

**CITY OF HERMITAGE
MERCER COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____ - 2022

AN ORDINANCE OF THE CITY OF HERMITAGE, MERCER COUNTY, PENNSYLVANIA (“CITY”), ELECTING TO ENTER INTO A JOINT AGREEMENT WITH THE BOROUGH OF WHEATLAND, MERCER COUNTY, PENNSYLVANIA (“WHEATLAND”), PROVIDING FOR THE MERGER OF WHEATLAND INTO HERMITAGE; AUTHORIZING A REFERENDUM BY WHICH THE ELECTORS OF THE CITY AND WHEATLAND SHALL APPROVE OR REJECT SAID MERGER; PROVIDING THAT IF APPROVED, SAID MERGER SHALL BE EFFECTIVE AS OF JANUARY 1, 2024; FURTHER PROVIDING FOR THE ACQUISITION OF THE REAL AND PERSONAL PROPERTY OF WHEATLAND; AND PROVIDING FOR THE DISPOSITION OF WHEATLAND’S REMAINING LIABILITIES.

WHEREAS, the City of Hermitage (“City”) is a Home Rule City created under the authority of the Commonwealth of Pennsylvania; and

WHEREAS, the Borough of Wheatland is likewise a municipal entity created under the authority of the Commonwealth; and

WHEREAS, the Municipal Consolidation or Merger Act, 53 Pa.C.S. § 731, *et seq.*, (the “Act”) establishes the procedure under Pennsylvania law by which two (2) or more contiguous municipalities may be merged into one (1) resulting municipality, which includes initiating the process through a joint agreement entered into by the governing bodies of the municipalities to be merged, 53 Pa.C.S. § 734; and

WHEREAS, members of Council of Wheatland initially approached Hermitage Commissioners to consider the advisability and feasibility of a merger by which Wheatland would become a part of Hermitage; and

WHEREAS, Wheatland obtained a grant through the Pennsylvania Department of Community and Economic Development, which funded a study completed by the Pennsylvania Economy League (“PEL”) for the purpose of determining the advisability and feasibility of such a merger;

WHEREAS, both municipalities provided substantial input and information to assist PEL in the study process, and members of each municipality were given the opportunity to attend various public meetings to provide input and review the results of the PEL study;

WHEREAS, the PEL study concluded that the merger Wheatland into Hermitage would likely result in benefits for the citizens and taxpayers of each municipality;

WHEREAS, a Joint Agreement has been created by which the City and Wheatland authorize a merger of Wheatland into the City, and said merger must be approved by the electors of each municipality before the merger is permitted to occur through a referendum;

WHEREAS, the City desires to enter into the Joint Agreement for the merger of Wheatland into the City and place the issue before the electorate in the November 8, 2022 general election, pursuant to law.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF HERMITAGE, MERCER COUNTY, PENNSYLVANIA, AND THE CITY OF HERMITAGE HEREBY ORDAINS AND ENACTS BY THE AUTHORITY OF THE SAME AS FOLLOWS:

SECTION 1. The Board of Commissioners hereby approves and adopts the Joint Agreement and all conditions contained therein, which is attached hereto as "Exhibit A" for the merger of Wheatland into the City.

SECTION 2. The appropriate City officials are hereby authorized to execute the Agreement on the City's behalf.

SECTION 3. Upon enactment of this Ordinance by both the City and Wheatland, the City Solicitor is hereby directed to forward a copy of the same to the Mercer County Board of Elections for placement of the matter on the November 8, 2022 general election ballot.

SECTION 4. The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.

SECTION 5. All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 6. The provisions of this ordinance shall become effective pursuant to law, and if adopted, the merger shall be effective January 1, 2024.

**HERMITAGE ORDAINS AND ENACTS AND IT IS HEREBY ORDAINED AND
ENACTED FINALLY INTO LAW BY THE BOARD OF COMMISSIONERS OF THE
CITY OF HERMITAGE THIS 27TH DAY OF JULY, 2022.**

ATTEST:

**CITY OF HERMITAGE
BOARD OF COMMISSIONERS**

Gary Hinkson, Secretary

By: _____
Duane J. Piccirilli, President