

**BOROUGH OF SOUTHMONT  
ORDINANCE NO. 528.**

**AN ORDINANCE AMENDING 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 Borough of Southmont adopted Ordinance No. 397 on August 12, 1963, Southmont Code, Chapter 59, Section 1, et seq., 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 Southmont 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 Borough of Southmont desires to aid and cooperate with the Authority in accordance with its wishes.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Southmont, 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 President and Secretary are hereby authorized and directed to execute the proposed Amendment to the Articles, and the Secretary is hereby authorized and directed to affix the seal of the Borough and attest the signature of the President.

**SECTION FOUR:** The Borough 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** this 24<sup>th</sup> day of June, 2020, by the Borough of Southmont, Cambria County, Pennsylvania, in its lawful session regularly assembled.

BOROUGH OF SOUTHMONT

  
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Sheree Speicher, President of Council

ATTEST:

  
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Amanda Layton, Secretary

APPROVED this 24<sup>th</sup> day of June, 2020.

  
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Mark Yonko, Mayor

