

Ordinance No. 8 of 2021

The Township of Kiskimintas,
Armstrong County, Pennsylvania

AN ORDINANCE SIGNIFYING THE INTENTION OF THE TOWNSHIP OF KISKIMINTAS, ARMSTRONG COUNTY, PENNSYLVANIA TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE "MUNICIPAL AUTHORITIES ACT OF 1945" FOR THE PURPOSE OF ACQUIRING, HOLDING, CONSTRUCTING, IMPROVING, MAINTAINING AND OPERATING, OWNING OR LEASING, EITHER IN THE CAPACITY OF LESSOR OR LESSEE, A SANITARY SEWAGE DISPOSAL SYSTEM FOR THE RESIDENTS OF THE TOWNSHIP OF KISKIMINETAS, SUCH AUTHORITY TO BE KNOWN AS THE "KISKI TOWNSHIP SEWAGE AUTHORITY"; AND APPOINT A GOVERNING BODY AND AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION.

WHEREAS, it is the desire of the Kiskimintas Township, Armstrong County, Commonwealth of Pennsylvania, to organize a Sewage Authority under the provisions of the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq., as amended; and

WHEREAS, it is now deemed necessary for the protection of the health, comfort, and safety of the citizens of Kiskimintas Township to enact this ordinance; and

NOW, THEREFORE, pursuant to the authority coffered upon it by the Pennsylvania Second Class Township Code and the Municipality Authorities Act of 1945, it is hereby ordained and enacted by the Board of Supervisors of Kiskimintas Township, Armstrong County, Commonwealth of Pennsylvania, as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known and cited as the "Kiski Township Sewage Authority Incorporation Ordinance".

SECTION 2. INTENTION TO ORGANIZE AUTHORITY.

The Board of Supervisors of Kiskimintas Township, a Second-Class Township of Commonwealth of Pennsylvania and situated in the County of Armstrong, hereby signifies its intention and desire to organize a Municipal Authority under the provisions of the Act of May 2, 1945, P.L. 382, as amended by the Act of June 12, 1947, P.L. 571, known as the "Municipality Authorities Act of 1945", and as amended thereafter.

SECTION 3. NAME OF AUTHORITY.

The name of the proposed authority shall be: The Kiski Township Sewage Authority.

SECTION 4. ARTICLES OF INCORPORATION.

The Chairman and Secretary of the Kiskimintas Township Board of Supervisors are hereby authorized and directed to execute on behalf of the Township of Kiskimintas, Articles of Incorporation, a copy of which are attached hereto and made a part hereof.

SECTION 5. PURPOSE.

It is hereby specified that the purpose of the Municipal Authority hereby created as a body corporate and politic, to be duly organized under the Municipality Authorities Act of 1945, as amended, shall be for the purpose of acquiring, holding, constructing, improving, maintaining and operating, owning or leasing, either in the capacity of lessor or lessee, a sanitary sewage disposal system for the residents of the Township of Kiskimintas.

SECTION 6. TOWNSHIP OFFICERS EMPOWERED TO EFFECTUATE INCORPORATION.

The Chairman and Secretary of the Board of Supervisors are hereby authorized, empowered, and directed to execute the Articles of Incorporation and to file the same with the Secretary of the Commonwealth of Pennsylvania, and to do all such things and to enter into such agreements as may be permitted by law in the name of and on behalf of the Township of Kiskimintas Township as may be necessary or expedient to carry out and consummate the purposes of this Ordinance and creation of the said Municipal Authority.

SECTION 7. POWERS.

The powers of the said Municipal Authority shall be limited to those necessary or convenient to carry out the acquiring, holding, constructing, improving, maintaining and operating, owning or leasing, either in the capacity of lessor or lessee, a sanitary sewage disposal system for the residents of the Township of Kiskimintas.

The Authority shall have the power to collect revenues by voluntary contribution, grants from public or private sources, or by voluntary sale or lease of services, facilities or equipment, or methods of similar nature and may include sale or lease to the Township of Kiskimintas Township. The powers granted to municipal authorities generally as set forth in the "Municipality Authorities Act of 1945", as amended, (53 P.S. §306), including all powers are subject to and specifically limited by the right of the Township of Kiskimintas to approve any and all projects undertaken and are further specifically limited to those acquiring, holding, constructing, improving, maintaining and operating, owning or leasing, either in the capacity of lessor or lessee, a sanitary sewage disposal system for the residents of the Township of Kiskimintas..

The Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth of Pennsylvania or any political subdivision or of the Township of Kiskimintas in particular nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of the Township of Kiskimintas or of any other subdivision of the Commonwealth of Pennsylvania, nor shall the Township of Kiskimintas be liable for the payment of any debt or liability of the Authority

SECTION 8. POLICY.

This Ordinance is deemed necessary by the-Township of Kiskimintas Township and found to be for the necessity, benefit and convenience and for the preservation of public health, peace, comfort, general welfare and safety of the citizens of the Township of Kiskimintas Township.

SECTION 9.

Nothing herein contained shall limit the power of the Township or the Board of Supervisors from undertaken similar activities or exercising powers, granted under the Second-Class Township Code or otherwise, nor does this Ordinance repeal any-existing promulgation dealing with the subject matter contained herein.

SECTION 10. SEVERABILITY.

The provisions of this Ordinance shall be severable, and if any of the provisions thereof shall be held to be unconstitutional, such a decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as the legislative intent that this ordinance would have been adopted had such unconstitutional provisions not been included therein.

DULY ENACTED AND ORDAINED, this day of Feb 10, 2021, by the Board of Supervisors of Kiskimintas Township, Armstrong County, Pennsylvania, in lawful session duly assembled.



Michael Bash, Chairman

ATTEST:



Township Secretary