

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO. 7 - 2008

ADMINISTRATION BILL NO. 7 – 2008

INTRODUCED - MAY 13, 2008

ADOPTED BY COUNCIL - MAY 27, 2008

AN ORDINANCE APPROVING AND AUTHORIZING COUNCIL OF THE CITY OF LANCASTER TO ENTER INTO THE INTERGOVERNMENTAL COOPERATION AGREEMENT FOR IMPLEMENTING "GROWING TOGETHER: A COMPREHENSIVE PLAN FOR CENTRAL LANCASTER COUNTY, PENNSYLVANIA," PURSUANT TO (1) SECTIONS 1102 AND 1104 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE ("MPC"), 53 P.S. §11102 and §11104, RESPECTIVELY, AND (2) THE INTERGOVERNMENTAL COOPERATION LAW, 53 PA.C.S.A., CHAPTER 23, SUBCHAPTER A.

UNDER AND BY VIRTUE OF THE AUTHORITY OF ARTICLE XI OF THE MPC (INTERGOVERNMENTAL COOPERATIVE PLANNING AND IMPLEMENTATION AGREEMENTS) AND SUBCHAPTER A (INTERGOVERNMENTAL COOPERATION) OF SUB-PART D (AREA GOVERNMENT AND INTERGOVERNMENTAL COOPERATION) OF THE GENERAL LOCAL GOVERNMENT CODE, 53 PA.C.S.A. §2301 ET SEQ., THE COUNCIL OF THE CITY OF LANCASTER DOES HEREBY ENACT AND ORDAIN AS FOLLOWS:

Section 1. Background.

- A. Eleven municipalities that are members of the Lancaster Inter-Municipal Committee (hereinafter, "LIMC") (East Hempfield Township, East Lampeter Township, East Petersburg Borough, Lancaster City, Lancaster Township, Manheim Township, Manor Township, Millersville Borough, Mountville Borough, West Hempfield Township, and West Lampeter Township, collectively the "Participating Municipalities") have developed a regional comprehensive plan called *Growing Together*, with the assistance of the Lancaster County Planning Commission and the LIMC and pursuant to the Lancaster Inter-Municipal

Committee Area Intergovernmental Cooperation Planning Agreement dated January 8, 2003 ("Planning Agreement").

- B. Article XI of the Pennsylvania Municipalities Planning Code ("MPC") authorizes municipalities to enter into an Intergovernmental Implementation Agreement, as provided by and utilizing the procedures set forth in the Intergovernmental Cooperation Law, codified at 53 PA.C.S.A. §2301, et seq., including the enactment of an ordinance as prescribed by §2305, incorporating the contents prescribed by §2307 thereof.
- C. The Steering Committee established under the Planning Agreement, with the assistance of the LIMC, has developed the Intergovernmental Cooperation Agreement For Implementing *Growing Together: A Comprehensive Plan For Central Lancaster County, Pennsylvania* which is attached hereto as Exhibit A (the "Agreement"). The LIMC has submitted the Agreement to each Participating Municipality for its review and approval.
- D. The term of the Agreement is indefinite, but is subject to the right of any participating municipality to terminate its participation in this Agreement, at any time subject to the provisions thereof.
- E. The purpose and objectives of the Agreement are to implement *Growing Together*, and the goals identified therein and the provisions of Article XI of the Pennsylvania Municipalities Planning Code with respect to intergovernmental implementation agreements.
- F. As provided in the Agreement, the work to be completed under the Agreement shall be funded by municipal contributions to the LIMC or other sources to the extent available.
- G. The Agreement provides for the formation of a Land Use Advisory Board, with representation from all Participating Municipalities and the Lancaster County Planning Commission ("LUAB"). Each Participating Municipality and the Lancaster County Planning Commission may appoint one (1) individual with an alternate to serve upon the LUAB. The Agreement further provides for non-voting members to be part of LUAB, including, but not limited to, school districts and utility providers within the *Growing Together* region.
- H. It is not anticipated that any real or personal property will be acquired by LUAB pursuant to the Agreement. Any expenditure of funds by LUAB must be approved by LIMC.

I. The LUAB shall not be empowered to have employees, and therefore shall not be empowered to enter into contracts for policies for group insurance and employee benefits, including social security, for employees.

Section 2.

The Agreement, a copy of which is appended hereto as Exhibit "A", is hereby approved by Council of the City of Lancaster, and the Mayor shall, on behalf of the City of Lancaster, execute the said Agreement as appended hereto as Exhibit "A".

Section 3.

The City of Lancaster's obligations to enter into the Agreement and its obligations under the Agreement are expressly conditioned upon all other Participating Municipalities, as referenced in the said Agreement, enacting and authorizing the entry into the Agreement on the same terms and conditions as are applicable to the City of Lancaster.

Section 4.

This Ordinance shall take effect in accordance with applicable law.

ENACTED AND ORDAINED by the Council of the City of Lancaster this 27th day of May, 2008.

ATTEST:

CITY OF LANCASTER

/s/ Jane E. Shull, Acting

/s/ J. Richard Gray

Janet Spleen, City Clerk

By: _____
J. Richard Gray, Mayor