

BERWICK TOWNSHIP

AN ORDINANCE REPEALING BERWICK TOWNSHIP'S ORDINANCES Nth 20, 47,
57, AND 66.

ORDINANCE NO. 2016-02

WHEREAS, the Board of Supervisors of Berwick Township has the authority to create or disband a police force within the Township and otherwise provide for police services in accordance with 53 P.S. §66901, *et. seq.*; and

WHEREAS, on March 11, 1991, the Board of Supervisors enacted Ordinance No. 20, which established, in conjunction with the Township of Oxford, the Eastern Adams Regional Police Department; and

WHEREAS, on February 8, 1999, the Board of Supervisors enacted Ordinance No. 47, which provided for a joint agreement for law enforcement service for the extension of the Regional Police Service to the Borough of New Oxford; and

WHEREAS, on December 10, 2001, the Board of Supervisors enacted Ordinance No. 57, which provided for the agreement for joint police services between Berwick Township, Oxford Township and the Borough of New Oxford; and

WHEREAS, on May 4, 2006, the Board of Supervisors enacted Ordinance No. 66, which provided for the extension of the Regional Police Services to Abbottstown Borough; and

WHEREAS, effective midnight, December 31, 2012, the Agreement for Joint Police Services between Berwick Township, Oxford Township, and the Borough of New Oxford terminated; and

WHEREAS, Berwick Township now provides police services within the Township through the Pennsylvania State Police; and

WHEREAS, Berwick Township now desires to repeal those portions of the aforesaid Ordinances which provide for the authority of the Eastern Adams Regional Police Department as the police force within the Township.

NOW THEREFORE, be it Enacted and Ordained by the Board of Supervisors of Berwick Township as follows:

1. Those portions of Ordinances 20, 47, 57, and 66 which provide for the creation and authority of Eastern Adams Regional Police as the police force within Berwick Township are hereby repealed.

2. Nothing in this Ordinance is intended to abrogate the jurisdiction and authority of the Eastern Adams Regional Police Department in Berwick Township as permitted by law, Agreement or otherwise.

3. Nothing in this Ordinance is intended to repeal any portion of the Police Pension Fund established by Ordinance No. 70 and Amended by Ordinance No. 78 or any agreements relating to the same.

4. The provisions of this Ordinance are severable. If any sentence, clause, or section of this Ordinance is, for any reason, found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Berwick Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

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

DULY ADOPTED AND ORDAINED this 11th day of July, 2016 by the Board of Supervisors of Berwick Township in lawful session duly assembled.