



Township of Concord

DELAWARE COUNTY

*COUNCIL: Dominic A. Pileggi, John J. Gillespie, John L. Crossan,
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CONCORD TOWNSHIP DELAWARE COUNTY, PENNSYLVANIA

ORDINANCE NO. 406 -2024

AN ORDINANCE OF CONCORD TOWNSHIP, DELAWARE COUNTY PENNSYLVANIA, ENACTING A NEW CHAPTER 113 UNDER GENERAL LEGISLATION OF THE CONCORD TOWNSHIP CODE ENTITLED “EMERGENCY SERVICE COST REIMBURSEMENT” RECOGNIZING THE AUTHORITY OF THE FIRE COMPANY TO SEEK REIMBURSEMENT FOR HAZARDOUS ABATEMENT INCIDENTS, ENVIRONMENTAL INCIDENTS AND FIRE SAFETY AND RESCUE RESPONSES IN CONCORD TOWNSHIP

IT IS HEREBY ENACTED AND ORDAINED by the Council of Concord Township, Delaware County, Pennsylvania, as follows:

SECTION 1. TITLE

This Ordinance shall be known as the Concord Township Emergency Service Cost Reimbursement Ordinance.

SECTION 2. AUTHORITY, FINDINGS AND PURPOSE.

- A. Authority.** The Township has the authority to make rules and regulations for the government of fire companies operating within the Township pursuant to the Concord Township Home Rule Charter and to Section 1803(b) of the Second Class Township Code, 53 P.S. §66803(b).
- B. Findings.** The Township recognizes that the duties of volunteer fire companies require specialized emergency rescue tools and equipment, emergency rescue materials, hazardous material abatement equipment and hazardous abatement materials during emergency responses. The Township recognizes that such tools and equipment place a financial burden on volunteer fire companies and the replacement of such materials and specialized training add to the additional financial burden for volunteer fire companies.
- C. Purpose.** To grant the fire company operating in Concord Township (“Fire Department”) the authority to seek reimbursement for the reasonable costs of responding to such incidents in its service area, either directly or in coordination with the Township, as provided below.

SECTION 3. RECOVERY OF COSTS.

- A. The Township authorized the Fire Department serving Concord Township to recover the reasonable costs of emergency rescue tools, equipment and materials; hazardous material abatement tools, equipment and materials; and personal hours involving any hazardous material, environmental, fire safety and/or rescue incident or operation, including vehicular accidents which occur in Concord Township.
- B. The reasonable costs outlined above may be recovered directly by the Fire Department or through a third-party billing service as an authorized agent for the collection of such costs.
- C. The Fire Department or third-party billing service shall only have the authority to recover the aforementioned costs in the Fire Department's service area from the applicable insurance/indemnity company(s) up to the limit of the applicable insurance company's policy limits.
- D. The reimbursement rates for the aforementioned tools, equipment and materials shall be set by the Fire Department from time to time and shall be only applied to the recovery of costs arising out of incidents that occurred subsequent to the setting of the rates. These rates shall be set by the Fire Department and a copy of their approved rates shall be kept on file with the Township.
- E. In addition to the aforementioned reasonable costs, the Fire Departments or third-party billing service shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting the same, and any and all additional fees as may be authorized by the Hazardous Material and Emergency Planning Response Act or by other statute or law.

SECTION 4. RESPONSIBILITY OF THE TOWNSHIP.

- A. The Township shall not be responsible for any aspect of the recovery of costs under this Ordinance. The Township shall not take any steps to assist the Fire Department or any third-party billing service in recovery of costs under this Ordinance.
- B. The Township shall not be responsible to reimburse the Fire Department for any services rendered to the Township or Township personnel or vehicles while on duty.

SECTION 5. REVOCAION OF GRANT OF AUTHORITY.

Any attempt by the Fire Department or third-party billing service to recover costs from any individual or entity other than the appropriate insurance/indemnity company(s) shall result in the immediate revocation of the authority to recover such costs granted under this Ordinance.

SECTION 6. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Concord Township Council that this

Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included.

SECTION 7. REPEALER. All Township Ordinances or parts of Ordinances inconsistent with the provision of this Ordinance are hereby repealed and rescinded to the extent of any inconsistency or conflict.

SECTION 8. EFFECTIVE DATE.


This Ordinance shall become effective five (5) days after its enactment as provided by law.

ENACTED AND ORDAINED this 7th day of MAY, 2024



Dominic Pileggi, President
Concord Township Council

ATTEST:



Amanda Serock, Township Manger