

**CHADDS FORD TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NO. 106**

AN ORDINANCE AMENDING THE CHADDS FORD
TOWNSHIP CODE BY ADDING CHAPTER XIV, FIRE
MARSHALL, CREATING THE OFFICE OF FIRE MARSHALL,
PROVIDING FOR THE APPOINTMENT, POWERS AND
DUTIES THEREOF AND PROHIBITING INTERFERENCE
WITH THE EXERCISE OF SAME

The Supervisors of Chadds Ford Township, Delaware County, Pennsylvania, hereby ENACT AND ORDAIN that the Code of Chadds Ford Township is amended as follows:

Section 1. Chapter XIV is hereby added to the Code of Chadds Ford Township to read as follows:

Chapter XIV. FIRE MARSHALL

XIV.1 Offices of Fire Marshall and Deputy Created. The Offices of Fire Marshall and Deputy Fire Marshall are hereby created in Chadds Ford Township; such officers to be appointed by and report to the Board of Supervisors.

XIV.2 Qualifications; Appointment; Compensation; Powers and Duties. The person(s) appointed to the office of Fire Marshall or Deputy Fire Marshall shall be qualified by having proper training and experience. Such experience may include prior experience as a police officer with completion of PA Act 120 municipal training; prior experience as a firefighter who has held an officer's rank of lieutenant or higher; completion of the training deemed appropriate for arson investigation and/or safety inspections; or other qualifications and/or experience deemed sufficient by the Board of Supervisors. The person(s) appointed to the office of Fire Marshall and/or Deputy Fire Marshall shall be appointed as soon as practicable after the adoption of this ordinance and shall serve at the pleasure of the Board of Supervisors. Subsequent appointments shall be made annually to serve until their respective successors have been duly appointed and qualified. The aforesaid appointment was made, for the unexpired portion of the term. If for any reason the office of Fire Marshall is not separately filled by appointment of, and with the approval and consent of the Board of Supervisors, any duly appointed Deputy Fire Marshall shall perform the duties of the Fire Marshall until the office of Fire Marshall is filled. If the offices of both Fire Marshall and Deputy Fire Marshall are not filled, the Fire Chief shall be deemed the ex officio Fire Marshall and shall have all the powers and duties hereinafter given to or imposed upon the Fire Marshall. Compensation of the Fire Marshall and Deputy Fire Marshall shall be fixed from time to time by the Board of Supervisors pursuant to Resolution. The Fire Marshall shall perform all duties and shall have and exercise all powers prescribed by law. These duties and responsibilities shall include, but not necessarily be limited to, the following:

- a) Maintain liaison with and keep the Board of Supervisors informed of the capabilities and needs of all fire companies serving the Township and serving as liaison between local, state and federal emergency services departments, personnel and/or officials and Chadds Ford Township;
- b) Initiate, with the appropriate law enforcement officials, investigate and take appropriate action on any suspicious fires where criminal activity may reasonably be suspected, and submit written reports on same to the Board of Supervisors in a timely fashion;
- c) Maintain records of fire alarms, EMS and fire calls, organized by type and location, and submit to the Board a monthly report on all fires, investigations, inspections and other activities and providing a verbal report at the monthly Board of Supervisors meeting;
- d) Assist the Township Building Inspector, when requested by such officer, in inspections for violations of regulations where fire safety or fire prevention matters are involved;
- e) Inspect for, investigate, and enforce violations of this Ordinance and/or any Fire Code adopted by the Board of Supervisors;
- f) Monitor and inspect township traffic light pre-emption devices, fire hydrants, fire lanes, fire hazards and other fire related devices or conditions;
- g) Monitor drought conditions to determine if water and/or burning restrictions are warranted;
- h) Ensure proper training for the Deputy Fire Marshall and/or such other assistants to the Fire Marshall as the Board may authorize;
- i) Submit reports to the Board of Supervisors on Township conditions or occurrences related to fire safety;
- j) Respond and assist the fire department and emergency services personnel on scene; and
- k) Perform such other public safety duties as may be assigned to the Fire Marshall by the Board of Supervisors.

The Deputy Fire Marshall shall report to and assist the Fire Marshall with the above duties and shall perform the duties of the Fire Marshall in the Fire Marshall's absence.

XIV.3 Penalties.. Any person who shall violate any provision of this Chapter shall, upon conviction thereof in an action brought before a district justice shall be subject to a fine not more than one thousand (\$1,000.00) dollars for each violation of this Ordinance.

Section 2. **Repealer.** All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

Section 3. **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 of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 4. **Effective Date.** This Ordinance shall become effective five (5) days after enactment.

ENACTED AND ORDAINED this 3rd day of January, 2005.

CHADDS FORD TOWNSHIP
BOARD OF SUPERVISORS

George M. Thorpe, Chairman
Deborah Love D'Elia, Vice Chairman
Garry Paul, Member

Maryann D. Furlong
Township Secretary