



BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



ORDINANCE #23-04

AN ORDINANCE OF THE BOROUGH OF TARENTUM AUTHORIZING THE BOROUGH TO ENTER INTO AN ADDENDUM TO THE INTERGOVERNMENTAL AGREEMENT FOR POLICE SERVICES BETWEEN THE BOROUGH AND BRACKENRIDGE BOROUGH ADOPTED JULY 28, 2023

WHEREAS, on or about July 28, 2023, Brackenridge Borough (“Brackenridge”) and Tarentum Borough (“Tarentum”) executed an Intergovernmental Agreement for Police Services (“Intergovernmental Agreement”), under the authority of Pennsylvania’s Intergovernmental Cooperation Act (“the Act”), 53 Pa.C.S. § 2301 *et seq.*, pursuant to which police officers employed by Tarentum would provide police protection services to Brackenridge;

WHEREAS, the Intergovernmental Agreement was authorized and adopted by Tarentum Borough Council by Ordinance No. 23-02 of 2023 pursuant to the requirements of the Act;

WHEREAS, pursuant to Section 1202 of Pennsylvania’s Borough Code (“the Code”), 8 Pa.C.S. § 101 *et seq.*, when a borough has entered into an intergovernmental cooperation agreement for the provision of police or other public safety services, “the police [] of the employing [] governmental entity shall have the powers and authority conferred by law on police [] in the territory of the municipal corporation which has contracted to secure the service;” and

WHEREAS, Tarentum Borough Council has nevertheless deemed it advisable and in the best interest of maintaining the public order to approve an Addendum to the Intergovernmental Agreement (“Addendum”) to more clearly state the scope of power and authority vested in Tarentum police officers while providing police protection services in the geographic boundaries of Brackenridge.

NOW, THEREFORE, it is hereby **ORDAINED** and **ENACTED BY** the Borough Council of the Borough of Tarentum as follows:

Section 1. An Addendum to the July 28, 2023 Intergovernmental Agreement between Brackenridge and Tarentum for the provision of police protection services, a copy of which is attached hereto and incorporated herein as Attachment 1, is hereby approved and adopted. The Mayor, the President of Borough Council and the Borough Manager are hereby authorized to execute the Addendum and all such documents necessary to effectuate same. A copy of such Addendum shall be filed with the minutes of the meeting of which this Ordinance was enacted.

Section 2. All other terms and conditions of the Intergovernmental Agreement which was executed on July 28, 2023 under the authority of the Act and approved and adopted by Borough Council by Ordinance No. 23-02 of 2023 remain in full force and effect, and Council’s prior adoption of the Intergovernmental Agreement is hereby reaffirmed except as modified herein.

Section 3. If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect. The intention of the Borough Council is that the provisions of this Ordinance shall be severable and that this Ordinance would have been adopted if any such illegal or unconstitutional provisions had not been included.

Section 4. All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall take effect immediately upon its passage.

Duly presented and adopted at a regular meeting of the Borough of Tarentum Council, Allegheny County, Pennsylvania, held on the 12th day of September 2023.

ATTEST:

BOROUGH OF TARENTUM COUNCIL

Borough Manager

Borough Council President