

**PENN TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 816**

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL COOPERATION  
AGREEMENT FOR THE CREATION OF A REGIONAL EMERGENCY  
MANAGEMENT AGENCY FOR PENN TOWNSHIP AND HANOVER BOROUGH**

WHEREAS, Penn Township is a First Class Township organized and existing under the laws of the Commonwealth of Pennsylvania, with offices located at 20 Wayne Avenue, Hanover, Pennsylvania (hereinafter "Penn"); and

WHEREAS, Penn and Hanover Borough (hereinafter referred to as the "Municipalities"), desire to enter into an Intergovernmental Cooperation Agreement to provide for the creation of a Regional Emergency Management Agency within York County to represent the Municipalities during actual or potential natural or man-caused disaster emergencies within the Municipalities; and

WHEREAS, the Municipalities desire to create one joint emergency operations plan that can be used by the Municipalities and the Regional Emergency Management Agency to plan for and respond to any natural or man-caused disaster emergencies that may occur within the geographical boundaries of the Regional Emergency Management Agency; and

WHEREAS, the Municipalities have heretofore caused to be formed, according to law, an organization known as the Hanover Borough – Penn Township Regional Emergency Management Agency, hereinafter referred to as the Regional Emergency Management Agency, which organization shall assume responsibility for the functions of the separate emergency management agencies in each of the Municipalities pursuant to the Emergency Management Service Code, as amended (hereafter referred to as the E.M.S. Code); and

WHEREAS, upon ratification of this agreement, the Regional Emergency Management Agency shall prepare an Emergency Operations Plan to be the emergency operations plan of each of the Municipalities for the purpose of fulfilling the requirement in Subsection 7503(1) of the E.M.S. Code (35 Pa. C.S. Section 7503(1)) to prepare, maintain and keep current a disaster emergency management plan for each of the Municipalities; and

WHEREAS, the attached Agreement shall be entered into under the authority of the Intergovernmental Cooperation Law, the Act of December 19, 1996, P.L. 1158, No. 177, 53 Pa. C.S. § 2301 et seq, as amended; and

WHEREAS, the Agreement shall become effective and be in force as to Penn upon the enactment of this Ordinance and execution of the Agreement.

NOW, THEREFORE, be it enacted and ordained, this 18<sup>th</sup> day of February, 2019, by the Commissioners of Penn Township, York County, Pennsylvania, in lawful session duly assembled:

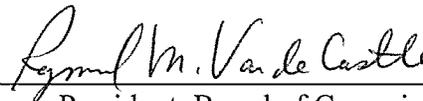
1. The attached "Intergovernmental Cooperation Agreement" for the Implementation of the Hanover Borough – Penn Township Regional Emergency Management Agency and Emergency Operations Plan (the "Agreement"), the provisions of which are incorporated herein as if fully set forth at length, is hereby approved and the appropriate officers of the Board of Commissioners of Penn Township are hereby authorized to execute such Agreement to give it full force and effect.

2. Any amendment, modification, or termination of the Agreement shall not require passage of another ordinance, but shall be authorized and confirmed by the adoption of a resolution by the Penn Township Board of Commissioners.

Attest:

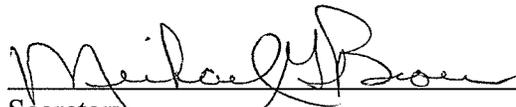
PENN TOWNSHIP

  
Secretary

By   
President, Board of Commissioners

(SEAL)

The above Ordinance was resolved, enacted and adopted this 18 day of February, 2019, at a regular meeting of the Board of Commissioners of the Township of Penn, York County, Pennsylvania, upon Motion of Commissioner Brown seconded by Commissioner Klunk, and passed with a vote of 3 to 0

  
Secretary

## INTERGOVERNMENTAL COOPERATION AGREEMENT<sup>1</sup>

THIS AGREEMENT, is entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, pursuant to the provisions of the Act of July 12, 1972, No. 180, P.L. 762, 53 P.S. 481-490, relating to Intergovernmental Cooperation, by and between York County (hereafter referred to as County) and the following municipalities of York County.

The Borough of Hanover, and the Township of Penn, all situated in York County, Pennsylvania, and hereafter collectively referred to as (municipalities).

WHEREAS, the municipalities desire to enter into this Intergovernmental Cooperation Agreement to provide for the creation of a Regional Emergency Management Agency within the County to represent the aforementioned municipalities during actual or potential natural or man-caused disaster emergencies within the municipalities, and

WHEREAS, the governing bodies of the municipalities believe that the interest of the respective taxpayers is best served by the establishment of a regional emergency management agency rather than through individual municipal emergency management agencies; and

WHEREAS, the municipalities are in agreement as to the manner, creation, and operation of a regional emergency management agency; and

WHEREAS, the municipalities have heretofore caused to be formed, according to law, an organization known as the Hanover Area Regional Emergency Management Agency, hereinafter referred to as the Regional Emergency Management Agency, which organization shall assume responsibility for the functions of the separate emergency management agencies in each of the municipalities pursuant to the Emergency Management Service Code, as amended (hereafter referred to as the E.M.S. Code), and

WHEREAS, the County and municipalities desire to create one joint emergency operations plan that can be used by the County, the municipalities and the Regional Emergency Management Agency to plan for and respond to any natural or man-caused disaster emergencies that may occur within the geographical boundaries of the Regional Emergency Management Agency; and

WHEREAS, the municipalities have heretofore adopted and declared the Emergency Operations Plan of the County to be the emergency operations plan of each of their municipalities for the purpose of fulfilling the requirement in Subsection 7503(1) of the E.M.S. Code (35 Pa. C.S. Section 7503(1)) to prepare, maintain and keep current a disaster emergency management plan for each of their municipalities.

---

<sup>1</sup> This form has been approved and accepted by the Pennsylvania Emergency Management Agency (PEMA) on October 1, 2002.

NOW THEREFORE, in consideration of the mutual promises, covenants and undertakings herein contained and intending to be legally bound hereby, the County and municipalities mutually agree as follows:

1. The County and each municipality has passed an ordinance in accordance with the requirements of the Act of July 12, 1972, P.L. 762, 53 P.S. 481-490, so as to give full force and legal effect to this Agreement.
2. Each municipality agrees that the Regional Emergency Management Agency shall assume the responsibilities and functions of the heretofore individual Emergency Management Agencies in each of the municipalities, and shall provide necessary information to the County Emergency Management Agency on a periodic basis, as determined by the Agency, in order to prepare and maintain a joint Emergency Operations Plan that can and will be implemented for response to emergencies affecting the municipalities that are parties to this Agreement. Each municipality agrees that the County Emergency Operations Plan shall constitute the joint Emergency Operations Plan of the municipalities.
3. Each municipality shall appoint two individuals on the Hanover Fire Rescue Commission to serve as the Regional Emergency Management Agency, which will have planning and resource development responsibilities for emergency operations within the territorial limits of the municipalities that have formed the Regional Emergency Management Agency. Actions taken by the Regional Emergency Management Agency must be ratified by the individual municipal governing bodies, as provided within the E.M.S. Code.
4. The Regional Emergency Management Agency will recommend an individual to serve as the Emergency Management Coordinator and another individual to serve as Deputy Emergency Management Coordinator of the Regional Emergency Management Agency, with responsibility for operational control of emergency response operations within the territorial limits of the Regional Emergency Management Agency. The Regional Emergency Management Coordinator will be under the control of a Committee comprised of elected officials from each municipality that are members of the Hanover Fire Rescue Commission. In no case, however, shall the Regional Emergency Management Coordinator and his/her Deputy be from the same municipality. If two or more municipalities are affected by the same emergency situation, the Regional Emergency Management Coordinator shall be subject to the direction and control of the elected officials of the county as required by the E.M.S. Code. The Regional Emergency Management Coordinator shall be appointed by the Governor in accordance with the provisions of the E.M.S. Code.
5. Each Municipality shall provide financial support for the Regional Emergency Management Agency on an equal basis. If there is an incident entirely within one municipality requiring the response of the Regional Emergency Management Agency that municipality shall be responsible to reimburse the Regional

ATTEST:

\_\_\_\_\_  
County Secretary

\_\_\_\_\_  
Borough Secretary

\_\_\_\_\_  
Township Secretary

County of York

By: \_\_\_\_\_  
County Commissioner

By: \_\_\_\_\_  
County Commissioner

By: \_\_\_\_\_  
County Commissioner

Borough of \_\_\_\_\_

By: \_\_\_\_\_  
Borough Council President

Township of \_\_\_\_\_

By: \_\_\_\_\_  
Board of Commissioners

Received by \_\_\_\_\_ County  
on \_\_\_\_\_.

By: \_\_\_\_\_  
County Emergency Management Coordinator

NOTE: All of the Boroughs and Townships listed above are members of the Regional Emergency Management Agency described in this Intergovernmental Cooperation Agreement.