

**BOROUGH OF KULPMONT
NORTHUMBERLAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2018-02

**AN ORDINANCE OF THE BOROUGH OF KULPMONT, NORTHUMBERLAND COUNTY, PENNSYLVANIA,
(the "Borough"), herby enacts and ordains as follows:**

WHEREAS, Section 1201, of the Borough Code, 53 P.S. 46201, entitled "General Powers", authorizes the Borough to make and adopt ordinances necessary for the proper management, care and control of the Borough and the maintenance of the health and welfare of the Borough and its citizens; and

WHEREAS, Section 1202, of the Borough Code, found at 53 P.S. 46202, entitled "Specific Powers", authorizes the Borough to adopt ordinances to secure the safety of persons or property within the Borough; and

WHEREAS, Section 46121, of the Borough Code, found at 53 P.S. 1121, authorizes the Borough Council, of the Borough of Kulpmont, to establish a police department for the health, safety and well-being of the Borough residents; and

WHEREAS, Section 46122, of the Borough Code, found at 53 P.S. 1122, allows police to serve under cooperative agreements or contracts with other municipalities; and

WHEREAS, the Borough of Kulpmont and Mount Carmel Township wish to enter into an Intermunicipal Cooperation Agreement pursuant to the Township Code, 53 P.S. 66507 and the Borough Code, 53 P.S. 46202(24); and

WHEREAS, said intermunicipal cooperation agreements are authorized by general municipal laws of Pennsylvania, Pursuant to 53 Pa. C.S.A. 2305 and to protect the public health, safety, welfare and property of all persons, the Borough of Kulpmont intends to adopt this Ordinance.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE Borough Council of the Borough of Kulpmont, Northumberland County, Pennsylvania, in accordance with the general powers permitted by the Borough Code (53 p.s. 46201, ET SEQ.) AND THE STATUTES NOTED ABOVE, AS FOLLOWS:

Section 101. Title

This ordinance shall be known as the "Kulpmont Borough/Mount Carmel Township Intermunicipal Police Cooperation Ordinance."

Section 102. Citation

This ordinance may be cited as the "Kulpmont Borough/Mount Carmel Township Intermunicipal Police Cooperation Ordinance."

Section 103. Scope

The provisions of this Ordinance shall apply to the police protection in the Borough of Kulpmont and as it relates to any intermunicipal cooperation with Mount Carmel Township.

Section 104. Intent

The Borough of Kulpmont intends to allow the Mount Carmel Township Police Department the authority to patrol and make arrests within the Borough of Kulpmont with the same authority as the Kulpmont Borough Police Department.

Section 105. Ratification

Borough Council hereby ratifies and affirms the actions taken on March 13, 2018 relative to the Agreement for Law Enforcement Services.

Section 106. Repeal of Ordinances

Any ordinance, parts of ordinances, resolution or parts of resolutions conflicting with the provisions of this ordinance, are hereby repealed insofar as they are inconsistent with this ordinance's provisions.

Section 107. Savings Clause

The provisions of this ordinance are hereby declared to be servable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable, for any reason by any Court, it shall not affect any other part or portion other than the part or portion declared void or inoperable.

Section 108. Effective Date

This ordinance shall become effective five (5) days after adoption hereof.

DULY ENACTED AND ORDAINED BY Borough Council, of the Borough of Kulpmont, Northumberland County, Pennsylvania, this 13th day of March, 2018,

ATTEST:

**Rhonda Wilk
Borough Secretary**

**Walter Lutz
President**

**Nicholas Bozza
Mayor**