

ORDINANCE No. 442

EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF EAST NORRITON TOWNSHIP, CHAPTER 10 ENTITLED FIRE COMPANY.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by virtue of authority granted by the Second Class Township Code, do hereby amend Chapter 10 entitled "Fire Company" and replace with the following:

Article 1 Fire Department

Section 1.01 Creation and Composition

The Fire Department of East Norriton Township shall consist of The Norriton Fire Engine Company and any companies as the Board of Supervisors of East Norriton Township may from time to time receive in to the Department by ordinance or resolution.

Section 1.02 Officers

As stated in Article II of the Company's By-Laws PREAMBLE.

The officers of the Norriton fire Engine company shall consist of a President, First Vice-President, Second Vice-President, Nine (9) Trustees, Financial Secretary-Treasurer, Membership Secretary, Recording Secretary, Fire Chief, Chief Engineer, and Fire Police Captain elected by the Company members as set forth in the By-Laws of the Fire Company.

Section 1.03 Control by Board

The Fire Department and all personnel comprising the Fire

Department shall at all times conform to any and all rules and regulations as adopted by the East Norriton Township Board of Supervisors as well as the Commonwealth of Pennsylvania's Second Class Township Code, notwithstanding anything in the Constitution and By-Laws of the Fire Department. The ultimate responsibility of the Fire Department lies with the East Norriton Township Board of Supervisors.

Section 1.04 Appropriations to Fire Companies

The Township Board of Supervisors may appropriate annually to the Norriton Fire Engine Company such sum or sums as may be in the judgement of the Board of Supervisors considered proper. Any such appropriations may be made upon and subject to such conditions as the Board of Supervisors may deem proper to impose. Appropriations to be itemized in detail.

Section 1.05 Submission of Constitution and By-Laws Changes

The Norriton Fire Engine Company shall submit, after the first reading and prior to the second reading, any proposed constitution and by-laws changes for review by the Township Board of Supervisors.

Section 1.06 Rules and Regulations

The Norriton Fire Engine Company may recommend rules and regulations covering the following matters, but such rules and regulations shall not be effective until submitted to and approved by the Board of Supervisors:

- A. Prevention of fires.
- B. Storage and use of explosives and flammables.
- C. Installation and maintenance for fire alarm systems.
- D. Inspection and regulation of fire escapes and exits from all buildings where a number of persons work or congregate.
- E. The investigation of the cause, origin or circumstance of

fires.

- F. The establishment of fire drills in educational or other establishments.
- G. Determining the number and location of fire hydrants.
- H. The inspection of all fire-fighting equipment.
- I. The institution of classes in fire-fighting.
- J. Elimination of fire hazards.
- K. Procedure for dispatching fire companies.

Section 1.07

Duties of Firefighters

The Board of Supervisors of East Norriton Township does hereby authorize the Norriton Fire Company and all its members to perform the following duties:

- A. To fight fires.
- B. To identify and remove fire hazards.
- C. To inspect buildings to determine whether fire hazards exist.
- D. To assist in the removal or salvage of all property of any type which has been subject to windstorms, floods, wrecks, fires, or other catastrophes.
- E. To assist in the maintenance and repair of any buildings or real estate or other property owned by the said volunteer Fire Department or property owned by East Norriton Township which is being utilized or operated by said Fire Department.
- F. To assist with emergency management services (civil defense) programs.
- G. To attend and participate in fire/training schools, exhibitions or programs whether held in the Township or elsewhere.

- H. To assist in the maintenance of fire alarm systems or fire hydrants by reporting malfunctions of such systems to the proper authorities.
- I. To assist in the rescue of persons or animals.
- J. To participate in fund-raising activities.
- K. To participate in parades, either in the Township or in a community within a twenty mile radius of the Township building or at such other locations as may be approved by the Board of Supervisors.
- L. To participate in water rescues.
- M. To assist in fire prevention.
- N. To respond to out-of-the-jurisdiction calls pursuant to mutual aid agreements.
- O. To travel to and from any of the above activities, either on foot or in any type of vehicle.
- P. To review proposed subdivision/land development plans and to recommend in an advisory capacity to the Board of Supervisors, changes or modifications to the plans that will facilitate access for fire equipment.
- Q. To recommend to the Board of Supervisors amendments that will improve and strengthen Building Code/Fire Code provisions in the interest of fire prevention and public safety.

Section 1.08

Violations of Rules, Policies and Duties

As stated in Article XVII of the Company's By-Laws:

Charges may be preferred against any officer or member of the Company for conduct not becoming such officer or member, provided all charges preferred shall be submitted in writing at a stated meeting of the Company with thirty (30) days after the commission of the alleged act or acts.

Upon receipt of such complaint, the President shall appoint

a committee of five (5) active members of the Company: one (1) each from the appointees of the Fire Chief, Chief Engineer, and the Fire Police Captain; one (1) from the Trustees who is not a member of the Board by virtue of their office; and one (1) from the group of members who are not appointed or elected to any office.

The duty of such committee shall be to make a full investigation of the alleged act or acts, giving the complainant and the person complained of, full opportunity of presenting their respective sides of this issue.

Upon receiving all the evidence of both sides, the said committee shall retire and thoroughly consider the facts of the case to the best of their ability, and , reduce the decision of the majority of the committee to writing and submit same to the Company at its next regular meeting for such action to be taken by the Company, as it sees fit.

If, in the opinion of the committee, the member is found guilty, the committee shall make a recommendation of a penalty. Recommendations not accepted by the Company may be revised by the Company floor.

Appointed officers, performing acts not in accord with orders of the Fire Chief, Chief Engineer or Fire Police Captain shall be removed from such office by the officer in charge of the group in which the offense was committed. The individual officer so removed from the office shall have no status until the specified case is considered as outlined above.

Section 1.09 Training and Certification

The Norriton Fire Company will provide for adequate training for all firefighters and shall certify to the Township (through the Public Safety Director) annually that all firefighters responding to an incident will have received the appropriate training for duties undertaken by the firefighters.

Section 1.10 Establishment of Areas for Fire Company Solicitation

The Board of Supervisors hereby establishes the entire boundaries of East Norriton Township for solicitation of the public for financial

support on the part of the Norriton Fire Engine Company.

Section 1.11 Hazardous Material Incidents

All personnel who may respond to a potential hazardous materials incident shall be certified at a minimum "Fire Responder Awareness" level of training or as required by the Norriton Fire Engine Company. The cost of abatement of any hazardous materials incident which poses an immediate threat to public health, safety and welfare shall be paid by the person who negligently or intentionally deposited the hazardous substance. (Authorized by Ordinance #234, Section 118-4 "Abatement" of the East Norriton Township Code Book)

Section 1.12 Annual Report

The Fire Company shall submit annually to the Board of Supervisors an annual report of activities, operations and financial condition for the calendar year preceding.

Article 2 Public Safety Director

Section 2.01 Appointment

The Fire Chief shall be appointed by the Fire Department based on the Fire Department's By-Laws.

Section 2.02 Duties

The Fire Chief shall be the chief fire officer of the Township and shall have the power and responsibility of carrying out the provisions of this chapter.

The Fire Chief shall report to the Public Safety Director who will report to the Board of Supervisors and the Township Manager the efficient and effective operation of the Fire Department. The Fire Chief will develop and enforce standard operating guidelines based on recognized practices and procedures.

The Public Safety Director will coordinate with the Fire Chief command of large scale or complex emergencies when such

action is necessary to protect life and property. The Fire Chief or other officer in charge of the scene shall have authority to close streets, initiate evacuations and exclude the public from the immediate vicinity of the emergency or place of danger.

Section 2.03 Emergency Management Coordinator

The Township's Emergency Management Coordinator will perform the following duties:

1. Assist in the development of an emergency management staff using existing governmental services, public agencies and volunteers.
2. Review and assist the Development of the Township's Emergency Management Plan, standard operating procedures and a resource list to address potential major emergencies.
3. Provide direction and coordination for the planning, organization and operation of the emergency management program.
4. The Township's Emergency Management Coordinator will provide for the unmet needs of the Townships departments and service units and coordinate the activities of all on-scene agencies.

Article 3 Fire Marshal

Section 3.01 Appointment

The Board of Supervisors shall appoint an officer to be known as the Fire Marshal of East Norriton Township as recommended by the Public Safety Director, whose duties shall be as hereinafter.

Section 3.02 Duties

The Fire Marshal shall have the power and responsibility of enforcing all laws, ordinances and regulations with respect to:

"See Township's Job Description for this position"

The investigation of the cause, origin and circumstances of fires and explosions shall be in the following order, Fire Marshal, Deputy Fire Marshal, Fire Chief and the chain of command within the Fire Department.

Section 3.03 Deputy Fire Marshal

Where the words "Fire Marshal" are used in this ordinance, that shall be taken to mean as well "Deputy Fire Marshal" where one has been appointed by the Board of Supervisors.

Section 3.04 Inspections

The Fire Marshal may, at all reasonable hours, enter any building or premises within his jurisdiction for the purpose of making any inspection or investigation which he/she may deem necessary in the performance of his/her duties.

Section 3.05 Inspection of Hazardous Processes and Installations

The Fire Marshal shall inspect, as often as necessary, all especially hazardous manufacturing processes, storage or installation of gases, chemicals, oils, explosive and flammable materials, all interior fire alarms and automatic suppression systems and other similar appliances and shall issue such orders as may be necessary for the enforcement of the laws and ordinances governing the same and for the safe-guarding of life and property from fire.

1. The current National Fire Protection Association Codes and Standards shall be considered the Standard for the installation, use, storage and transportation of liquefied gases, fuel oils and gas appliances.
2. The Pennsylvania state laws governing flammable liquids and the current edition of the National Fire Protection Association standard 30 are to be considered part of the ordinance.
3. All buildings shall be subject to regulations for protection from fire and panic and for public safety, as provided for the laws of the Commonwealth of Pennsylvania and the

ordinances of East Norriton Township which shall have the same effect as is stated in this ordinance.

Article 4 Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be separate and independent and such holding shall not affect the validity of the remaining portions of this Ordinance.

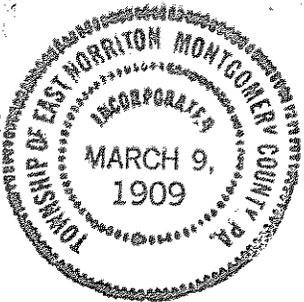
Article 5 Ratification

This Ordinance shall in no other way amend or modify the East Norriton Township Code.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 22nd day of October, 2002.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

ATTEST:



Lewis K. McQuirns
Lewis K. McQuirns, Chairman

Donald J. Gracia
Donald J. Gracia, Vice Chairman

Helmuth J. H. Baerwald
Helmuth J. H. Baerwald, Secretary

Francis E. Denner
Francis E. Denner, Supervisor