

**LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS**

ORDINANCE 2024-02

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF LOWER PAXTON TOWNSHIP, DAUPHIN COUNTY, PENNSYLVANIA, ESTABLISHING THE PARAMETERS OF FIRE PROTECTION AND RESCUE SERVICES WITHIN THE TOWNSHIP AND GENERALLY ADOPTING STANDARD OPERATING PROCEDURES

WHEREAS, Act 60 of 1995 (“The Second Class Township Code”), Article XVIII, Section 1801, grants authority to the Board of Supervisors in providing fire protection services; and

WHEREAS, The Second Class Township Code, Article XVIII, Section 1803 grants authority to the Board of Supervisors in appropriating money to fire companies located within the township for the operation and maintenance of the companies, for the purchase and maintenance of fire apparatus, and for other enumerated purposes as stated therein; and

WHEREAS, The Second Class Township Code, Article XVIII, Section 1803 grants authority to the Board of Supervisors in adopting ordinances creating rules and regulations for the administration and operation of fire companies and their officers within the township and

WHEREAS, Lower Paxton Township has identified trends indicating potential opportunities for strengthening our three volunteer fire companies and

WHEREAS, the Board of Supervisors has taken the proactive measure of commissioning the *Fire and Rescue Services Organizational Assessment*, a study further providing context to the Township’s volunteer firefighting capabilities and general landscape and

WHEREAS, noting the Board of Supervisors – in keeping with the spirit and vision of a primary volunteer fire service – desires to implement specific organizational revisions and operational requirements for the provision and expansion of these services.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, ENACTED by the affirmative vote of a majority of all members of the Board of Supervisors of the Township of Lower Paxton as follows:

Chapter 106 of the Lower Paxton Township Codified Ordinances is amended with the inclusion of underlined text as follows:

Chapter 106. Fire Prevention and Protection

...

are not limited to fire prevention activities, fire suppression activities, rescue services, medical services, hazardous materials incident responses, responses to natural or man-made phenomena, and other dangerous situations as called upon. Establishing primary response districts, reporting requirements, and other reasonable conditions to effectuate a professional fire and rescue response shall be coordinated with the Cooperating Volunteer Agencies.

Once adopted as a Cooperating Volunteer Agency, those companies shall operate consistent with the provisions as outlined within this ordinance.

Recognized Organizations. Only those companies formally recognized by the Township through separate Fire and Rescue Services Cooperation Agreement, or the State Mutual Aid Agreement shall be permitted to render fire and rescue services within the municipal boundaries of the Township.

1. Fiscal appropriations, insurance, and personnel (workers' compensation, etc.) coverages, authority for the operation of Township-owned apparatus, recognition and delegation of primary response district(s) shall only be granted to Cooperating Volunteer Agencies.
- B. Cooperating Volunteer Agency Independence. Each Cooperating Volunteer Agency fire and rescue service provider shall continue to operate under its organizational bylaws, which shall be in accordance with generally accepted standards for similar organizations.
- C. The Bureau of Fire in coordination with The Public Safety Committee, from time to time shall issue directives, general orders, or other operational and administrative messages. All Cooperating Volunteer Agencies shall comply with these orders and directives. However, when a Bureau of Fire Directive fails to exist for a specific circumstance, the agencies should default to their internal policies.
- D. The Bureau of Fire, in coordination with the Public Safety Committee, shall be responsible for the effective and efficient administration of fire and rescue services.
- E. The Bureau of Fire for the Township shall consist of a Public Safety Director, The Deputy Fire Chief, The Cooperating Volunteer Agencies, an EMS provider, and any other appointed personnel as deemed necessary.

§ 106-26. Permitted Activities of Cooperating Volunteer Agencies.

- A. Each Cooperating Volunteer Agency is hereby permitted to provide the following emergency services, including but not limited to:
 1. The extinguishment of fires and the prevention of loss of life and property from fire.
 2. Response to automobile accidents, medical emergencies, technical rescues, hazardous material incidents, natural or man-made phenomena, and other dangerous situations.

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Article IV. Provisions and Government of Fire and Rescue Services

§ 106-22. Short title.

This article shall be known as and may be cited as the “Lower Paxton Township Bureau of Fire Ordinance.”

§ 106-23. Purpose.

To maintain an effective fire and rescue response capability to natural and man-made emergencies through planning and the efficient use of manpower and equipment.

To establish the general organization – or government – through which the provisions and adopted procedures of firefighting shall be enforced.

To formally recognize the inclusion of a career Township fire and rescue services organization among the existing global fire and rescue apparatus (Colonial Park Fire Company, Paxtonia Fire Company, and the Linglestown Fire Company).

§ 106-24. Definitions.

For the purposes of this Article, the following terms shall retain definitions as followed:

BUREAU – The Lower Paxton Township Bureau of Fire, a division of the Lower Paxton Township Department of Public Safety.

COOPERATION AGREEMENT – The Fire and Rescue Services Cooperation Agreement conveys legal authorization to a Cooperating Volunteer Agency to provide fire and rescue services within the municipal boundaries of the Township of Lower Paxton. This Agreement details the administrative framework through which fire and rescue services may be rendered as recognized by the Township, including but not limited to primary response district(s), payments and apportionment structures, delegation of service authority and oversight, and insurance coverages.

COOPERATING VOLUNTEER AGENCY – Any volunteer fire company, recognized through separate Resolution of the Board of Supervisors, provided a primary response district within the municipal boundaries of the Township. These companies may be situated within or outside the municipal boundaries of the Township. These agencies shall be governed through specific primary response districts, reporting requirements, general orders, and other reasonable conditions recommended by the Public Safety Committee to effectuate professional fire and rescue response.

§ 106-25. Recognition and Organization of Fire and Rescue Services.

- A. Cooperating Volunteer Agencies. From time to time, the Board of Supervisors shall formally recognize volunteer fire and rescue companies within or outside the municipal boundaries of the Township through separate agreements. These agreements shall establish such parameters as determined by the Board of Supervisors, which include but

NOW, THEREFORE, BE IT, AND IT HEREBY IS, FURTHER ENACTED by the affirmative vote of a majority of all members of the Board of Supervisors of the Township of Lower Paxton as follows:

Repeal. All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance, are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

Savings and Severability. The provisions of this Ordinance shall be deemed severable and the invalidity or unenforceability of any one provision, part, or clause thereof shall not affect the validity or enforceability of the other provisions, parts, or clauses hereof. If any provision or clause of this Ordinance, or portion thereof, shall be held by any court or other tribunal of competent jurisdiction to be illegal, void, or unenforceable in such jurisdiction, the remainder of such provision shall not be thereby affected and shall be given full effect, without regard to the invalid portion.

Incorporation Into the Code of Ordinances. By this Ordinance, all provisions adopted herein as indicated shall be incorporated into the Township of Lower Paxton Code of Ordinances by incorporating the adopted underlined text, revising any index, appendix, or table of contents, alphabetizing, and numbering each section in accordance and consistent with the construction and format of the codification of ordinances.

Effective Date. This Ordinance shall become effective five (5) days from the date of adoption by the Board of Supervisors.

DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 2024-02

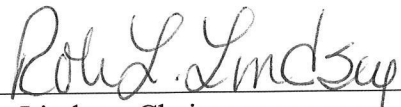
this 4th day of June, 2024 by the Board of Supervisors of Lower Paxton Township.

ATTEST:

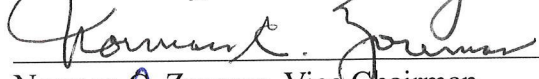


Chris Judd, Township Secretary

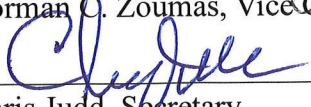
**BOARD OF SUPERVISORS
LOWER PAXTON TOWNSHIP**



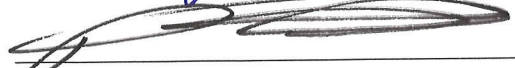
Robin Lindsey, Chairman



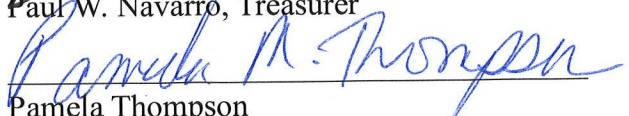
Norman C. Zoumas, Vice Chairman



Chris Judd, Secretary



Paul W. Navarro, Treasurer



Pamela Thompson