

**BOROUGH OF SEVEN FIELDS
COUNTY OF BUTLER, PENNSYLVANIA**

ORDINANCE NO. 83 of 2013

AN ORDINANCE AUTHORIZING THE BOROUGH OF SEVEN FIELDS, BUTLER COUNTY, PENNSYLVANIA, TO CREATE WITH EVANS CITY, BUTLER COUNTY, PENNSYLVANIA, THE EVANS CITY AND SEVEN FIELDS REGIONAL POLICE DEPARTMENT BY ENTERING INTO AN AGREEMENT PROVIDING FOR MUTUAL POLICE PROTECTION PURSUANT TO ARTICLE IX, SECTION 5 OF THE CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA AND THE INTERGOVERNMENTAL COOPERATION ACT.

WHEREAS, the Borough of Seven Fields and the Borough of Evans City desire to enter into an Agreement providing for mutual police protection within each of the respective municipal limits by creating a joint police force called the Evans City and Seven Fields Regional Police Department; and

WHEREAS, such an Agreement is authorized by Article IX, Section of the Constitution of the Commonwealth of Pennsylvania and the Intergovernmental Cooperation Act of July 12, 1972, No. 180, as amended by Act of October 8, 1986, No. 137 (53 P.S. §481, et seq.); and

WHEREAS, the Intergovernmental Cooperation Act provides that the municipality shall adopt an Ordinance authorizing the governing body to enter in to an intergovernmental agreement as may be deemed appropriate for such purposes.

WHEREAS, the power to create a regional police department is granted by the Borough Code and the Constitution of the Commonwealth of Pennsylvania, Article IX, Section 5, et seq.; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the Borough of Seven Fields, Butler County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1. Intergovernmental Agreement Authorization.

The Borough of Seven Fields is hereby authorized to join with the Borough of Evans City in accordance with the Commonwealth of Pennsylvania and the Intergovernmental Cooperation Act of July 12, 1972, No. 180, as amended by Act of October 8, 1986, No. 137 (53 P.S. §481, et seq.), by entering into an Agreement with the Borough of Seven Fields to provide for mutual police protection within the municipal limits of each municipality, which Agreement shall be filed with Minutes of the meeting at which this Ordinance was adopted.

SECTION 2. Evans City and Seven Fields Regional Police Department.

The new police department shall be known as the Evans City and Seven Fields Regional Police Department and shall be organized as an unincorporated association. Said Evans City and Seven Fields Regional Police Department shall have perpetual existence, unless terminated sooner in accordance with the terms of its Charter or by an ordinance of the Borough Council of the Borough of Seven Fields and the Borough of Evans City.

SECTION 3. Duties of Department Established.

The Borough Council of the Borough of Seven Fields hereby expressly delegates to the Evans City and Seven Fields Regional Police Department those power and duties of a police department established pursuant to the Borough Code Act of February 1, 1966 (1965 P.L. 1656, No. 581) as amended, 53 P.S. §46121, et seq. The Evans City and Seven Fields Regional Police Department shall establish and operate a police department for the purpose of providing protection to persons and property within the corporate boundaries of Evans City Borough and the Borough of Seven Fields in Butler County, Pennsylvania. The purpose and objectives of the Agreement shall be to provide broader and more comprehensive police protection and law enforcement services on a more economical basis within the municipal limits of both municipalities by the consolidation of said separate police departments into a new joint police department to be known as the Evans City and Seven Fields Regional Police Department, which new consolidated police department shall provide police protective services throughout the municipal limits of both municipalities

SECTION 4. Appropriations Authorized.

The total cost of operating and maintaining the consolidated Evans City and Seven Fields Regional Police Department is to be financed by annual budget appropriations made by each participating municipality toward such total cost in the manner and subject to the conditions as set forth in the Agreement

SECTION 5. Commission Established.

The Evans City and Seven Fields Regional Police Department is to be under the general supervision and control of a joint board to be known as the Evans City and Seven Fields Regional Police Commission, consisting of three (3) elected officials from each municipality. The organization structure of the consolidated police department shall be as provided in the Agreement.

SECTION 6. Property and Equipment.

The Agreement shall provide that all of the existing property and equipment of each police department shall be contributed or transferred to the Evans City and Seven Fields Regional Police Department. Thereafter all new purchases of property or equipment are to be made and disposed of as provide in said Agreement.

SECTION 7. Powers of Commission.

The Evans City and Seven Fields Regional Police Commission created pursuant to this Ordinance shall be empowered to enter into contracts for the purchase of property, equipment, materials and supplies, and shall be authorized to enter into contracts for policies of group insurance and employee benefits, including social security, for its employees, subject to the budgetary restrictions and other provisions contained in said Agreement, and shall have all other powers and authority as provided in said Agreement and not otherwise denied to it or withheld by the laws of the Commonwealth of Pennsylvania.

SECTION 8. Intergovernmental Cooperation

As required by the Intergovernmental Cooperation Act, the following matters are specifically found and determined:

- a. The conditions of the agreement are found in the Evans City/Seven Fields Regional Police Department Charter Agreement ("Agreement") executed on September 9, 2013, which is adopted by reference, with the same effect as if it had been set out verbatim in this Section. A Copy of the Charter Agreement shall be filed with the Minutes of the meeting at which this Ordinance was adopted;
- b. The duration of the initial term of the Agreement is ten (10) years, after which the Borough of Evan City's participation is as set forth in the Agreement approved on September 9, 2013;
- c. The purpose and objectives of the Agreement, including the powers and scope of authority are specifically delegated in the Agreement approved on September 9, 2013;
- d. The manner and extent of financing is set forth in the Agreement approved on September 9, 2013;
- e. The Evans City/Seven Fields Regional Police Department shall be under the general supervision of the Evans City and Seven Fields Regional Police Commission, consisting of three (3) members from each participating municipality;
- f. Property, real or personal. Shall be acquired, managed, licensed or disposed from time to time as the Evans City/Seven Fields Regional Police Department may

determine to be necessary or appropriate to meet the purpose and objectives of Regional Police Department; and

- g. The Evans City and Seven Fields Regional Police Commission shall be empowered to enter into contracts for policies of group insurance and employee benefits, including social security, for its employees.

SECTION 9. Repealer

Any and all prior Ordinances and Resolutions and/or any and all portions of prior Ordinances and Resolutions that are in conflict with this Ordinance are hereby repealed to the extent of such conflict. The remaining prior Ordinances and Resolutions and/or portions of prior Ordinances and Resolutions, not modified herein, shall remain the same.

SECTION 10. Savings Clause

Should any provision or other part of this Ordinance be finally declared to be illegal, unenforceable, void and/or unconstitutional, such shall not affect the remainder of this Ordinance which shall nonetheless be fully valid, binding and enforceable.

SECTION 11. Effective Date

This Ordinance shall take effect immediately.

ORDAINED AND ENACTED this 9th day of December, 2013.

ATTEST:

BOROUGH OF SEVEN FIELDS



Thomas B. Smith, Borough Manager



By: Jack Oakley
Council President

EXAMINED AND APPROVED this 9th day of December, 2013.



By: Victor Giannotta
Mayor