

County of Franklin
PROPOSED Ordinance No. 2010-001

**AN ORDINANCE OF THE COUNTY OF FRANKLIN, PENNSYLVANIA,
FORMING A REDEVELOPMENT AUTHORITY AUTHORIZED BY THE
VIRTUES OF THE URBAN REDEVELOPMENT LAW OF THE
COMMONWEALTH OF PENNSYLVANIA**

WHEREAS, the Franklin County Board of Commissioners recognizes that a revitalization strategy is required in certain areas within the County of Franklin;

WHEREAS, this revitalization effort will sustain Franklin County's position as a thriving and progressive community while insuring a secure and stable economic base for the future;

WHEREAS, the Franklin County Comprehensive Plan emphasizes – as the collective goals of Franklin County, the communities therein, and its citizens – the redevelopment of older business areas; the strengthening of the downtowns as business, civic, institutional and cultural centers for the surrounding communities; the protection of the livability of residential areas with an emphasis on strengthening older neighborhoods; the preservation and rehabilitation of historically significant architecture; the attraction of new business development and expansion in appropriate areas; and the encouragement of the expansion of existing businesses;

WHEREAS, the Board of Commissioners recognize that a Redevelopment Authority is necessary to accomplish the goals of the Comprehensive Plan;

WHEREAS, by virtue of the Urban Redevelopment Law of the Commonwealth of Pennsylvania, the County of Franklin is authorized to form a redevelopment authority with the powers as set forth in said act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the County of Franklin and Commonwealth of Pennsylvania as follows:

SECTION 1. It is the desire and the intention of the County of Franklin, based upon the foregoing Preambles, to organize and incorporate a Redevelopment Authority pursuant to the provisions of the Urban Redevelopment Law as enacted by the Commonwealth of Pennsylvania, Act of May 24, 1945, P.L. 999 (35 P.S. §1701 et.seq.), as there is the need for a Redevelopment Authority to function within the territorial limits of the County of Franklin.

SECTION 2. The Board of Commissioners, the County Administrator and the County Solicitor are hereby authorized and directed to execute, on behalf of the County, Articles of Incorporation for the Redevelopment Authority, in substantially the following form, and cause the same to be held within the Department of State of the Commonwealth of Pennsylvania, together with a Certificate reciting the adoption of the within Resolution in

the form attached as Exhibit "A", with a copy to be filed with the Department of Community Affairs of the Commonwealth of Pennsylvania, thereby enabling the Secretary of the Commonwealth of Pennsylvania, Department of State, to issue a Certificate of Incorporation, thus creating the Redevelopment Authority.

SECTION 3. The lawful purpose of the Redevelopment Authority shall be all or any one of the proper purposes as set forth in the Urban Redevelopment Law as may be amended, and shall include, without limitation, the exercise of the powers set forth in §1709 of the Urban Redevelopment Law; subject to the restrictions hereinafter set forth.

SECTION 4. The Redevelopment Authority is further directed to assist the Planning Department of the County of Franklin in the preparation and adoption of a redevelopment plan for the approval by the County of Franklin, and thereafter proceed with the assistance and preparation of various redevelopment proposals; being expressly provided herein that any such Redevelopment Plan and subsequent redevelopment proposals must be approved in advance by the Board of Commissioners of Franklin County.

SECTION 5. Pursuant to the Urban Redevelopment Law, §1712, the Redevelopment Authority is authorized to exercise the power of eminent domain.

SECTION 6. Pursuant to the Urban Redevelopment Law, §1713, the Redevelopment Authority is authorized to issue bonds.

SECTION 7. The Urban Redevelopment Law in §1708 imposes prohibitions and disclosure requirements on members and employees of the Redevelopment Authority. In addition, the following prohibitions and disclosure requirements are hereby imposed upon the Board of Commissioners, and members of the Planning Commission of the County of Franklin County:

(1) the Board of Commissioners and members of the Planning Commission of the County of Franklin shall not acquire any interest, direct or indirect, in any redevelopment project, or in any property included or planned to be included in any redevelopment area, in or any area in which such person may have reason to believe may be certified to be a redevelopment area, or any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used by the Redevelopment Authority, or in any contract with a redeveloper or prospective redeveloper relating directly or indirectly to any redevelopment project.

(2) If the Board of Commissioners or the Planning Commission shall already own or control any interest, direct or indirect, in any property later included or planned to be included in any redevelopment project, or has any such interest in any contract for material or services to be furnished or used in connection with any redevelopment project, he or she shall disclose the same in writing to the Redevelopment Authority, the Pa Department of Community & Economic

Development and to the Board of Commissioners of Franklin County and such disclosure shall be entered in writing in the minutes of the Redevelopment Authority and Board of Commissioners of Franklin County.

SECTION 8. The term of existence of the Redevelopment Authority shall be as provided for and authorized in the Urban Redevelopment Law.

SECTION 9. The Articles of Incorporation for said the Redevelopment Authority shall be in the following form:

**FRANKLIN COUNTY REDEVELOPMENT AUTHORITY
ARTICLES OF INCORPORATION
TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:**

In compliance with the Urban Redevelopment Law of the Commonwealth of Pennsylvania enacted May 24, 1945, P.L. 991(35 P.S. §1701 et. seq.) as amended, and as approved by Resolution of the Board of Directors of the County of Franklin, which action was duly taken and adopted by said Board at a regular meeting thereof, held on August 17, 2010, the County of Franklin does hereby execute and file these Articles of Incorporation to create a Redevelopment Authority, together with Proof of Publication of Notice to do so, as follows:

FIRST: The name of the Redevelopment Authority shall be the “Franklin County Redevelopment Authority.”

SECOND: This Authority is formed under the Urban Redevelopment Law of 1945, 35 P.S. §1701 et seq.

THIRD: The name of the incorporating body is: County of Franklin
Office of County Commissioners
14 North Main Street
Chambersburg, PA 17201

FOURTH: The names and addresses of the Board of Commissioners, the governing body of the County of Franklin are as follows:

David S. Keller, Chairman 169 Theodore Drive
Chambersburg, PA 17202

Robert L. Thomas, Commissioner 171 Lincoln Road
Chambersburg, PA 17201

Robert G. Ziobrowski, Commissioner 1707 Alexander Avenue
Chambersburg, PA 17201

John A. Hart, County Administrator

P.O. Box 235, Marion, PA 17235

Mary Beth Shank, County Solicitor

528 West King Street
Chambersburg, PA 17201

FIFTH: The purpose of the Redevelopment Authority shall be to undertake and accomplish any one or more of the redevelopment projects defined as permissible and as set forth in the Urban Redevelopment Law of 1945, as may be amended, subject to prior approval of the governing body of the County of Franklin. In the furtherance of such purposes, the Redevelopment Authority shall have the powers as set forth in Urban Redevelopment Law.

SIXTH: The names and addresses and terms of office for the first members of the Board of the Authority are as follows:

Name	Address	Appointed Term	Expiration of Office of Term
1.			12/10
2			12/11
3			12/12
4			12/13
5			12/14

- (a). All are citizens of and reside in the County of Franklin, Pennsylvania, which is a requirement to hold such office.
- (b). Whenever a vacancy has occurred or is about to occur due to expiration of term of office of any member, the Board of Commissioners of Franklin County shall appoint a member to the Board for a term of five years from the date of expiration of the prior term to succeed the member whose term has expired or is about to expire.
- (c). The names, addresses, and terms of office of the members of the Authority shall be placed on file and annually updated with the Pennsylvania Department of Community and Economic Development.

SEVENTH: The County Administrator of the County of Franklin, Pennsylvania, is hereby authorized and directed to file Articles of Incorporation in the above form, together with a certificate in the form attached hereto as Exhibit "A", with the Department of State, Commonwealth of Pennsylvania, a copy thereof filed with the Department of Community Affairs.

DULY ORDAINED AND ENACTED by the Board of Commissioners of the County of Franklin on this 17th day of August, 2010, in lawful session regularly assembled, pursuant to Ordinance No.2010-001.

This Ordinance was advertised on:

This Ordinance was adopted by the Board of Commissioners of Franklin County on:

ATTEST

COUNTY OF FRANKLIN

John A. Hart
County Administrator

David S. Keller, Esq., Chairman
Board of Commissioners

EXHIBIT "A"

CERTIFICATE

I, the undersigned, Administrator of the County of Franklin, Pennsylvania, do hereby certify that the attached is a true and correct copy of an Ordinance adopted by the County of Franklin that was duly ordained and enacted by an affirmative vote of the Board of Commissioners of the County of Franklin at a meeting thereof held the ____ day of _____, 2010, which meeting was at all times open to the public and of which due notice was given as required by law.

I further certify that the total number of members of the Board of Commissioners is three (3), that vote upon said Ordinance was called and duly recorded upon the minutes of said meeting and that the members of the Board of Commissioners voted in the manner following:

<u>Name</u>	<u>Vote</u>
David S. Keller	
Robert L. Thomas	
Robert G. Ziobrowski	

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Franklin this ____ day of _____, 2010.

John A. Hart
Franklin County Administrator