

ORDINANCE #160

FIRST READING - February 8, 2005
SECOND READING - February 22, 2005

**AUTHORIZING CERTAIN ACTIONS WITH RESPECT TO THE LACKAWANNA COUNTY
RAILROAD AUTHORITY.**

WHEREAS, the County Commissioners of the County of Lackawanna had formed the Lackawanna County Railroad Authority pursuant to the Municipality Authorities Act of 1945, Act of May 2, 1945, P.L. 382, as amended; and

WHEREAS, the County Commissioners of the County had enacted Ordinance Number 147 on April 6, 2004; and

WHEREAS, Ordinance Number 147 had directed the Lackawanna County Railroad Authority to convey its Project to the County and to dissolve the Lackawanna County Railroad Authority pursuant to the authority granted to the County of Lackawanna under the Municipality Authorities Act of 1945, Act of May 2, 1945, P.L. 382, as amended, including Sections 5619 and 5622; and

WHEREAS, the County Commissioners of the County, after due consideration of the public welfare and with full legal competence pursuant to its enabling legislation, has determined to repeal and rescind Ordinance Number 147.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, ENACTED by the affirmative vote of a majority of all members of the County Commissioners of the County as follows:

SECTION 1: Ordinance Number 147 of the County of Lackawanna is hereby repealed and rescinded in full as if the same was never enacted.

SECTION 2: The Chairman of the Board of the Lackawanna County Commissioners is hereby authorized and directed to undertake and perform, or cause to be undertaken or performed, all actions necessary to carry out the terms of this ordinance.

SECTION 3: This Ordinance shall be effective for all purposes upon the last to occur of: (a) seven days following the publication of the notice required by Section 1.3-311 of the Lackawanna County Home Rule Charter; and (b) ten days after the date hereof.

DULY ADOPTED by the County Commissioners of Lackawanna County, in lawful session assembled on _____, 2005.

COUNTY OF LACKAWANNA

A. J. MUNCHAK

ROBERT C. CORDARO

RANDY A. CASTELLANI

ATTEST:

PAUL D. TARAMELLI,
CHIEF OF STAFF

Approved as to form and legality:

ELAINE C. GEROULO, ESQUIRE
COUNTY SOLICITOR