

**BOROUGH OF YOE**  
**YORK COUNTY, PENNSYLVANIA**

Ordinance No. 2020-04

**AN ORDINANCE OF THE BOROUGH OF YOE, YORK COUNTY, PENNSYLVANIA,  
APPROVING THE TERMINATION OF THE YOE BOROUGH SEWER AUTHORITY,  
YORK COUNTY, PENNSYLVANIA, AND THE CERTIFICATE OF TERMINATION  
REQUESTED BY THE YOE BOROUGH SEWER AUTHORITY, AND PROVIDING AN  
EFFECTIVE DATE OF TERMINATION**

**WHEREAS**, Pursuant to an ordinance adopted by the Borough of Yoe on March 7, 1972, Yoe Borough Sewer Authority was incorporated on January 18, 1973 under the Municipal Authorities Act of 1945, Act of May 2, 1945 P.L. 382; and

**WHEREAS**, the Municipality Authorities Act of 1945 has been succeeded by the Municipality Authorities Act, 53 Pa. C.S. 5601-5623, which now governs authorities created under the Municipality Authorizes Act of 1945; and

**WHEREAS**, Yoe Borough Sewer Authority (hereinafter "Authority") has paid and discharged all bonds issued and outstanding and the interest due thereon, and has settled all other outstanding claims against it; and

**WHEREAS**, Section 5619(b) of the Municipality Authorities Act provides that an authority may convey all its property to the municipality and terminate its existence at any time after it has finally paid and discharged all bonds issued and outstanding and the interest due on them and settled all other outstanding claims against it; and

**WHEREAS**, Section 5619(c) of the Municipality Authorities Act requires that a municipal authority which desires to terminate its existence must approve a resolution and submit a certificate requesting termination to the municipality which creates it, and if the municipality approves the certificate by ordinance, the certificate is then filed in the Office of the Secretary of the Commonwealth, which shall note the termination of existence on the record of incorporation and return the certificate with approval to the board of the authority, after which the authority shall cause the certificate to be recorded in the office of the Recorder of Deeds of the county, and upon recording the property of the authority shall pass to the municipality and the authority shall cease to exist; and

**WHEREAS**, the Board of the Yoe Borough Sewer Authority, pursuant to its Resolution No. 2020-01, adopted on November 12, 2020, approved termination of the Authority, contingent upon acceptance by Yoe Borough, and authorized conveyance of all of the Authority's property to the Borough of Yoe, and submitted a Certificate of Termination to the Borough of Yoe requesting that the Yoe Borough Council approve the termination of the Authority's existence. A true and correct copy of the Resolution and the Certificate of Termination are attached to this Ordinance and are incorporated herein by reference; and

**WHEREAS**, Yoe Borough Council believes it to be in the public interest to approve the termination of the Yoe Borough Sewer Authority;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Borough Council of the Borough of Yoe, York County, Pennsylvania, and it is hereby ordained and enacted, in lawful session assembled, as follows:

1. Yoe Borough hereby approves the termination of the Yoe Borough Sewer Authority.
2. Yoe Borough hereby authorizes the officers and solicitor of Yoe Borough, and each and every one of them, to file the Certificate of Termination in the Office of the Secretary of the Commonwealth, which shall note the termination of existence on the record of incorporation and return the certificate with approval to the board of the authority, and upon return, shall cause that certificate to be recorded in the office of the Recorder of Deeds of York County, and, upon recording of that certificate, all property of the Yoe Borough Sewer Authority, in any form, both tangible and intangible, shall pass to the municipality of the Borough of Yoe, and the Yoe Borough Sewer Authority shall cease to exist.
3. The officers and solicitor of Yoe Borough, and each and every one of them, are hereby authorized to take all actions and do all things necessary to carry out the purposes and directives of this Ordinance.
4. This Ordinance shall be effective immediately upon enactment by the Yoe Borough Council and approval by the Mayor of Yoe Borough.

**ADOPTED**, by the Borough Council of Yoe Borough, York County, Pennsylvania, at a public meeting this \_\_\_\_ day of December, 2020, at which a quorum was present.

**YOE BOROUGH COUNCIL**

*Diana Dvorak*

Attested by: Diana Dvorak, Yoe  
Borough Secretary/Treasurer

*Samuel Snyder*

Samuel Snyder, Yoe Borough Council  
President

{SEAL}

APPROVED/DISAPPROVED this 18<sup>th</sup> day of December, 2020.

*John Sanford*

John Sanford, Yoe Borough Mayor

**APPROVAL OF CERTIFICATE OF TERMINATION**

In accordance with Section 5619(c) of the Municipality Authorities Act, and pursuant to Ordinance No. 2020-04, duly adopted by Borough Council on December 1, 2020 and approved by the Mayor on December 1, 2020, the Borough of Yoe hereby approves the termination of the Yoe Borough Sewer Authority and the Certificate of Termination. The Borough of Yoe is the municipality which created the Yoe Borough Sewer Authority.

In WITNESS WHEREOF, the Borough of Yoe has caused this Approval to be executed by its duly authorized officers under the seal of the Borough, this 1<sup>st</sup> day of December, 2020.

**BOROUGH COUNCIL OF YOE BOROUGH**

BY: Samuel Snyder  
Samuel Snyder, President of Borough Council

ATTEST:

Diana Drimak  
Secretary

{SEAL}

