

**MUNICIPALITY OF NORRISTOWN**  
A Home Rule Municipality  
Montgomery County, Pennsylvania

**ORDINANCE NO. \_\_\_\_\_ of 2021**

**AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF NORRISTOWN, SIGNIFYING THE INTENTION AND DESIRE OF THE MUNICIPALITY OF NORRISTOWN TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE ACT OF THE GENERAL ASSEMBLY, KNOWN AS THE MUNICIPAL AUTHORITIES ACT, 53 PA. C.S. § 5601, ET. SEQ, TO PROVIDE FOR STORMWATER SYSTEM PLANNING, MANAGEMENT AND IMPLEMENTATION; APPOINTING AND FIXING THE TERMS OF THE FIRST MEMBERS OF THE BOARD OF SUCH AUTHORITY; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THE AUTHORITY TO PERFORM ALL ACTS AND EXECUTE ALL OTHER DOCUMENTS REQUIRED OR CONTEMPLATED BY THIS ORDINANCE; SETTING FORTH AND AUTHORIZING THE EXECUTION OF THE ARTICLES OF INCORPORATION; AUTHORIZING ALL NECESSARY ACTION AND REPEALING INCONSISTENT ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, the Municipality of Norristown (the “Municipality”) is a Home Rule Municipality organized and operating in accordance with the Charter of the Municipality of Norristown as permitted by the Pennsylvania Home Rule Charter and Optional Plans Law, 53 Pa. C.S. § 2901 *et seq*; and

**WHEREAS**, Section 5607 of the Pennsylvania Municipal Authorities Act 53 Pa. C.S. § 5607, (the “Authorities Act”) includes as a purpose and power for which a municipal authority may be incorporated “stormwater planning, management and implementation”; and

**WHEREAS**, the Municipal Council of the Municipality hereby signifies its intention and desire to organize an authority under the Authorities Act to provide for stormwater system planning, management and implementation; and

**WHEREAS**, the Municipal Council of Norristown possesses the authority to enact this Ordinance pursuant to the prescripts of Section § 41.4-401.A of the Charter of the Municipality of Norristown and the Authorities Act.

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Municipal Council of the Municipality of Norristown as follows:

I. The Municipality of Norristown hereby agrees to organize a municipal authority under the Authorities Act to be known as the “Norristown Stormwater Authority” (the “Authority”).

II. The Municipal Council President, Municipal Council Secretary and Municipal Administrator, respectively, are hereby authorized and directed to execute Articles of Incorporation for the Authority. A true and correct copy of the Articles of Incorporation to be filed is incorporated herein and attached hereto to this Ordinance as Exhibit A.

III. The Municipal Council President, Municipal Council Secretary and Municipal Administrator, respectively, are hereby authorized take any and all actions necessary and proper to form the Authority.

IV. All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

V. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the Code of Ordinances of the Municipality of Norristown.

VI. This Ordinance shall take effect and be in force from and after its approval as required by law.

**ENACTED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Seal:

**Municipality of Norristown  
Municipal Council**

By: \_\_\_\_\_  
Derrick Perry  
Council President

Attest: \_\_\_\_\_  
Crandall O. Jones  
Municipal Administrator

**CERTIFICATE**

**I, THE UNDERSIGNED, HEREBY CERTIFY** that the attached is a true and correct copy of an Ordinance passed finally by a majority vote of members at a meeting of the Municipal Council of the Municipality of Norristown, Montgomery County, Pennsylvania on \_\_\_\_\_, 2021; that said Ordinance has been certified and recorded by me, as Municipal Administrator, in the book provided for such purpose of recording; that said Ordinance was duly recorded in the minutes of the Municipal Council, showing how each member voted thereon, and; that said Ordinance is in effect without amendment, alteration or modification as of the date of this Certificate.

**I FURTHER CERTIFY**, that the meeting above-referred to was held with proper notice as required by the Municipality of Norristown Home Rule Charter and the Pennsylvania Sunshine Act, 65 Pa. C.S. § 701, *et. seq.*, being given to members and to the public, and was at all times open to the public; and that a copy of the Ordinance was available for inspection by any citizen in the office of the Municipal Administrator.

**WITNESS** my hand and seal of the Municipal Administrator of the Municipality of Norristown, Montgomery County, Pennsylvania, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Crandall O. Jones  
Municipal Administrator

[SEAL]

**EXHIBIT A**  
**ARTICLES OF INCORPORATION**

## ARTICLES OF INCORPORATION

### TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

In compliance with the requirements of Act 22 of 2001, approved June 19, 2001, 53 Pa. C.S. § 5601, *et seq.*, known as the “Municipality Authorities Act” (hereinafter, the “Authorities Act”), and pursuant to an Ordinance duly adopted by the Municipal Council of the Municipality of Norristown, Montgomery County, Pennsylvania (the “Municipality”), expressing the desire and intention of said Municipality to organize an authority under the provisions of the Authorities Act, as amended and supplemented, the incorporating Municipality does hereby certify:

1. The name of the authority shall be the “Norristown Stormwater Authority”.
2. The said authority is formed under the Act of the General Assembly, approved May 2, 1945, P.L. 382, as amended and supplemented, known as the Municipal Authorities Act.
3. The Municipality of Norristown duly organized under the provisions of the Authorities Act the Norristown Municipal Waste Authority, entity number 2206008, on January 4, 1993, and currently owns and operates a sanitary wastewater collection and disposal system that provides wastewater service to various customers primarily within the Municipality.
4. It is the desire and intention to duly organize the Norristown Stormwater Authority as a separate and distinct authority under the Authorities Act for the purpose of the provision of stormwater system planning, management and implementation.
5. The name of the incorporating municipality, together with the names and addresses of its respective municipal authorities are as follows:

**Municipality of Norristown, Montgomery County, Pennsylvania**

<u>NAME</u>	<u>OFFICE</u>	<u>ADDRESS</u>
Derrick Perry	Borough Council President	235 E. Airy Street, Norristown, PA 19401
Thomas Lepera	Borough Council Vice President	235 E. Airy Street, Norristown, PA 19401
Crandall Jones	Municipal Administrator/ Secretary of Council	235 E. Airy Street, Norristown, PA 19401

6. The names, addresses and terms of office of the first members of the Board of the Norristown Stormwater Authority, each of whom is a taxpayer in, maintains a business in, or is a citizen of the Municipality, are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>TERM</u>
Member	_____	1 Year
Member	_____	2 Years
Member	_____	3 Years
Member	_____	4 Years
Member	_____	5 Years

7. The term of existence of the Norristown Stormwater Authority shall be fifty (50) years.

**IN WITNESS WHEREOF**, the Municipality of Norristown, Montgomery County, Pennsylvania, has caused these Articles of Incorporation to be executed by the President of the Municipal Council and attested by the Municipal Administrator of the Municipality, and the seal of the Municipality to be affixed hereto, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Seal:

**Municipality of Norristown  
Municipal Council**

By: \_\_\_\_\_  
Derrick Perry  
Council President

Attest: \_\_\_\_\_  
Crandall O. Jones  
Municipal Administrator

**[ATTACH SIGNED COPY OF ORDINANCE OF MUNICIPAL COUNCIL HERE]**

DRAFT

[ATTACH AFFIDAVIT OF PUBLICATION OF INTENT TO FILE ARTICLES HERE]

DRAFT