

ORDINANCE NO. 708

AN ORDINANCE AUTHORIZING THE BOROUGH OF MOUNT PENN, BERKS COUNTY, PENNSYLVANIA, TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF BERKS AND OTHER POLITICAL SUBDIVISIONS WITHIN THE COUNTY OF BERKS TO PROVIDE RECIPROCAL EMERGENCY ASSISTANCE BY AND BETWEEN THE PARTIES TO THAT AGREEMENT

WHEREAS, the Borough of Mount Penn, Berks County, Pennsylvania ("Mount Penn") is a "political subdivision" as defined in the Act of November 26, 1978, No. 323, P.L. 1332,35 Pa. C.S.A. §7101 et seq., as amended, known as the Emergency Management Services Code (the "Code"); and

WHEREAS, under the terms of the Code, a political subdivision, by the act of its governing body, is directed and authorized to develop an emergency management organization in accordance with the plan and program of the Pennsylvania Emergency Management Agency ("PEMA"); and

WHEREAS, Section 7504 of the Code directs counties and political subdivisions to develop mutual aid agreements with other political subdivisions for reciprocal emergency assistance; and

WHEREAS, Mount Penn desires to enter into a Countywide Mutual Aid Agreement ("Agreement") pursuant to the Code with the County of Berks, various political subdivisions within the County of Berks, and private entities located within the County of Berks.

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

1. Scope. Mount Penn is hereby authorized to enter into the Agreement with the County of Berks, various political subdivisions within the County of Berks, and private entities located within the County of Berks, to provide for reciprocal emergency assistance. A true and correct copy of the Agreement is attached hereto as Exhibit "A" and incorporated herein by reference.

2. Purpose. Mount Penn shall provide and receive reciprocal emergency assistance as specified in the Agreement as required by the Code.

3. Term. The term of the Agreement will continue in force and remain binding upon Mount Penn until Mount Penn takes action to withdraw therefrom. Mount Penn may withdraw upon ninety (90) days' written notice to each of the parties to the Agreement.

4. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be illegal, invalid or unconstitutional, such illegality, invalidity or unconstitutionality shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be intent of Borough Council of Mount Penn that this Ordinance would have been adopted has such illegal, invalid or unconstitutional sentence, clause, section or part thereof not been included therein.

5. Effective Date. This Ordinance shall become effective at the earliest date permitted by law.

6 Code of Ordinances. The Code of Ordinances, as amended, of the Borough of Mount Penn, Berks County, Pennsylvania, shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances upon adoption.

DULY ENACTED AND ORDAINED this 10<sup>th</sup> day of July, 2001.

BOROUGH OF MOUNT PENN

By Rodell P. Walker  
President

Attest:

A. D. Stowski  
Secretary

APPROVED this 10<sup>th</sup> day of July, 2001.

D. Regan  
Mayor