Code Enforcement Agency is/are hereby authorized to act on behalf of the Municipality in enforcing any and all provisions of the Ordinances and Resolutions of the Municipality, as set forth in the Attached Exhibit B.
3. In the future, Exhibit “B” may be modified by the adoption of a Resolution by the Township.
4. All other terms and provisions of Ordinance 2010-6 shall remain and continue in full force and effect.

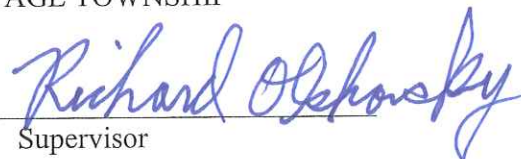
5. SEVERABLE PROVISIONS: It is the intent of the Municipality that the provisions of this Ordinance are severable and the invalidity of any Section, subsection, clause or provision of this Ordinance shall not affect or impair the validity of any other part of this Ordinance which can be given effect without the invalid part or parts.
6. OFFICERS AUTHORIZED TO ACT: The proper officers of the Municipality, as applicable, are authorized and directed to execute, to attest, to acknowledge and to deliver all documents, on behalf of this municipality, in the form so approved. Proper officers of this Municipality are authorized and directed to execute any and all documents and to do any and all other acts that may be necessary and proper to carry out this Ordinance and the undertakings of this municipality.
7. REPEALER: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as same affects this Ordinance.
8. EFFECTIVE IMMEDIATELY: This Ordinance shall become effective immediately, or as soon as legally permissible and shall remain in effect unless and until subsequently repealed or amended.

ORDAINED and ENACTED at a duly assembled public meeting by the Township of Portage, Cambria County, Pennsylvania this 5th day of September, 2012.

ATTEST:

PORTAGE TOWNSHIP

By: 
Secretary

By: 
Supervisor

(Seal)

By: 
Supervisor

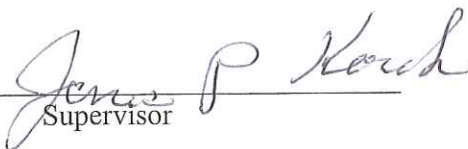
By: 
Supervisor

Exhibit "B"

List of Municipal Ordinances for Which Enforcement Is Delegated

1. Ordinance _____ (Driveway/Road Occupancy)
2. Ordinance _____ (Subdivision or Land Development)
3. Ordinance _____ (Set back requirements)
4. Ordinance _____ (Floodplain Ordinance)