

Chapter 7

AUTHORITY, MUNICIPAL

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[HISTORY: Adopted by the Borough Council of the Borough of Mansfield 11-4-1942 by Ord. No. 135. Amendments noted where applicable.]

GENERAL REFERENCES

Sewers — See Ch. 128.

Water systems — See Ch. 158.

§ 7-1. Declaration of intent.

The Council of the Borough of Mansfield, Tioga County, Pennsylvania, hereby signifies its intention and desire to organize a Municipal Authority under the Municipality Authorities Act of 1935.¹

§ 7-2. Articles of Incorporation.

The President and Secretary of the Borough Council are hereby authorized and directed to execute on behalf of the Borough of Mansfield, Tioga County, Pennsylvania, Articles of Incorporation for said Municipal Authority in substantially the following form:

ARTICLES OF INCORPORATION

To the Secretary of the Commonwealth of Pennsylvania:

In compliance with the requirements of the Act of June 28, 1935, P.L. 463, as amended by the Act of May 20, 1937, P.L. 739, as amended by the Act of May 17, 1939, P.L. 167, known as the "Municipality Authorities Act," the Council of the Borough of Mansfield, desiring to incorporate a Municipal Authority thereunder, does hereby certify:

- (a) The name of the Municipal Authority shall be: Municipal Authority of the Borough of Mansfield.
- (b) This Authority is formed under the provisions of the Act of June 28, 1935, P.L. 463, as amended.
- (c) No other Authority organized under the Act of June 28, 1935, P.L. 463, as amended, or under the Act of December 27, 1933 (Special Session, P.L. 144), is in existence in or for the incorporating municipality, the Borough of Mansfield, Tioga County, Pennsylvania.

1. Editor's Note: Current statutory provisions are contained in the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq.

- (d) The name of the incorporating municipality is: the Borough of Mansfield, Tioga County, Pennsylvania.

The names and addresses of the municipal authorities of said Borough are as follows:

Burgess	Mott A. Brooks	Mansfield, Pennsylvania
President of Council	William M. Barden	Mansfield, Pennsylvania
Borough Treasurer	John F. Myers	Mansfield, Pennsylvania
Secretary of Council	Cecil H. Garrison	Mansfield, Pennsylvania
Councilman	O. L. Schanbacher	Mansfield, Pennsylvania
Councilman	Charles L. Johnson	Mansfield, Pennsylvania
Councilman	Fred L. Hakes	Mansfield, Pennsylvania
Councilman	Elmer J. Kennedy	Mansfield, Pennsylvania
Councilman	Nathan E. French	Mansfield, Pennsylvania
Councilman	Dana D. Decker	Mansfield, Pennsylvania

all of whom reside in the Borough of Mansfield, Tioga County, Pennsylvania, and are citizens thereof.

- (e) The names, addresses and terms of office of the first members of the Board of the Municipal Authority are as follows:

Nathan Niles	Mansfield, Pennsylvania	5 years
Herbert G. Peterson	Mansfield, Pennsylvania	4 years
Oscar M. Lutes	Mansfield, Pennsylvania	3 years
Wilbur W. Johns	Mansfield, Pennsylvania	2 years
Harold E. Terry	Mansfield, Pennsylvania	1 year

all of whom reside in and are citizens of the Borough of Mansfield, Tioga County, Pennsylvania.

- (f) The ordinance authorizing the creation of said Authority, certified from the records of the incorporating municipality, together with advertisement of notice of filing these Articles of Incorporation, are each submitted herewith.
- (g) The term of existence of the Municipal Authority of the Borough of Mansfield shall be for a period ending on March 1, 2036. **[Amended 5-2-1967 by Ord. No. 209; 4-1-1986 by Ord. No. 322]**

§ 7-3. Project to be undertaken.

It is hereby specified that the project first to be undertaken by the Municipal Authority of the Borough of Mansfield, a body corporate and politic to be duly organized under the Municipality Authorities Act of 1935, P.L. 463, as amended and supplemented,² shall be the acquiring, holding, constructing, improving, maintaining, operating, owning and leasing, either in the capacity of lessor or lessee, of waterworks, water supply works and water distribution systems.

2. Editor's Note: Current statutory provisions are contained in the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq.

§ 7-4. Authority of President and Secretary of Council.

The President and Secretary of Council are hereby authorized and empowered and directed to do all such things and enter into such agreements as may be permitted by law in the name of and on behalf of the Borough of Mansfield as may be expedient to carry out and consummate the objects and purposes of this chapter and in the creation of said Municipal Authority of the Borough of Mansfield and in the acquisition of waterworks, water supply works and water distribution systems authorized and designated to be acquired or leased and operated by said Municipal Authority, by and under the authority of this chapter. The right and privilege to maintain and operate water distribution systems and equipment in, upon and under the streets and highways of the Borough of Mansfield is hereby given, granted and confirmed unto the Municipal Authority of the Borough of Mansfield.

§ 7-5. Additional powers of Authority.

This chapter shall not be construed as restricting or attempting to restrict the right and power of said Municipal Authority of the Borough of Mansfield to undertake any other project or projects which it may by law be authorized to undertake.³

§ 7-6. Declaration of necessity.

This chapter is deemed necessary for the benefit and preservation of the public health, peace, comfort and general welfare of the citizens of the Borough of Mansfield.

3. Editor's Note: By Ord. No. 224, adopted 12-10-1968, easements and rights-of-way in the streets and other properties of the Borough were granted to the Municipal Authority for the purpose of constructing, repairing and maintaining a sewer system in the Borough.

