

No. 2021-28
LUZERNE COUNTY COUNCIL

An Ordinance of Luzerne County Council Approving an Amendment to Section 5 of Ordinance No. 6596 Signifying the Intent and Desire of the Council for the County of Luzerne, Pennsylvania, to Modify the Purposes and Projects of the Luzerne County Flood Protection Authority and to Authorize the Authority to Take All Such Action as May Be Necessary or Appropriate to Effect Same

WHEREAS, In or about May 1996, the Board of Commissioners of the County of Luzerne (hereafter, "the Board"), upon public hearing pursuant to notice duly advertised as required by the Municipality Authorities Act of 1945, as amended (hereafter, "the Act"), enacted Ordinance No. 6596 which organized the Luzerne County Flood Protection Authority (hereafter, "the Authority") as a Municipal Authority under the Act; and

WHEREAS, the Board, pursuant to Ordinance No. 6596 further approved the Articles of Incorporation and designated the "purposes and projects" of the Authority; and

WHEREAS, Section 5 of Ordinance No. 6596 defines the "purposes and projects" of the Authority:

"Section 5. The purposes and projects of said Authority are as follows: to construct, improve, operate and maintain the Wyoming Valley flood protection system and to administer the mitigation program associated with the project."

WHEREAS, since the Board's enactment of Ordinance 6596, the safety, well-being and needs of the residents of Luzerne County as a whole require an expansion of the "purposes and projects" of the Authority; and

WHEREAS, in preparation for the passage of this Amendment to Ordinance No. 6956, a public hearing was held by this County Council pursuant to notice duly advertised as required by the Act.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the County of Luzerne:

1. Section 5 of Ordinance No. 6596 is hereby stricken in its entirety and replaced with the following:

"Section 5. The purposes and projects of said Authority are as follows: to construct, improve, operate and maintain the Wyoming Valley flood protection system, to administer the mitigation program associated with the project and to undertake any/all flood protection actions that said Authority deems necessary and financially feasible to protect the residents of Luzerne County as a whole."

2. All ordinances and parts of ordinances inconsistent herewith are hereby rescinded.

ENACTED AND ORDAINED, this 9th day of November, 2021.

This Ordinance shall be effective fifteen days from the date of Enactment.

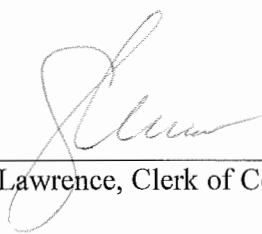
ROLL CALL VOTE (7-4)

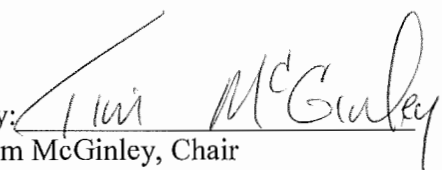
YES: Houck, McDermott, Perry, Radle, Saidman, Schnee and Vough


NO: Griffith, Haas, McGinley and SJ Urban

LUZERNE COUNTY COUNCIL

Attest:


Sharon Lawrence, Clerk of Council

By: 
Tim McGinley, Chair

By: 
Chris Perry, Vice-Chair