

SOUTH BEAVER TOWNSHIP

ORDINANCE NO. 40

AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER OF BEAVER COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE GUARANTY OF A LOAN IN THE AMOUNT OF \$50,000.00 BY THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY TO THE SOUTH BEAVER TOWNSHIP VOLUNTEER FIRE COMPANY.

WHEREAS, the South Beaver Township Volunteer Fire Company provides valuable service to the residents of South Beaver Township by protecting the public safety, health and welfare of same from dangerous perils of fire, accidents and disaster emergencies;

WHEREAS, the South Beaver Township Volunteer Fire Company desires to obtain a Volunteer Loan Assistance Loan, herein after referred to as "loan", from the Pennsylvania Emergency Management Agency, herein after referred to as "PEMA", in the amount of Fifty Thousand and no/100 (\$50,000.00) Dollars in order to improve and expand its emergency response capabilities which in turn will and does directly benefit all of the residents of South Beaver Township;

WHEREAS, the South Beaver Township Volunteer Fire Company seeks the financial backing and support of the Township of South Beaver so that it may obtain the aforesaid loan from PEMA;

WHEREAS, the said PEMA desires and requires the Township of South Beaver to guaranty said loan to the Commonwealth of Pennsylvania and said PEMA, with the Township of South Beaver being surety therefor, to and for the benefit of the South Beaver Township Volunteer Fire Company; and

WHEREAS, the Board of Supervisors of the Township of South Beaver believes it to be in the best interest of the residents of the Township of South Beaver for the Township to 8 such loan.

NOW THEREFORE, for and in consideration of the valuable service and functions provided and performed by the South Beaver Township Volunteer Fire Company, and pursuant to the general powers of the Township of South Beaver under and pursuant to the Second Class Township Code, it is hereby enacted and ordained by the Board of Supervisors of South Beaver Township, the following:

Section 1. The Board of Supervisors of the Township of South Beaver does hereby pledge its full faith, credit and general taxing powers to and for the benefit of the South Beaver Township Volunteer Fire Company for the purpose of the South Beaver Township Volunteer Fire Company of obtaining a Fifty Thousand and no/100 (\$50,000.00) Dollar loan from PEMA;

Section 2. The Board of Supervisors of the Township of South Beaver Township agrees, consents and commits the Township of South Beaver to be the guarantor and surety to and of the South Beaver Township Volunteer Fire Company for the said loan to be procured by the South Beaver Township Volunteer Fire Company from PEMA in the amount of Fifty Thousand and no/100 (\$50,000.00) Dollars.

Section 3. In the event of a default by the South Beaver Township Volunteer Fire Company with respect to the repayment of its Fifty Thousand and no/100 (\$50,000.00) Dollar loan from PEMA, the Board of Supervisors of the Township of South Beaver Township hereby covenants that the Township of South Beaver shall, upon receiving written notice of such default from PEMA, will immediately pay any delinquent loan amounts of principal and interest then due PEMA and will make any and all future monthly loan payments as stated in the Promissory Note by the South Beaver Township Volunteer Fire Company to PEMA until such time as its receives written notice from PEMA that such monthly payments are no longer required.

A. This pledge as guarantor and surety to the South Beaver Township Volunteer Fire Company for said debt by the South Beaver Township Volunteer Fire Company to PEMA is the incurrence of a debt obligation by the Township of South Beaver Township under and pursuant to the Local Government Unit Debt Act, being Act No. 52 of 1978, as amended, and this Ordinance is enacted and ordained to pledge funds of the Township accordingly.

B. The Board of Supervisors of the Township of South Beaver to hereby assure and pledge the taxing power of the Township to fulfill the surety and guarantor obligation hereby incurred and authorized.

Section 4. The Chairman of the Board of Supervisors and the Secretary of the Township of South Beaver Township are hereby authorized, empowered and directed to take any required, necessary, and/or appropriate action to implement the provisions of this Ordinance, and to sign any document as necessary in accordance herewith.

Section 5. In the event any provision, section, clause, sentence or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part hereof not specifically declared invalid by a Court of competent jurisdiction; it is the intent of the Board of Supervisors of the Township of South Beaver that the remainder parts, portions, sections, sentences and provisions of this Ordinance shall be and shall remain in full force and effect.

Section 6. All other Ordinances or Resolutions, or parts thereof, heretofore enacted as shall be inconsistent with this Ordinance, are hereby repealed and declared null and void.

Section 7. This Ordinance shall be effective immediately upon enactment.

DULY ENACTED AND ADOPTED this 7th day of January, 1991.

BOARD OF SUPERVISORS  
OF SOUTH BEAVER TOWNSHIP

Attest:

Carol Miller  
Secretary

Richard Kaelser  
Supervisor

Clifford Cole  
Supervisor

Charles W. Duffick  
Supervisor