

ORDINANCE NO. 2 of 2013

An Ordinance of Newport Township, Luzerne County, Pennsylvania establishing voluntary positions of Special Fire Police within the Township of Newport

WHEREAS Pennsylvania law, specifically 35 Pa C.S.A. 7431 et seq. provides that certain municipalities, including Townships may provide for the establishment of voluntary special fire police within the municipality, and

WHEREAS, the Township of Newport wishes to provide for voluntary special fire police,

BE IT ENACTED AND ORDAINED by the Township of Newport, Luzerne County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: NOMINATION AND CONFIRMATION

Any Volunteer Fire Department within Newport Township may nominate any of it's members as special fire police. Any members nominated as such are subject to specific qualifications as adopted by the Fire Department and confirmation as a member of the special fire police by the Chairperson of the Board of Commissioners of the Township of Newport prior to entering upon his/her duties

SECTION 2: POWERS OF SPECIAL FIRE POLICE

When confirmed and sworn and displaying a badge of authority, special fire polices shall have the following powers:

- (1.) to regulate traffic and keep crowds under control at or in the vicinity of any fire on which their companies are in attendance;
- (2.) to exercise other police powers necessary to facilitate and prevent interference with the work of fireman in extinguishing fires;
- (3.) to participate in and provide assistance as special fire police at any function, event or parade conducted by and under the auspices of a

volunteer fire company, or an organization other than a fire company, providing that the request to perform those duties is made by the governing body of the municipality in which the event will be conducted;

(4.) to provide traffic control and crowd control duties when accidents, floods or other emergencies require the same. The duties may be performed without prior request from Newport Township Officials until the arrival of proper police authority and thereafter shall be subject to the direction of the police authority until the emergency no longer exists

(5.) other duties as adopted by the Fire Department provided that said duties do not conflict with anything contained herein or any applicable law.

Section 3 IDENTIFICATION:

When performing their duties, special fire police shall be identifiable by, at a minimum, the wearing of a distinctive arm band, hat, uniform or insignia

Section 4: USE OF FIREARMS OR WEAPONS

Nothing herein shall be construed to grant special fire police the right to use firearms or other weapons in the exercise of the special fire police powers enumerated herein.

Section 5: SEVERABILITY

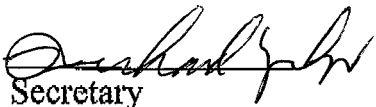
If any provision, paragraph, word, section or Article of this Ordinance is invalidated by any Court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

Section 6: EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption.

Enacted and ordained at a meeting of the Newport Township Board of Commissioners held on the 12th day of April 2013.


CHAIRPERSON

Attest: 
Secretary