

CITY OF JOHNSTOWN, PENNSYLVANIA

ORDINANCE NO. 5291

Bill No. 11 of 2020

Introduced in Council

June 10, 2020

AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE GREATER JOHNSTOWN WATER AUTHORITY ARTICLES OF INCORPORATION TO INCLUDE OWNERSHIP AND OPERATION OF SANITARY SEWER FACILITIES AND TO EXTEND THE TERM OF EXISTENCE OF THE AUTHORITY TO A DATE FIFTY (50) YEARS FROM THE DATE OF APPROVAL BY THE SECRETARY OF THE COMMONWEALTH.

WHEREAS, the City of Johnstown adopted Ordinance No. 3566, passed August 16, 1963. Resolution 7661, and The Greater Johnstown Water Authority (the "Authority") was thereafter officially incorporated on August 21, 1963, pursuant to the Municipality Authorities Act, as amended (the "Act") and its incorporators remain the Boroughs of Southmont and Westmont and the City of Johnstown, (together, the "Members") for the purpose of owning and operating a water system and to provide for open space recreation; and

WHEREAS, on January 16, 2020, the Authority adopted a Resolution to Amend its Articles of Incorporation (the "Articles"), to expand its purpose to include the ownership and operation of sanitary sewer facilities and to extend its life for 50 years from the date of approval by the Secretary of the Commonwealth; and

WHEREAS, the Authority has requested that the Members approve the requested Amendment to its Articles of Incorporation in order to expand its purpose to include the ownership and operation of sanitary sewer facilities and to extend its life for fifty (50) years, from the date of approval by the Secretary of the Commonwealth, for the efficient operation of both water and sewer facilities and to stabilize rates in both; and

WHEREAS, the City of Johnstown desires to aid and cooperate with the Authority in accordance with its wishes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Johnstown, as follows:

SECTION ONE: New Sections A and B are added to the Articles to read:

“A. The term of existence of the Authority will continue for fifty (50) years from the date of approval of the Articles of Amendment by the Secretary of the Commonwealth.”

“B. The Greater Johnstown Water Authority is authorized to own, acquire, construct and operate a water system, sanitary sewer facilities, and to provide for open space recreation.”

SECTION TWO: The Amendment to the Articles is made in accordance with the provisions of Section 3.2 of the Act.

SECTION THREE: The Mayor and City Clerk are hereby authorized and directed to execute the proposed Amendment to the Articles on behalf of the City Council, and the City Clerk is hereby authorized and directed to affix the seal of the City and attest the signature of the Mayor.

SECTION FOUR: The City Solicitor is hereby authorized and directed to assist the Authority Solicitor and staff of the Authority in publishing the Notice of Intention to file the Amendment to the Articles as required by the Act and to file, or cause to be filed, the properly executed Amendment to the Articles with the Secretary of the Commonwealth.

SECTION FIVE: All Articles, Amendments, Resolutions or parts thereof that are inconsistent with this Ordinance are hereby repealed.

ORDAINED and ENACTED by the City Council of the City of Johnstown, County of Cambria, Commonwealth of Pennsylvania on this 23rd day of June, 2020.

PASSED FINALLY IN COUNCIL:
by the following vote:

June 23, 2020

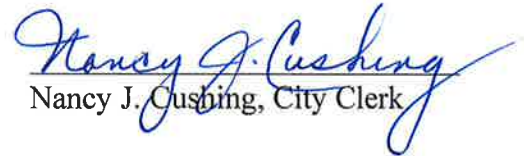
Yeas: Mr. Arnone, Mr. Capriotti, Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich. (6)
Nays: None (0)
Absent: Mr. Britt. (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST: Nancy Cushing, City Clerk

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. **5291** as the same was passed finally by City Council and signed by the Mayor and/or Deputy Mayor of the City of Johnstown, Pennsylvania.


Nancy J. Cushing, City Clerk