

BOROUGH OF MARIETTA

Lancaster County, Pennsylvania

RESOLUTION NO. 15-2017

A RESOLUTION OF BOROUGH COUNCIL OF MARIETTA BOROUGH, LANCASTER COUNTY, PENNSYLVANIA, PROHIBITING THE LOCATION OF A CATEGORY 4 LICENSED FACILITY WITHIN THE BOROUGH.

WHEREAS, Act 42 of 2017 authorizes the licensing of ten Category 4 licensed facilities within the Commonwealth; and

WHEREAS, such Category 4 licensed facilities will be “mini-casinos” licensed to entities that operate a Category 1, 2, or 3 licensed facility within this Commonwealth; and

WHEREAS, Act 42 of 2017 added new Section 1305.1(a.1)(1) to Title 4, Amusements, of the Pennsylvania Consolidated Statutes which gives all municipalities within the Commonwealth the option to prohibit the location of a Category 4 licensed facility within its municipal boundaries; and

WHEREAS, to exercise such option, a resolution to prohibit the license of a Category 4 slot machine licensed facility within the municipal boundaries must be adopted by the governing body of the municipality and delivered to the Pennsylvania Gaming Control Board no later than December 31, 2017.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by Borough Council of the Borough of Marietta, Lancaster County, Pennsylvania, as follows:

Section 1. Borough Council of the Borough of Marietta, Lancaster County, Pennsylvania, adopts this Resolution in accordance with Section 1305.1(a.1)(1) of Title 4, Amusements, of the Pennsylvania Consolidated Statutes, as added by Act 42 of 2017 to prohibit the location and operation of a Category 4 licensed facility within the boundaries of Marietta Borough, Lancaster County.

Section 2. The proper officers of this Borough are authorized to deliver a certified copy of this Resolution to the Secretary of the Pennsylvania Gaming Control Board no later than December 31, 2017.

Section 3. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or

parts of this Resolution, it being the intent of Borough Council that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 4. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 14th day of November, 2017, by Borough Council of the Borough of Marietta, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF MARIETTA
Lancaster County, Pennsylvania

Attest: _____
Borough Secretary

By: _____
President Borough Council

[BOROUGH SEAL]