

ORDINANCE NO. 1998-2
TOWNSHIP OF SCHUYLKILL

AN ORDINANCE OF THE TOWNSHIP OF SCHUYLKILL AUTHORIZING, DIRECTING AND APPROVING THE AMENDMENT OF THE ARTICLES OF INCORPORATION OF THE SCHUYLKILL VALLEY SEWER AUTHORITY TO PERMIT ANY OF THE MEMBER MUNICIPALITIES OF THE AUTHORITY TO DESIGNATE A NON-RESIDENT OF THEIR MUNICIPALITY AS THE REPRESENTATIVE FROM THAT MUNICIPALITY, PROVIDED THAT NO MORE THAN ONE REPRESENTATIVE TO THE AUTHORITY SHALL BE A NON-RESIDENT OF THE MUNICIPALITY WHICH THEY REPRESENT AT ANY TIME; PROVIDING FOR ALL OTHER NECESSARY AND APPROPRIATE ACTION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INSOFAR AS THE SAME SHALL BE INCONSISTENT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE."

WHEREAS, pursuant to Ordinances duly adopted by the Borough of Middleport, the Borough of New Philadelphia, the Township of Blythe, and the Township of Schuylkill, all situated in Schuylkill County (the "member municipalities"), they have caused the Schuylkill Valley Sewer Authority (the "Authority" or "SVSA") to be incorporated pursuant to provisions of the Municipal Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented, of the Commonwealth (the "Act"); and

WHEREAS, pursuant to section 309A(b) of the Act, the Authority has resolved to permit any of the member municipalities of the Authority to designate a non-resident of their municipality as the representative from that municipality, provided no more than one representative to the Authority shall be a non-resident of the municipality which they represent at any time; and

WHEREAS, under section 305 of the Act, articles of amendment must be approved by the member municipalities and submitted to and approved by the Secretary of the Commonwealth; and

WHEREAS, the Township of Schuylkill, being a member municipality, herein approves the proposed articles of amendment to the articles of incorporation of the Authority;

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of the Township of Schuylkill, Schuylkill County, Pennsylvania, as follows:

Section 1. The articles of incorporation of the Authority are amended to add the following paragraph:

"8. Any of the member municipalities of the Authority may designate a non-resident of their municipality as the representative from that municipality, provided that no more than one representative to the Authority from each municipality shall be a non-resident of the municipality which they represent at any time. If a representative becomes a non-resident of their electing municipality during their term of office, that representative shall cease to be that municipality's representative unless there are no other non-residents on the board and their municipality elects to retain that person as a representative within sixty (60) days of the date when the representative is no longer a resident of that municipality."

Section 2. The officials of the Authority and the Township are authorized to take all other necessary and appropriate action consistent herewith, including filing the articles of amendment with the Secretary of the Commonwealth.

Section 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

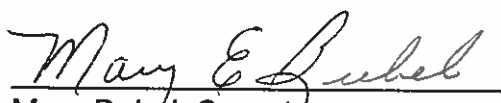
Section 4. To the extent they are inconsistent with this Ordinance, all ordinances or parts of ordinances previously adopted by this Township are repealed, as of the effective date, to the extent they are inconsistent with this Ordinance.

Section 5. This Ordinance shall be effective upon the approval of the Secretary of the Commonwealth of the articles of amendment filed pursuant to this Ordinance, as provided in the Act.

DULY ADOPTED this 20th day of October, 1998, by the Board of Supervisors of the Township of Schuylkill, Schuylkill County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF SCHUYLKIL

ATTEST:



Mary Bubel, Secretary

By 

Frank Thompson, Chairman

CERTIFICATE

I, the undersigned, Secretary of the Township of Schuylkill, Schuylkill County, Pennsylvania, (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which was duly enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township at a meeting duly held on 10/20, 1998; that said Ordinance has been duly recorded in the Ordinance Book of the Township; that said Ordinance was duly published as required by law; and that said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 20th day of October, 1998.

Mary E. Bubel
MARY BUBEL, Secretary/Treasurer