

TOWNSHIP OF EAST LAMPETER

Lancaster County, Pennsylvania

ORDINANCE NO. 307

AN ORDINANCE AUTHORIZING THE TOWNSHIPS OF EAST HEMPFIELD, EAST LAMPETER, MANOR, AND WEST HEMPFIELD AND THE BOROUGH OF COLUMBIA, ALL OF LANCASTER COUNTY, PENNSYLVANIA, TO ENTER INTO A REVISED AND RESTATED AGREEMENT TO CREATE A CRASH SCENE INVESTIGATIVE UNIT AND TO OTHERWISE COOPERATE IN PROVIDING POLICE PROTECTIVE SERVICES.

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

Section 1. Legislative Intent. East Hempfield, Manor, and West Hempfield Townships (collectively the "Townships" and individually a "Township") are adjoining municipalities within Lancaster County, Pennsylvania. By an agreement dated August 4, 2004, the three Townships entered into an intermunicipal agreement (the "2004 Intermunicipal Agreement") to join together to create a Crash Scene Investigation Unit to provide services within all three Townships. The Crash Scene Investigative Unit would be composed of members of the Police Departments of all three Townships. In addition, each Township will contribute funds toward the purchase of equipment which the Crash Scene Investigative Unit will need to perform its functions. The 2004 Intermunicipal Agreement also granted the police officers of the other two Townships jurisdiction to respond to calls within the third Township and to assist its officers. Columbia Borough desired to become a part of the Crash Scene Investigative Unit, and all of the Townships and Columbia Borough entered into a new Intermunicipal Agreement dated January 14, 2010 (the "2010 Agreement") providing that Columbia Borough would have the same rights and responsibilities as the three Townships.

East Lampeter Township desires to be part of the Crash Scene Investigative Unit. The Townships, Columbia Borough, and East Lampeter Township (collectively the "Municipalities" and individually a "Municipality") desire to restate and amend the 2010 Agreement to make East Lampeter Township a party, to grant rights and impose obligations on East Lampeter identical to the rights and obligations of the Parties to the 2010 Agreement, and provide a procedure if additional entities desire to become a part of the Crash Scene Investigative Unit (the "2014 Agreement").

Section 2. Authorization of 2014 Agreement. This Township agrees that East Hempfield, East Lampeter, Manor, and West Hempfield Townships and Columbia Borough shall join with each other in accordance with the Pennsylvania Intergovernmental Cooperation Act by entering into the 2014 Agreement which is adopted by reference with the same effect as if it had been set out verbatim in this Section and a copy of which shall be filed with the minutes of the meeting at which this Ordinance was enacted.

Section 3. Authorization of Action by Township Officials. This Township is authorized to enter into the 2014 Agreement for the purposes contained therein. This action is to be taken by the officials or employees of the Township designated for this purpose, pursuant to general or specific instructions issued by the Board of Supervisors.

Section 4. Findings Required by Intergovernmental Cooperation Act. As required by the Intergovernmental Cooperation Act the following matters are specifically found and determined:

A. The conditions of the agreement are set forth in the 2014 Agreement referred to in Section 2.

B. The 2014 Agreement shall commence on upon execution by all Municipalities and shall continue indefinitely. The 2014 Agreement shall be terminable by any party at any time upon written notification to the other parties of the party's election to terminate the 2014 Agreement. Such termination shall become effective ten (10) days after the date of such written notice by the party electing to terminate the 2014 Agreement.

C. The purposes and objectives of the 2014 Agreement are to provide for a Crash Scene Investigative Unit composed of members of the Police Departments of each Municipality to provide services within all Municipalities and to address issues which may arises when a police officer of one Municipality enters the municipal boundaries of another Municipality in the course of his or her duties.

D. Each Municipality may contribute sums toward the purchase of equipment for the Crash Scene Investigative Unit as determined by the governing bodies of the Municipalities in future years.

E. No new organizational structure will be formed by the 2014 Agreement. The Crash Scene Investigative Unit is not a separate and distinct entity.

F. If the Police Chiefs of the Police Departments agree to purchase a single piece of equipment for the Crash Scene Unit, title to such equipment shall be in the name of the designated Municipality for that particular piece of equipment. The designated Municipality shall store and maintain property damage insurance on such equipment for the Crash Scene Unit, subject to the requirement that if such designated Municipality withdraws from the Crash Scene Unit the withdrawing Municipality shall either transfer ownership of such equipment to another Municipality or retain the equipment and reimburse each other Municipality for the amount such Municipality contributed to the acquisition of the equip-

ment which the withdrawing Municipality will retain. If the Police Chiefs agree to purchase equipment such as computer software or protective gear where each Police Department will have its own items of such equipment, then each Municipality shall acquire, manage or dispose of such property as it deems necessary or desirable.

G. Each Municipality has the power to enter into contracts for policies of insurance or other employee benefits.

Section 5. Further Expansion of the Crash Scene Investigative Unit. Each Municipality agrees that other Lancaster County municipalities may become a part of the Crash Scene Investigative Unit by executing an addendum in a form substantially identical to the 2014 Agreement and enacting an ordinance under the Intergovernmental Cooperation Act without the Municipalities having to enact a further ordinance.

Section 6. Reservation of Rights. The Board of Supervisors reserves the right to modify, supplement or amend the 2014 Agreement from time to time by resolution or ordinance.

Section 7. Reaffirmation of Other Agreements. All other intergovernmental agreements between or among East Lampeter Township and any other Municipality or other entities presently existing, other than the 2010 Agreement, are hereby ratified and confirmed to the extent such agreements are not inconsistent with the 2014 Agreement authorized herein.

Section 8. Severability. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 9. Effective Date. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of East Lampeter as provided by law.

DULY ORDAINED AND ENACTED this 14. day of July, 2014, by the Board of Supervisors of the Township of East Lampeter, Lancaster County, Pennsylvania, in lawful session duly assembled.

Attest:



(Assistant) Secretary

TOWNSHIP OF EAST LAMPETER
Lancaster County, Pennsylvania

By:



(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]