

ORDINANCE NO. 594

**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 ALLOWING THE EAST NORRITON TOWNSHIP BOARD OF SUPERVISORS TO ESTABLISH A TOWNSHIP FIRE CHIEF AND APPOINT LESSER RANKED OFFICERS, 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 need for a civilian management position of Township Fire Chief **MAY** arise whereby a Township appointed chief 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.

WHEREAS, the East Norriton Township Board of Supervisors has determined that the need for Township appointed Fire Officers MAY arise and if appointed, shall be vested with the authority and responsibility of the appointed rank.

NOW, THEREFORE, BE IT RESOLVED, by the East Norriton Township Board of Supervisors that Chapter 10: Fire Department of the East Norriton Township Code of Ordinances is amended as follows, 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 Manager) an annual report of activities, operations and financial condition for the calendar year preceding.

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

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

- A. The Norriton Fire Engine Company Fire Chief shall be appointed by the Fire Department based on the Fire Department's bylaws and serve as the chief fire officer of the Township.
- B. Township Fire Chief, a civilian managerial position, MAY be appointed by the Board of Supervisors if in the Board's view circumstances within the Norriton Fire Engine Company dictate the need for such appointment. The position may be temporary or permanent depending on the circumstance surrounding the appointment and in consultation with Norriton Fire Engine Company leadership. If appointed, a Township Fire Chief shall assume the role as chief fire officer of the Township and report to the Public Safety Officer and shall have the power and responsibility of carrying out the provisions of this chapter.
- C. Township Fire Officers MAY be appointed by the Board of Supervisors if in the Board's view circumstances dictate the need for such appointment(s) in order to provide the most responsive and coordinated fire protection service possible.

§ 10-14. Duties.

- D. The Norriton Fire Engine Company Fire Chief shall report to the Township Public Safety Director and Township Fire Chief (if a Twp Fire chief is appointed). In the event that the Board of Supervisors appoints a Township Fire Chief, the Norriton Fire Engine Company Fire Chief shall coordinate the implementation of the Township Fire Chief's standard operating guidelines and standard operating procedures within the fire company.

ARTICLE III. Fire Marshal.

§ 10-16. Appointment.

The Board of Supervisors shall appoint an officer to be known as the Fire Marshal of East Norriton Township 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, 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 October, 2021.



Attest:



Robert R. Hart, Secretary

**EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS**



Ashley DiPiero, Chairwoman