

## Chapter 8

### FLOOD CONTROL AUTHORITY

**§ 8-1. Declaration of public policy.**

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**§ 8-5. Appointment of borough member.**

**[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg 7-15-1980 as Ch. 8 of the 1980 Code. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Flood control — See Ch. 54.

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#### **§ 8-1. Declaration of public policy.**

It is hereby determined and declared as a matter of public policy that flood control in the Chartiers Valley District is necessary to protect the health, safety and welfare of the Borough of Heidelberg and its people, and that flood control can best be accomplished by joining with other municipalities in the watershed of Chartiers Creek and its tributaries and particularly with the City of Pittsburgh and the Boroughs of Bridgeville, Carnegie and Rosslyn Farms and the Townships of Collier, Robinson, Scott and Upper St. Clair in the formation of Chartiers Valley District Flood Control Authority under the Municipality Authorities Act of 1945,<sup>1</sup> as supplemented and amended.

#### **§ 8-2. Authorization for participation.**

The Mayor, the President of the Borough Council and the Borough Secretary are hereby authorized and directed to join with the City of Pittsburgh and the boroughs and townships aforesaid in preparing and filing with the Secretary of the Commonwealth of Pennsylvania Articles of Incorporation for the creation of a body politic and corporate in accordance with the Municipality Authorities Act of 1945,<sup>2</sup> as supplemented and amended, said body politic and corporate to be known as the "Chartiers Valley District Flood Control Authority," the purpose of which will be to do any or all things necessary to control the flooding of Chartiers Creek and its tributaries and for this purpose to enjoy and exercise all powers and privileges set forth in the aforesaid Act of the General Assembly known as the Municipality Authorities Act of 1945, as supplemented and amended, subject however to the limitation as hereinafter provided in § 8-3 hereof.

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<sup>1</sup> Editor's Note: See 53 P.S. § 301 et seq.

<sup>2</sup> Editor's Note: See 53 P.S. § 301 et seq.

**§ 8-3. Determination of financing.**

The enactment of this chapter shall in no manner whatsoever commit or be construed by the other participating municipalities or third parties as committing the Borough of Heidelberg to finance, in whole or in part, the proposed Authority or any of the facilities or agreements of said Authority, nor shall the participation by officials of the Borough of Heidelberg as members of the board of said Authority in any manner create liability on the part of the Borough of Heidelberg for the financing, in whole or in part, of said Authority, its facilities, agreements or administrative costs. The Borough of Heidelberg reserves the right through its Council to determine at the proper time whether or not it will accept liability for the financing, in whole or in part, of said Authority, its facilities, agreements or administrative costs.

**§ 8-4. Articles of Incorporation.**

In accordance with the provisions of the Municipality Authorities Act of 1945,<sup>3</sup> as supplemented and amended, the municipal authorities shall cause a notice of this chapter to be published and, together with the municipal authorities of the City of Pittsburgh and the boroughs and townships aforesaid, shall file with the Secretary of the Commonwealth of Pennsylvania Articles of Incorporation in substantially the following form.<sup>4</sup>

**§ 8-5. Appointment of borough member.**

The Borough of Heidelberg hereby appoints Alfred J. Maas as its first member of the board of said Chartiers Valley District Flood Control Authority, effective upon the issuance by the Secretary of the Commonwealth of Pennsylvania of the certificate of incorporation of said Chartiers Valley District Flood Control Authority, to serve without compensation for the respective term designated.

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<sup>3</sup> Editor's Note: See 53 P.S. § 301 et seq.

<sup>4</sup> Editor's Note: A copy of the Articles of Incorporation is on file in the office of the Borough Secretary.