

**YOE BOROUGH ORDINANCE  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2017 - 03**

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**AN ORDINANCE OF YOE BOROUGH, YORK COUNTY, PENNSYLVANIA,  
AUTHORIZING AN AMENDED AND RESTATED INTERGOVERNMENTAL  
COOPERATION AGREEMENT FOR THE IMPLEMENTATION OF THE YORK  
COUNTY REGIONAL CHESAPEAKE BAY POLLUTANT REDUCTION PLAN**

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**WHEREAS**, certain requirements have been placed upon Yoe Borough to comply with state requirements under the Clean Stream Law, 35 P.S. §691.1 *et seq.*, mandating municipalities to take action to reduce nitrogen, phosphorous and sediment levels in local waterways.

**WHEREAS**, the Yoe Borough Council has examined the mandates at length, and have found that the best course of action is to engage, and enter into an agreement, with various other municipalities of York County, Pennsylvania, *to wit* the “Amended and Restated Intergovernmental Cooperation Agreement for the Implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan.”

**THEREFORE, BE IT ENACTED AND ORDAINED**, and it is hereby enacted and ordained by the Yoe Borough Council, Yoe Borough, York County, Pennsylvania (the “Municipality”), as follows:

**SECTION 1: Intergovernmental Cooperation.** The cooperation with other nearby municipalities to implement an Amended and Restated Regional Chesapeake Bay Pollutant Reduction Plan and to share in the costs of administering it is hereby authorized.

**SECTION 2: Agreement.** The Amended and Restated Intergovernmental Cooperation Agreement for the Implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan (the “Agreement”) is attached hereto as Exhibit “A” and incorporated herein by reference. Provisions of the Agreement include the following:

- a. Background
- b. Guiding Principles
- c. Organization
- d. Meetings
- e. Authority of Management Committee
- f. Implementation of Agreement
- g. Financing
- h. Effective Date
- i. Term

- j. Termination and Wind-Up
- k. Applicable Law
- l. Integration
- m. No Oral Modification
- n. Severability
- o. Representation by Counsel
- p. Counterparts
- q. Execution by Facsimile or Electronic Scanning
- r. Fees and Costs
- s. Signatures
- t. Prior Participants
- u. Cost Sharing Exhibit
- v. Participant Listing

The Municipality is hereby authorized to enter into the Agreement. Further, the Municipality may modify the Agreement, pursuant to the terms thereof, by subsequent resolution or ordinance.

**SECTION 3: Adoption of Ordinance.** This Ordinance is adopted pursuant to the Intergovernmental Cooperation Act, 53 Pa. C.S.A. Section 2301 *et seq.*, and the authority granted herein shall continue from year to year while the Municipality cooperates pursuant to the Agreement.

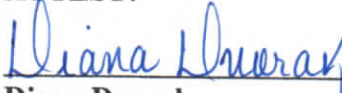
**SECTION 4: Staff and Officials.** The staff and officials of the Municipality are directed and empowered to take all actions necessary or convenient to implement this Ordinance and the Agreement.

**SECTION 5: Inconsistency.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

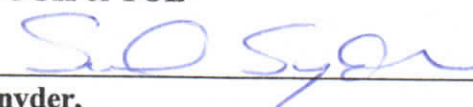
**SECTION 6: Effective Date.** The Ordinance shall become effective five (5) days after date of enactment as provided by law.

**ENACTED AND ORDAINED** by the Borough of Yoe this 5<sup>th</sup> day of September, 2017.

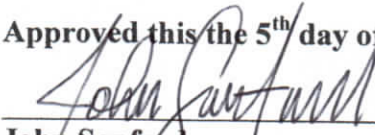
**ATTEST:**

  
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**Diana Dvorak,**  
**Yoe Borough Secretary/Treasurer**

**BOROUGH of YOE**

  
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**Sam Snyder,**  
**Yoe Borough Council President**

Approved this the 5<sup>th</sup> day of September, 2017.

  
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**John Sanford,**  
**Yoe Borough Mayor**