

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2223

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA, A HOME RULE COMMUNITY, APPROVING AMENDMENTS TO THE ARTICLES OF INCORPORATION OF THE MONROEVILLE WATER AUTHORITY PURSUANT TO ACT 22 OF 2001 FORMERLY KNOWN AS THE MUNICIPALITY AUTHORITIES ACT TO PROVIDE FOR AND ADOPT A NEW NAME, TO ADD TO ITS POWERS AND PURPOSES AND SET FORTH ADDITIONAL POWERS AND PURPOSES TO PROVIDE FOR ACQUIRING, HOLDING, CONSTRUCTING, IMPROVING, MAINTAINING, OPERATING, OWNING THE SANITARY SEWER SYSTEM OF THE MUNICIPALITY OF MONROEVILLE, ITS INFRASTRUCTURE, ITS SANITARY SEWER LINES, INCLUDING LABOR AND EQUIPMENT, PUMP STATIONS AND AGREEMENTS WITH OTHER MUNICIPALITIES.

WHEREAS, Act 22 of 2001, formerly known as the Municipality Authorities Act, provides for under Section 5516 the transfer of existing facilities to an Authority by sale, grant or conveyance; and

WHEREAS, presently the Municipality of Monroeville is desirous of assigning, selling, granting and conveying over to the subject Authority the construction, improvements, maintenance and operation of the Monroeville Sanitary System, its infrastructure, pump stations and other labor and equipment, hereinafter

known as the Sanitary Sewer Project, within the territorial limits of the Municipality of Monroeville and other appurtenances as provided for by specific agreements and contracts with neighboring Municipalities; and

WHEREAS, the Monroeville Water Authority is desirous of accepting said Sanitary Sewer System and has adopted a resolution on March 28, 2002, approving acceptance of the Sanitary Sewer System; and

WHEREAS, in order to effect said transfer, there must be an Amendment to the Articles of Incorporation of the Monroeville Water Authority to:

1. Adopt a new name as follows: Monroeville Municipal Authority;
2. To add to its powers and purposes, in addition to acquiring, holding, constructing, improving, maintaining, operating, owning, leasing water works, water supply works, water distribution systems in the Municipality of Monroeville; to also provide for additional powers and purposes to acquire, hold, construct, improve, maintain, operate the Monroeville Sanitary Sewer System, its infrastructure, sanitary sewer lines, equipment, together with any agreements now in effect with the Municipality of Monroeville concerning other Municipalities pursuant to Act 22 - 2001, formerly known as the Municipality Authorities Act, Section 5605;

WHEREAS, under Act 22 of 2001, formerly the Municipality Authorities Act, provides that the Municipality of Monroeville must approve the Resolution of the Monroeville Water Authority to amend its Articles of Incorporation.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by Council for the Municipality of Monroeville as follows:

SECTION 1. All of the recitals contained herein are incorporated herein and made part of this Ordinance.

SECTION 2. The Municipality of Monroeville hereby adopts and

approves the Resolution No. 267 approved by the Monroeville Water Authority on the 28th day of March, 2002. A copy of this Resolution is attached hereto and made part of this Ordinance.

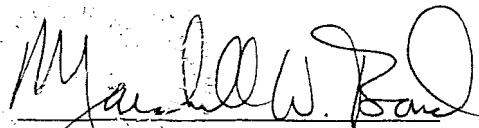
SECTION 3. The proper Municipal officials are hereby directed and empowered to take the remaining steps necessary to certify, advertise and file the Amendment to Articles of Incorporation with Pa. Corporation Bureau, as more fully provided in Act 22 of 2001, formerly known as The Municipality Authorities Act.

SECTION 4. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed. The following Ordinance or parts thereof are specifically repealed;


SECTION 5. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the [Governing body] that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED and ENACTED this 14th day of May, 2002.

ATTEST:


Marshall Bond, Manager

MUNICIPALITY OF MONROEVILLE


James J. Lomeo, Mayor

ENTERED INTO LEGAL BOOK ON: May 24, 2002