

ORDINANCE NO. 584

**EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

AN ORDINANCE OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING PART 1, ADMINISTRATIVE LEGISLATION, CHAPTER 10: FIRE DEPARTMENT, SECTIONS 10-12, 10-13, 10-14, 10-16, AND 10-17 OF THE EAST NORRITON TOWNSHIP CODE OF ORDINANCES TO ESTABLISH A TOWNSHIP FIRE CHIEF, REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT THEREWITH, AND PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the East Norriton Township Board of Supervisors has adopted Part 1, Administrative Legislation, Chapter 10: Fire Department, of the East Norriton Township Code of Ordinances related to the creation, governance and regulation of the East Norriton Township Fire Department; and

WHEREAS, Chapter 10: Fire Department, Sections 10-13 and 10-14 of the East Norriton Township Code of Ordinances articulate that the position of Fire Chief shall be elected from within the Norriton Fire Engine Company pursuant to its bylaws and further establishes that said Fire Chief of the Norriton Fire Engine Company shall be the chief fire officer of the Township and shall have the power and responsibility for carrying out the provisions of Chapter 10; and

WHEREAS, Chapter 10: Fire Department, Section 10-3 of the East Norriton Township Code of Ordinances establishes that 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 bylaws of the Fire Department, and vests the ultimate responsibility of the Fire Department with the East Norriton Township Board of Supervisors; and

WHEREAS, Section 803(b) of the Pennsylvania Second Class Township Code, 53 P.S. § 66803(b), empowers East Norriton Township by ordinance to make rules and regulations for the government of fire companies which are located within East Norriton Township and their officers; and

WHEREAS, the East Norriton Township Board of Supervisors has determined that the creation of a civilian management position of Township Fire Chief who shall serve as the chief fire officer of the Township and who shall be vested with the ultimate power and responsibility for carrying out the provisions of Chapter 10 of the East Norriton Township Code of Ordinances through the following amendment and enacting provisions related thereto will promote the general welfare and coordinated and practical community development within the Township.

NOW, THEREFORE, BE IT RESOLVED, by the East Norriton Township Board of Commissioners that Chapter 10: Fire Department of the East Norriton Township Code of Ordinances is amended as follows (text to be deleted is shown as ~~strikethrough~~, text to be added shown as underline):

I. AMENDMENT OF THE CODE

Chapter 10. Fire Department

ARTICLE I. Fire Department of East Norriton Township.

§ 10-12. Annual Report.

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

ARTICLE II: Township Fire Chief, Township Deputy Fire Chief, Norriton Fire Engine Company Fire Chief, Public Safety Director and Emergency Management Coordinator.

§ 10-13. Appointment. This section is deleted in its entirety and is amended to read as follows:

- A. The Township Fire Chief shall be a civilian managerial position and shall be appointed by the Board of Supervisors.**
- B. The Township Deputy Fire Chief shall be a civilian position and may be appointed in the discretion of the Board of Supervisors.**
- C. The Norriton Fire Engine Company Fire Chief shall be appointed by the Fire Department based on the Fire Department's bylaws.**

§ 10-14. Duties.

- A. The Township 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.
- ~~[B. 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.]~~
- B. The Township Fire Chief shall report to the Board of Supervisors and the Township Manager the efficient and effective operation of the Fire Department. The Township Fire Chief will develop and enforce standard operating guidelines based on recognized practices and procedures in consultation with the Norriton Fire Engine Company Fire Chief.**

- C. The Township Deputy Fire Chief shall report to the Township Fire Chief and coordinate with said Township Fire Chief in the efficient and effective operation of the Fire Department.**
 - D. The Norriton Fire Engine Company Fire Chief shall report to the Township Fire Chief and the Township Deputy Fire Chief and shall coordinate the implementation of the Township Fire Chief's standard operating guidelines within the fire company.**
- [E] **E.** The Public Safety Director will coordinate with the **Township** Fire Chief's command of large scale or complex emergencies when such action is necessary to protect life and property. The **Township** Fire Chief, **Township Deputy 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.

ARTICLE III. Fire Marshall.

§ 10-16. 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}~~ **Township Fire Chief**, whose duties shall be as hereinafter described.

§ 10-17. Duties.

- A. 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).
- B. The investigation of the cause, origin and circumstances of fires and explosions shall be in the following order: Fire Marshal, Deputy Fire Marshal, **Township** Fire Chief, **Township Deputy Fire Chief** and the chain of command within the Fire Department.

II. REPEALER

Any and all terms, conditions and provisions of any Ordinance of East Norriton Township in conflict with the terms, conditions and provisions of this Ordinance, are hereby repealed to the extent of such conflict.

III. SEVERABILITY

It is hereby declared to be the legislative intent of the Board of Supervisors of East Norriton Township, that if a court of competent jurisdiction declares any of the provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon adoption by the Board of Supervisors of East Norriton Township.

ORDAINED AND ENACTED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 26th day of May, 2020.

Attest:



**EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS**


Robert R. Hart
Secretary


Kevin McDevitt
Chairman