

BOROUGH OF WILKINSBURG
COUNTY OF ALLEGHENY, PENNSYLVANIA
ORDINANCE No. 24-004

AN ORDINANCE OF THE BOROUGH OF WILKINSBURG, COUNTY OF ALLEGHENY,
COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE COUNCIL PRESIDENT OR
VICE PRESIDENT ON BEHALF OF THE BOROUGH OF WILKINSBURG TO ENTER INTO AN
INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE WILKINSBURG LAND
BANK.

WHEREAS, the Borough of Wilkesburg is aware that vacant, abandoned, and tax-delinquent properties adversely affect the economic and social vitality of the Borough by imposing significant costs on taxpayers, neighborhoods and communities throughout the Borough of Wilkesburg by lowering property values, increasing fire and police protection costs, decreasing tax revenues, and undermining community cohesion; and

WHEREAS, the Borough of Wilkesburg desires to address blight and transition abandoned properties to productive use using a predictable and transparent process in order to revitalize neighborhoods, strengthen the tax base and maintain affordability; and

WHEREAS, the Land Bank Act, Act 153 of 2012, enacted by the Pennsylvania General Assembly and signed into law by the Governor on October 24, 2012, and codified at 68 Pa.C.S. §§ 2101 et seq. authorizes the creation of a land bank by and among taxing jurisdictions in combination through an intergovernmental cooperation agreement pursuant to 68 Pa.C.S. §2104(c); and

WHEREAS, the Borough Code authorizes the Borough of Wilkesburg to enter into agreements with other political subdivisions in order to carry out the provisions of the Intergovernmental Cooperation Agreement Act, 53 Pa.C.S. Ch. 23 Subch. A; and

WHEREAS, the Intergovernmental Cooperation Act provides that a municipality may enter into an intergovernmental cooperation agreement upon the passage of an ordinance by its governing body, and

WHEREAS, pursuant to Ordinance No. 22-002, the Borough of Wilkesburg created and established the Wilkesburg Land Bank; and

WHEREAS, the Borough of Wilkesburg desires to enter into an Intergovernmental Cooperation Agreement with the Wilkesburg Land Bank in order to implement the purposes and objectives of the Wilkesburg Land Bank.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by Borough of Wilkesburg in Allegheny County, as follows:

Section 1. The above recitals are incorporated herein by reference.

Section 2. The Borough Council of Wilkinsburg (BCW) hereby approves entering into the Wilkinsburg Land Bank Intergovernmental Cooperation Agreement (“ICA”), a copy of which is attached hereto, which ICA is incorporated herein by reference (and which shall be filed with the minutes of the meeting at which this Ordinance was enacted), with the intent and effect that the Borough of Wilkinsburg shall be bound by the Agreement.

Section 3. The proper officers are hereby authorized and directed on behalf of the Borough of Wilkinsburg: (i) to execute and deliver the Agreement; and (ii) to execute and deliver such additional instruments, and to take such further actions, as may be appropriate to carry forth the Agreement and the transactions to be effected under the Agreement, including financial commitments as set forth therein.

Section 4. All actions of any officer, agent or other representative of the Borough of Wilkinsburg taken in pursuit of joining the Wilkinsburg Land Bank and the Borough of Wilkinsburg's participation therein are hereby ratified and approved in all respects.

Section 5. The proper officers are hereby authorized to take such other action as may be necessary or appropriate to carry out the purposes of this Ordinance and of the ICA.

Section 6. As required by the Intergovernmental Cooperation Act, the following matters are, specifically found and determined:

- (a) The conditions of the ICA are set forth in the attached ICA;
- (b) The duration of the ICA is as set forth in the ICA;
- (c) The purposes, objectives, powers and scope of authority granted and delegated for the Wilkinsburg Land Bank are as set forth in the Whereas clauses of this Ordinance and in the ICA;
- (d) The manner and extent of financing the Wilkinsburg Land Bank is as set forth in the ICA;
- (e) The corporate organizational structure comprising the Wilkinsburg Land Bank is as set forth in the ICA, and the Bylaws and Policies adopted by the Board of Directors of the Wilkinsburg Land Bank;
- (f) All property, real or personal, necessary for the implementation and operation of the Wilkinsburg Land Bank shall be acquired, managed, licensed or disposed of in accordance with the terms of the ICA;
- (g) The Wilkinsburg Land Bank is empowered to enter into contracts for policies of group insurance and employee benefits for its employees, if any, pursuant the ICA and the Bylaws and Policies adopted by the Board of Directors of the Wilkinsburg Land Bank.

Section 7. Effective Date/Repealer

This Ordinance shall become effective immediately upon enactment and shall repeal all prior inconsistent ordinances and resolutions to the extent of such inconsistency.

Section 8. Severability.

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is, for any reason, declared to be illegal, unconstitutional, or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of this Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the within Ordinance. The Borough of Wilkinsburg declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or words that may be declared illegal, unconstitutional, or invalid.

ORDAINED AND ENACTED this day of , 2024.

ATTEST:

EXAMINED AND APPROVED this day of , 2024.

Borough of Wilkinsburg

Joins

INTERGOVERNMENTAL COOPERATION AGREEMENT

The Borough of Wilkinsburg, located in Allegheny County, Pennsylvania, and existing by virtue of the various laws of the Commonwealth of Pennsylvania, acting on the date indicated below, pursuant to the authority granted by the authorizing ordinance listed below, joins the Intergovernmental Cooperation Agreement (the "ICA") made by and among Tax/Municipal Claim jurisdictions, located in Allegheny County, Pennsylvania to create and form the Wilkinsburg Land bank, a separate legal entity and public body corporate and politic.

By execution of this signatory page, Wilkinsburg Borough becomes a Party to the ICA for the purposes of (i) operating and participating with the Wilkinsburg Land Bank, (ii) for implementing the purposes and objectives of this ICA as set forth therein and as set forth in the Bylaws and Policies adopted by the Board of Directors of the Wilkinsburg Land Bank. The ordinance authorizing Wilkinsburg Borough to take this action is attached here.

This signature page and the ordinance/resolution shall be attached to the original, signed ICA and incorporated into the ICA's Exhibit "A."

Name and Address of Party	Date Agreement Signed	Ordinance/Resolution No. & Date
Wilkinsburg Borough 605 Ross Ave Wilkinsburg, PA 15221		

Wilkinsburg Borough
605 Ross Ave
Wilkinsburg, PA
15221

By: _____

Attest: _____