

**LOWER ALLEN TOWNSHIP  
CUMBERLAND COUNTY**

**ORDINANCE NUMBER 2018-06**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LOWER ALLEN, CUMBERLAND COUNTY, PENNSYLVANIA, HEREBY EXPRESSING THE BOARD'S INTENTION TO ORGANIZE A STORMWATER AUTHORITY UNDER THE MUNICIPALITY AUTHORITIES ACT (AS AMENDED) FOR THE PURPOSE OF EXERCISING THE POWERS CONFERRED BY THE ACT; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY; AUTHORIZING THE EXECUTION OF THE ARTICLES OF INCORPORATION AND PREPARING LEGAL NOTICES FOR THE CREATION OF THE AUTHORITY.**

**WHEREAS**, the Township of Lower Allen (hereinafter the "**Township**") is a municipal corporation, organized and existing under the provisions of the **First Class Township Code**; and

**WHEREAS**, the Township of Lower Allen, in accordance with Pennsylvania and Federal mandates for stormwater management intends to incorporate a **Stormwater Authority** pursuant to the Municipality Authorities Act of 1945 as amended (**53 Pa.C.S. section 5601, et seq.**

**BE IT ENACTED AND ORDAINED** by the Board of Commissioners ("**Board**") of the Township of Lower Allen, Cumberland County, Pennsylvania, it is hereby enacted and ordained by the same as follows:

**SECTION 1**

The Board of Commissioners of the Township of Lower Allen, Cumberland County, Pennsylvania, hereby expresses its intention to organize a **Stormwater Authority** under the provisions of the Municipality Authorities Act (as amended) 53 Pa. C.S. Section 5607(a)(18). The Board of Commissioners retains the right to approve any plan of the Authority.

**SECTION II**

The purposes of the Lower Allen Township Stormwater Authority are to acquire, hold, construct, improve, maintain, operate, own and lease either in the capacity of Lessor or Lessee stormwater systems or parts thereof, including the planning, management and implementation of stormwater systems.

**SECTION III.**

The President and the Secretary of the Board of Commissioners are hereby authorized and directed to execute on behalf of the Township of Lower Allen, Cumberland County, Pennsylvania, **Articles of Incorporation** for said Authority.

**SECTION IV**

The President and Secretary of the Board of Commissioners are directed to cause a notice of the substance of this Ordinance, including the proposed Articles of Incorporation, and the proposed filing of the above Articles to be published once in the newspaper, published in general circulation in the County of Cumberland, and in the Cumberland County Law Journal as required by the Municipality Authorities Act (as amended).

**SECTION V**

The President and Secretary of the Board of Commissioners are further directed to cause such Articles of Incorporation, together with the necessary proofs of publication to be filed with the Secretary of the Commonwealth, to do all the acts necessary to effect the incorporation of the

“**Lower Allen Township Stormwater Authority,**” including the payment of any filing fees in connection therewith.

**SECTION VI**

The following named persons are hereby appointed as the first members of the Board of the Authority for the following term of office:

<u>Name</u>	<u>Address</u>	<u>Term of Office</u>
Lloyd Bucher	130 Cambridge Drive, Mechanicsburg, PA 17055	12-31-2018
Alison Shuler	12 Riddle Road, Camp Hill, PA 17011	12-31-2019
Richard Schin	9 Scarsdale Drive, Camp Hill, PA 17011	12-31-2020
Gordon Wilson	129 Briarwood Court, Camp Hill, PA 17011	12-31-2021
Timothy Johnson	1607 Letchworth Road, Camp Hill, PA 17011	12-31-2022

**SECTION VII**

The provisions of this Ordinance, as far as they are the same as those of Ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinances and not as new enactments. The provisions of this Ordinance shall not affect any such suit or prosecution pending, or to be instituted to enforce any right or penalty, or to punish any offense under the authority of any Ordinance repealed by this Ordinance.

**SECTION VIII**

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

**SECTION IX**

This **Ordinance** shall take effect immediately.

**ENACTED AND ORDAINED** into an Ordinance this 27<sup>th</sup> day of August **2018**.

Attest:

**Township of Lower Allen,  
Cumberland County  
Board of Commissioners**

(Corporate Seal)

By: \_\_\_\_\_  
**Secretary**

By: \_\_\_\_\_  
**President**