

**CODE OF WAYMART BOROUGH
INTERGOVERNMENTAL RISK MANAGEMENT – CHAPTER 25**

CHAPTER 25.

Intergovernmental Risk Management

§ 25-01. General Provisions.

§ 25-02. Specific Provisions.

[HISTORY: Adopted as Ordinance 2017-1 by the Borough Council of Waymart Borough on December 27, 2017.

§ 25-01. General Provisions.

- A. Authorization. This Chapter authorizes the Borough of Waymart to join with other local government units as a Member of the Pennsylvania Intergovernmental Risk Management Association (the "Association") for the purpose of entering into an Intergovernmental Contract to join and participate in a Local Government Risk- Sharing Pool, to provide for joint or cooperative action by Members relative to their financial and administrative resources for the purpose of providing risk management services and risk-sharing facilities to the Members and to the Members' Employees, and to defend and protect, in accordance with this Agreement, any Member of the Pool against liability as outlined in the Appendix to the Intergovernmental Contract.
- B. Enabling Authority. The Association was formed in accordance with the authorization contained in the Intergovernmental Cooperation Act (1972 P.O. 762 No. 180).
- C. Effect. The Intergovernmental Cooperation Act provides that any joining cooperation agreement shall be deemed in force as to any municipality, when the same has been adopted by ordinance by all cooperating municipalities.

§ 25-02. Specific Provisions.

- A. The Borough of Waymart shall join with other municipalities in accordance with the Pennsylvania Intergovernmental Cooperation Act by becoming a Member of the Association and entering into the Intergovernmental Contract which was adopted by reference with the same effect as if it had been set out verbatim in this Chapter and a copy of which shall be filed with the minutes for the meeting at which this Chapter was adopted.
- B. The Borough of Waymart is authorized to enter into the Intergovernmental Contract for the purposes contained therein, as well as any amendments or modifications thereto as the same may be required from time to time. These actions are to be taken by the member(s) or employee(s) of the Borough designated for this purpose, pursuant to general or specific instructions by the Borough Council of the Borough of Waymart.
- C. The Association is designated as having official custody of Borough of Waymart funds that are invested by Association pursuant to the terms of the Intergovernmental Contract.
- D. As required by the Intergovernmental Cooperation Act, the following matters are specifically found and determined.

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- (1) The conditions of the agreement are set forth in the Intergovernmental Contract referred to in Section A above;
- (2) The Borough's participation in the Association shall be terminable at any time by ordinance only in accordance with the provisions of Article XIII of the Intergovernmental Contract;
- (3) The purposes and objectives of the agreement are set forth hereinabove and the Intergovernmental Contract and actions contemplated thereby and purposes and objectives contained therein are otherwise legal as part of a pooled arrangement with other governmental units, thereby achieving economic and other advantages or intergovernmental cooperation;
- (4) It is not necessary to finance the agreement authorized herein from municipal funds except through the contribution of the Borough's Basis Rate (as such term is defined in the Intergovernmental Contract) to the Association;
- (5) The Association shall be managed by a Board of Directors as set forth in the by-laws of said Association, a copy of which has been provided for review in connection with the adoption of this Chapter;
- (6) All property, real or personal, shall be acquired, managed, or disposed of by the Association in accordance with the terms of the Intergovernmental Contract.