

**ORDINANCE NO. 7 OF 2011**

**AN ORDINANCE AMENDING THE SUNNY DAY FUND ORDINANCE  
(ORDINANCE NO.: 6 OF 1993) TO AMEND SECTION 1 (A) ADDRESSING  
THE FUNDING OF THE SUNNY DAY FUND**

*WHEREAS, Throop Borough Council adopted a Sunny Day Fund Ordinance in 1993 for payment of Throop's obligations upon termination of the useful life of the Logan-Tabor landfill or cessation of Keystone Landfill; and,*

*WHEREAS, Throop Borough Council deems it to be fiscally responsible to amend Section 1(A), Appropriated Funds to adjust the minimum and maximum amounts to be deposited in the Sunny Day Fund from quarterly checks provided to Throop Borough by Keystone Sanitary Landfill.*

*NOW THEREFORE be it ordained and enacted by the Council of the Borough of Throop as follows:*

*1. The Sunny Day Fund Ordinance is hereby amended so that Section 1 Funding (A) Appropriated Funds obligates Throop Borough Council to deposit into the Sunny Day Fund a minimum of 10% and maximum of 20% with no dollar limit to the Sunny Day Fund from every quarterly check received from Keystone Sanitary Landfill.*

*2. Accordingly, Section 1 Funding (A) Appropriated Funds is hereby deleted and replaced with the following language:*

*The Council of the Borough of Throop shall deposit into the Sunny Day Fund a minimum of 10% and maximum of 20% (with no dollar limit) of the total amount of the fees paid to the Borough by Keystone for each of the four quarters of a given fiscal year.*

**SECTION 1.**

*If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Borough of Throop reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.*

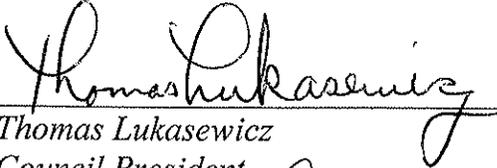
**SECTION 2.**

*This ordinance shall become effective immediately upon approval.*

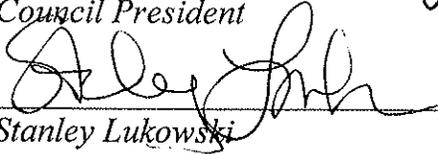
**SECTION 3.**

*This Ordinance is enacted by the Council of the Borough of Throop under the authority of the Act of the Legislative, as amended, December 12, 1990, P.L. 1994, No. 220, and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.*

**ORDAINED AND ENACTED** this 29<sup>th</sup> day of November, 2011.



Thomas Lukasewicz  
Council President



Stanley Lukowski  
Mayor

Attest:



Renee O'Malley  
Secretary