

MOUNT JOY TOWNSHIP

ADAMS COUNTY

COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 16 of 2007

A RESOLUTION OF MOUNT JOY TOWNSHIP AUTHORIZING
AND DIRECTING THE EMERGENCY SUCCESSION OF MUNICIPAL
OFFICERS AND THE CONTINUITY OF MUNICIPAL GOVERNMENT.

WITNESSETH:

WHEREAS, pursuant to Sections 779.6 and 779.7 of the Emergency Interim Executive and Judicial Succession Act of 1959 (71 P.S. 779.1 et seq.) all municipalities of the Commonwealth are authorized to enact resolutions or ordinances in order to assure the continuity of government through a legally constituted leadership process that will provide for the effective operations of Municipal government during an emergency; and

WHEREAS, the Mount Joy Township Supervisors, Adams County desires to establish a lawful order of succession to exercise the powers and discharge the duties of municipal government in the event that one or more Supervisor(s) is absent or unable to exercise his or her powers and duties of office during an emergency that occurs within this Municipality; and

WHEREAS, the Mount Joy Township Supervisors believes that the public health, safety, and welfare of all the residents of this Municipality will be better served and protected by the adoption of this resolution.

NOW THEREFORE, be it resolved by the Mount Joy Township, Adams County, as follows:

Section 1. This Resolution shall take effect whenever any Supervisor of Mount Joy Township is unavailable to exercise the powers and discharge the duties of his or her office during the occurrence of any man-made disaster, natural disaster, or war-caused disaster as defined by Section 7102 of the Emergency Management Services Code (35 Pa. C.S. 7101 et seq), as amended. Unavailable shall mean either that a vacancy in a Supervisor office exists and there is no individual authorized to exercise all of the powers and discharge the duties of that office or that the lawful incumbent Supervisor(s) is absent from the Municipality or unable to exercise the powers and discharge the duties of his or her office due to illness, accident or injury, or some other preventive circumstance.

Section 2. During the occurrence of any man-made disaster, natural disaster, or war-caused disaster in Mount Joy Township and the unavailability of any Supervisor, the following order of succession shall be exercised in order to assure the continuity of County government:

SUCCESSORS James W. Waybright, Chairman

- (1) William J. Chantelau
- (2) George L. Scott
- (3) Samuel L. Dayhoff

SUCCESSORS William J. Chantelau, Vice Chairman

- (1) George L. Scott
- (2) Samuel L. Dayhoff
- (3) Harold J. Kirschner

SUCCESSORS George L. Scott, Supervisor

- (1) Samuel L. Dayhoff
- (2) Harold J. Kirschner
- (3) James W. Waybright

SUCCESSORS Samuel L. Dayhoff, Supervisor

- (1) Harold J. Kirschner
- (2) James W. Waybright
- (3) William J. Chantelau

Section 3. Each succeeding Acting Supervisor listed above shall, during the occurrence of a disaster, assume and discharge the powers and duties of any unavailable Supervisor, and shall retain those powers and duties until the unavailable Supervisor, is able to resume the exercise of the powers and discharge the duties of his or her office or until such time as a vacancy which may exist shall be filled in accordance with the law.

Section 4. The order of succession listed in Section 2 of this Resolution shall be revised whenever a vacancy occurs and a new Supervisor is appointed to fill that vacancy. Otherwise, at the first organizational meeting held at the beginning of each new term of office, the elected Supervisor(s) shall adopt a Resolution that contains a renewed order of succession that will provide for the continuity of Municipal government during that term of office.

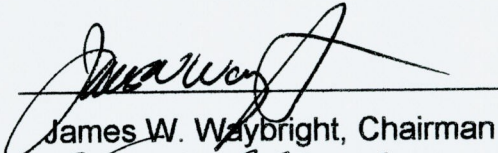
Section 5. All other municipal elected officers shall designate, by order of succession, three deputies or emergency interim successors to exercise the powers and discharge the duties of his or her office whenever the elected officer is unavailable during the occurrence of any man-made disaster, natural disaster, or war-caused disaster. A written list of the designated successors for each officer shall be delivered to the Municipal Emergency Management Agency for verification purposes.

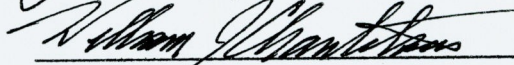
Section 6. All resolutions or parts of resolutions heretofore enacted, as those resolutions shall be inconsistent with this Resolution, shall be and are expressly repealed and are declared to be null and void.

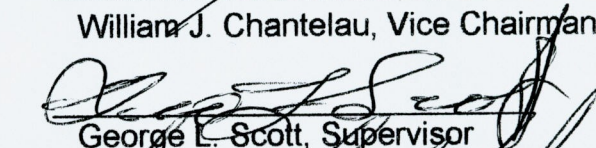
Section 7. This Resolution shall be effective immediately.

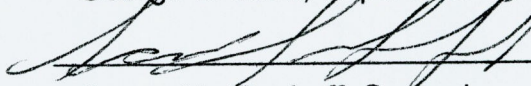
DULY ADOPTED BY THE Mount Joy Township Supervisors, County of Adams, Pennsylvania, in lawful session duly assembled this 15th day of February, 2007.

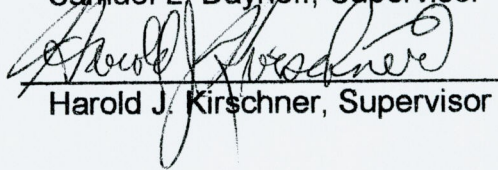
Mount Joy Township Supervisors
County of Adams
Commonwealth of Pennsylvania

By: 
James W. Waybright, Chairman


William J. Chantelau, Vice Chairman

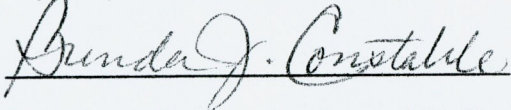

George L. Scott, Supervisor


Samuel L. Dayhoff, Supervisor


Harold J. Kirschner, Supervisor

ATTEST:

(Seal)



Brenda J. Constable, Township Secretary

CERTIFICATE

I, the undersigned Secretary of Mount Joy Township, Adams County, Pennsylvania, certify that the foregoing is a true and correct copy of a Resolution which was duly adopted by a majority vote of the entire Board of Supervisors at a meeting duly convened according to law and held on February 15, 2007; said Resolution has been duly recorded in the minutes of the Mount Joy Township Supervisors; and that said Resolution remains in effect, unaltered and unamended as of the date of this Certificate.

IN WITNESS WHEREOF, I affix my hand and official seal of the Mount Joy Township Supervisors this 15th day of February 2007.

(Seal)

Brenda J. Constable
Brenda J. Constable, Secretary