

ORDINANCE NO. 103

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR
THE GOVERNMENT OF FIRE COMPANIES, AMBULANCE AND RESCUE
SERVICES, AND THEIR OFFICERS,
RESIDENT OR INHABITANT IN WASHINGTON TOWNSHIP,
FRANKLIN COUNTY, PENNSYLVANIA

WHEREAS, the Board of Supervisors of Washington Township is invested with the power to make such regulations, by ordinance, not inconsistent with state laws and regulations, as may be necessary for the promotion of the health and safety of citizens of this township; and

WHEREAS, the Board of Supervisors is further vested with the power to take all needful means for securing the safety of persons or property within the township, including the power to adopt ordinances pertaining to public safety; and

WHEREAS, the Board of Supervisors is vested with the power to make and adopt all such ordinances, bylaws, rules and regulations, not inconsistent with a restraint by the constitution and laws of this commonwealth as they may deem expedient or necessary for the proper management, care and control of the township and for the maintenance of the welfare of the township; and

WHEREAS, the Board of Supervisors is vested with the power to appropriate monies to fire companies and ambulance and rescue services located in the township for the operation and maintenance thereof and for the purchase and maintenance of fire apparatus and other motor vehicles, and for the construction, repair and maintenance of fire company and ambulance houses, in order to secure fire protection as well as ambulance and rescue services for the inhabitants of the township; and

WHEREAS, the Board of Supervisors is further vested with the power to ordain rules and regulations for the government of such fire companies and their officers, and

WHEREAS, each of the above defined powers is vested in the Board of Supervisors pursuant to various provisions of the Second Class Township Code; and

WHEREAS, the Board of Supervisors does appropriate monies to the Blue Ridge Mountain Volunteer Fire Company No. 1 and the Blue Ridge Mountain Ambulance and Rescue Squad located in the township, which monies are for the purpose of operation and maintenance of said fire company and rescue squad and for the purchase and maintenance of fire apparatus and other motor vehicles and for the construction, repair and maintenance of fire company houses, all in the interest of securing fire protection and emergency mercy service for the inhabitants of the township; and

WHEREAS, the Board of Supervisors believes that it is not only in the public interest to ordain rules and regulations for the government of such fire companies and ambulance and rescue services and their officers, but it is also their responsibility in the interest of fire protection and emergency mercy service and further in the interest of promoting the public health and safety to ordain rules and regulations for the government of such fire companies and ambulance and rescue services and their officers,

NOW, THEREFORE, pursuant to the applicable provisions of the Second Class Township Code and other provisions of law, be it enacted and ordained, and it is hereby enacted and ordained by the Board of Supervisors of Washington Township, as follows:

Section 1: Suspension of Fire Fighting and Emergency Mercy Service Activities.

If the Board of Supervisors reasonably concludes that the administration and government of any fire company or ambulance and rescue squad within its jurisdiction is operating ineffectively, or incompetently, or reasonably concludes that any of its officers or directors are conducting themselves either individually or collectively in a fashion which is inimical to the health, safety and welfare of the inhabitants of Washington Township, the Board of Supervisors reserves the right, in its sole discretion, to suspend the fire fighting activities of such fire company and the emergency mercy service activities of such ambulance and rescue squad within its boundaries for such time as is necessary to organize effective services for township inhabitants.

Section 2: Removal of Officers and Directors:

The Board of Supervisors, as the governing body responsible for organization of effective fire protection and emergency mercy services for township inhabitants, reserves the right to remove from office, either individually or collectively, any and all officers or directors who, in the sole discretion of the Board of Supervisors, are conducting the affairs of the fire company or ambulance and rescue squad in a manner which compromises the delivery of effective fire and emergency mercy service to the inhabitants of Washington Township; and to appoint such person or persons as the Supervisors may deem necessary, in their sole discretion, to properly organize and govern effective services for the township inhabitants. The Board of Supervisors may, but shall not be required to, vest temporary authority in the Township Emergency Management Coordinator for the organization and government of any such fire company or ambulance or rescue squad.

Section 3: 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 portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof. It is hereby declared to be the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal, or invalid section, subsection, sentence, clause, phrase or portion not been included herein.

Section 4: Conflicting Ordinances

Any prior ordinance inconsistent with the provisions of this ordinance is hereby repealed to the extent of the conflict.

Section 5: Effective Date

This ordinance shall become effective immediately upon signing.

ENACTED AND ORDAINED this 2nd day of November, 1987, in lawful session duly assembled.

Attest:

(Corporate Seal)

Richard E. McCrea, Chairman

Juanita L. Ausherman, Secretary