

CODE OF THE BOROUGH OF NORTHUMBERLAND

CHAPTER 5 – FIRE DEPARTMENT

[History: Adopted by the Council of the Borough of Northumberland 2-7-39 as Ord. No. 126. Amendments noted where applicable.]

ARTICLE 1 – GENERAL PROVISIONS

General References: Personnel - see Ch. 8

5.1.01 Composition. (5-1)

The Northumberland Fire Company No. 1 and Northumberland Hook and Ladder shall together form and constitute the Fire Department of the Borough of Northumberland, Pennsylvania. [Amended 4-6-82 by Ord. No. 370; 8-7-84 by Ord. No. 388]

- A. The Northumberland Fire Department including, but not limited to, the Northumberland Fire Company #1, the Northumberland Hook and Ladder Company and the Northumberland Fire Police, shall at no time discriminate against any member, or proposed member of an organization, on the basis of age, race, color, national origin, religion, sexual gender and/or disability. [Added 6-29-10 by Ord. No. 2010-5]
- B. Each company recognized by the borough shall, in evidence of that fact, be furnished with a certificate from the Council, signed by the President and Secretary of the Council and sealed with the Borough Seal and approved by the Mayor.

5.1.02 Emergency Services Board. (5-2)

[Amended 10-4-05 by Ord. 2005-5]

- A. The Fire Department so organized shall be under the direction of a Board known hereafter as the "Emergency Services Board." [Amended 12-4-73 by Ord. No. 277; 4-6-82 by Ord. No. 370; 10-4-05 by Ord. 2005-5; 6-29-10 by Ord. No. 2010-5; 1-3-2017 by Ord. No. 2017-2]
- B. The Board shall consist of the following eleven (11) persons:
 1. Two (2) members elected from and by the general membership of the Northumberland Fire Company No. 1;
 2. Two (2) members elected from and by the general membership of the Northumberland Hook and Ladder Company; and
 3. Five (5) at-large residents of the Borough of Northumberland, appointed by the Borough Council.
 4. The Fire Chief and the Deputy Fire Chief shall automatically be appointed to the Emergency Service Board.

[Added 4-2-68 by Ord. No. 246, amended 12-4-73 by Ord. No. 277; 4-6-82 by Ord. No. 370; 8-7-84 by Ord. No. 388; 10-4-05 by Ord. 2005-5; 1-3-2017 by Ord. No. 2017-2]

- C. Members of the Emergency Services Board shall not be members of the Northumberland Borough Council. [Amended 1-3-2017 by Ord. 2017-2]

The Borough Council shall appoint a sitting council member as a liaison between the Board and the Council. The appointed Council Member shall have no voting privileges on the Board. [Added 6-29-10 by Ord. No. 2010-5]

- D. The Board shall have the duty of interpreting the rules and regulations pertaining to the Fire Department and of formulating policies for the harmonious operation and the financial security of the Department.

Chapter 5 - Fire Department

[Amended 4-6-82 by Ord. No. 370; Amended 7-25-2005 by Ord. 2005-5; Amended 1-3-2017 by Ord. No. 2017- 2.]

- E. The officers of the Emergency Services Board shall consist of a Chairperson, a Secretary, and a Treasurer to be elected amongst the eleven members at the first meeting of each calendar year. [Added 3-5-02 by Ord. No. 2002-4; Amended 7-25-2005 by Ord. 2005-5; Amended 1-3-2017 by Ord. 2017-2.]
- F. Each member shall be appointed for a term of five years. At the beginning of the expansion of the Board in 2017, the following tenures shall exist for the new membership:
- 1-year seat, at-large, appointment – January 2017. (thereafter, January 1, 2018 – December 31, 2023, and thereafter, 5-year terms)
 - 2-year seat, at-large, appointment – January 2017. (thereafter, January 1, 2019 – December 31, 2024, and thereafter, 5-year terms)
 - 2-year seat, Northumberland No. 1 Company seat, appointment – December 31, 2007. (thereafter, January 1, 2008 – December 31, 2012, and thereafter, 5-year terms)
 - 1. 3-year seat, Northumberland Hook and Ladder Company seat, appointment – December 31, 2008. (thereafter, January 1, 2009 – December 31, 2013, and thereafter, 5-year terms)
 - 2. 4-year seat, at-large, appointment – December 31, 2009. (thereafter, January 1, 2010 – December 31, 2014, and thereafter, 5-year terms)
 - 3. 5-year seat, at-large, appointment – December 31, 2010. (thereafter, January 1, 2011 – December 31, 2015, and thereafter, 5-year terms)
- Members can succeed themselves after a successful reappointment vote by either one of the respective Companies, or by Council.
- Copies of the Board procedures, qualifications and policies shall be made available to the public in the Borough Office. [Added 3-5-02 by Ord. No. 2002-4; Amended 7-25-2005 by Ord. 2005-5]
- G. Monthly meetings of the Board shall be duly advertised and open to the public. Minutes from these meetings shall be available to the public in the Borough Office, and will be published back to each respective fire company. [Added 3-5-02 by Ord. No. 2002-4; Amended 6-29-10 by Ord. No. 2010-5]
- H. The Board shall submit to the Borough Finance Committee by August 1 of each year, a budget plan for the Fire Department for the following year. A member of the Board shall be present at each Borough Finance Committee meeting to discuss Board budget policies and goals. It is the responsibility of the Board to assist Council in the dispersing of approved Board funds, per the budget plan submitted by the Board, and approved by Council. [Added 10-4-05 by Ord. 2005-5]
- I. The Board and/or each company may seek out all appropriate means to fund the fire department, including but not limited to, any or all outside revenues. [Amended 6-29-10 by Ord. No. 2010-5]
- J. The Board shall meet on a monthly basis at a time and place that is duly advertised. [Added 3-5-02 by Ord. No. 2002-4]
- K. The Board shall maintain a set of Standard Operating Guidelines (SOGs) that will be used as a framework and guide for executing emergency response in the Borough and on mutual aid to another municipality. These SOGs will focus on health and safety of emergency responders. Initially the fire chiefs will be responsible for promulgating these SOGs and will be charged with auditing them annually. All department members are encouraged to contribute to the SOG process. Members not following SOGs may be subject to disciplinary action. The Board will assure that the SOGs are appropriate and consistent throughout the department. [Added 6-29-10 by Ord. No. 2010-5]

Chapter 5 - Fire Department

5.1.03 Fire Chief and Deputy Fire Chief. (5-3)

[Amended 4-6-82 by Ord. No. 370; 3-5-02 by Ord. No. 2002-4; 10-4-05 by Ord. No. 2005-5; 6-29-10 by Ord. No. 2010-5]

- A. The Board shall appoint a Fire Chief and a Deputy Fire Chief, who shall oversee day-to-day operations of the Fire Department. [Amended 6-29-10 by Ord. No. 2010-5]
- B. In times of emergency, the Fire Chief shall have the sole and absolute control and command over all persons and equipment related to all-hazard emergency response operations in preparation for and while responding to incidents. The Fire Chief shall delegate this command to subordinates and coordinate with all responding agencies in an appropriate manner with current incident management practices and the National Incident Management System (NIMS). [Amended 10-4-05 by Ord. 2005-5]
- C. In times of non-emergency, the Fire Chief will work closely with each company Captain to help maintain Department equipment, and personnel. [Amended 10-4-05 by Ord. 2005-5]
- D. The Fire Chief and a Deputy Fire Chief are appointed and serve at the pleasure of the Board, for a period of two-years, following a majority vote by the Board. Each is appointed at the first meeting of each odd-numbered year, and serves until the following first meeting of the next odd-numbered year. At the formation of the Board, a Fire Chief and a Deputy Fire Chief shall be appointed to serve until the next odd numbered year.

The Fire Chief and the Deputy Chief may succeed themselves with a majority approval vote by the Board.

Four out of five members of the Board must be present with a majority vote for a Fire Chief and Deputy Fire Chief. In the event of a tie the issue will be tabled for the upcoming meeting. [Amended 6-29-10 by Ord. No. 2010-5]

- E. The Fire Chief and Deputy Fire Chief shall not hold the chief driver's position, Captain or any other line officer in their respective fire companies. [Amended 10-4-05 by Ord. 2005-5]
- F. Any person appointed as Fire Chief or Deputy Fire Chief shall have the following qualifications:
 - 1. shall be at least twenty-one (21) years of age. [Amended 6-29-10 by Ord. No. 2010-5]
 - 2. shall have been an active member of the Northumberland Fire Department for the two (2) years immediately preceding their nomination. [Amended 6-29-10 by Ord. No. 2010-5]
 - 3. shall retain their primary residence in either the Borough of Northumberland or the Township of Point. [Amended 6-29-10 by Ord. No. 2010-5]
 - 4. shall have completed, at a minimum, all of the following training requirements:
 - a) Arson Investigation
 - b) Incident Command Class
 - c) Fundamentals and/or essentials of fire-fighting course
 - d) Hazardous Materials Operations Level Training [Added 6-29-10 by Ord. No. 2010-5]

The Board shall establish minimum qualifications for all Fire Department office holders and personnel. [Amended 6-29-10 by Ord. No. 2010-5]

- G. Upon appointing a Fire Chief, the Board will hereby appoint a Deputy Fire Chief, who will be the most qualified candidate from either company as determined by the Board. [Amended 6-29-10 by Ord. No. 2010-5]

Seniority shall not be determinative of who is the most qualified candidate. A candidate may request a hearing before the Board to reconsider the selection of the most qualified candidate. The Board's determination following the reconsideration hearing shall be final and binding.

Chapter 5 - Fire Department

- H. The Fire Chief and Deputy Fire Chief may be relieved of their duties by a majority vote by the Board, using discipline criteria as stated in the Standard Operating Guidelines. In the event of a tie the issue will be tabled for the upcoming meeting. The Fire Chief or Deputy Chief who has been relieved of their duties may request a hearing before the Board to reconsider the decision. The Board's determination following the reconsideration hearing shall be final and binding. [Amended 6-29-10 by Ord. No. 2010-5]

5.1.04 Chain of Command and Discipline¹. (5-4)

[Amended 3-5-02 by Ord. No. 2002-4; 10-4-05 by Ord. 2005-5]

The Deputy Fire Chief shall, in the absence of the Chief, perform all his duties and have the same powers according to rank. In the absence of the Chief and Deputy, the fireman in command of the company first on the ground with its apparatus shall take command of the Department and have the same authority as the Chief or his Deputy would have, until the arrival of the Chief or Deputy, or senior ranking officer, as addressed in the National Incident Management System and in accordance with the Northumberland County's chain of command.

Problems amongst members of the Board shall be dealt with within the Board, except those of a possible criminal, interdepartmental, or dismissal nature, which shall be addressed by Borough Council. [Added 3-5-02 by Ord. No. 2002-4]

5.1.05 Out-of-town alarms; parades. (5-5)

[Amended 4-6-82 by Ord. No. 370; 10-4-05 by Ord. 2005-5]

- A. No company shall take its apparatus beyond the borough's limits without the permission of the Fire chief or the Deputy Fire Chief in the absence of the Fire Chief on a non-emergency basis.
- B. Apparatus dispatched to an out of town mutual aid call will respond pursuant to the Multicounty Mutual Aid Agreement. [Amended 6-29-10 by Ord. No. 2010-5]

5.1.06 Communications². (5-6)

[Added 4-6-82 by Ord. No. 370]

- A. All fire apparatus radio communications numbers shall be assigned by the County of Northumberland. [Amended 3-5-02 by Ord. No. 2002-4]
- B. All fire apparatus shall be dispatched by the communication center designated by the County of Northumberland. [Amended 3-5-02 by Ord. No. 2002-4]

5.1.07 Apparatus. (5-7)

Each company shall take care of its own apparatus and shall choose out of its members such officers as may be necessary for the control of same, as prescribed by the constitution and bylaws of said company or the rules and regulations promulgated by Borough Council.

5.1.08 Fire Police. (5-8)

[Amended 3-5-02 by Ord. No. 2002-4; 6-29-10 by Ord. No. 2010-5]

Any active member, in good standing, of the Northumberland Fire Department who wishes to become a member of the Fire Police should contact the Captain of the Fire Police. After completion of background

¹ Editor's Note: Former ~5-4, Secretary of Fire Board, was repealed 4-6-82 by Ord. No. 370.

² Editor's Note: Former ~5-6, Chain of Command, was renumbered as ~5-4 pursuant to Ord. No. 370, adopted 4-6-82.

Chapter 5 - Fire Department

investigation, final appointment to the Fire Police is to be confirmed by Borough Council. Once appointed as a member of the Fire Police, the appointment remains in effect until resignation or removal. After confirmation, Fire Police members shall have, while on duty, all the powers of a police officer, and shall be respected accordingly. The time of their duty shall commence at the time or when an alarm is sounded or upon the call of the Mayor, President of Borough Council, or Police and shall not cease until their commanding officer shall so order. The Borough Council shall furnish each fireman appointed as a Fire Police a certificate of his/her appointment and a badge emblematic of his/her authority.

In January of each even year, all members of the Northumberland Fire Police will be sworn in by the Northumberland Borough Mayor. All vacancies created by resignation or removal shall be filled by active member(s), in good standing, of the Northumberland Fire Department after completion of background investigation, and final appointment to the Fire Police by Borough Council.

Copies of Fire Police procedures, qualifications and policies shall be made available to the public in the Borough Office. [Amended 6-29-10 by Ord. No. 2010-5]

5.1.09 Fire Police duties. (5-9)

[Amended 3-5-02 by Ord. No. 2002-4]

It shall be the duty of the Fire Police to take charge of all property at a fire and use all means in their power to protect the same from fire and theft; also; establish fire limits within which no one shall be allowed except by permission of said Fire Police. Nothing in this section shall be construed as to prevent the regular town police and firemen from having access to these fire lines.

The squad will go to out-of-town events with the permission of the Mayor, or Borough Council, or of the Fire Chief.

5.1.10 Fire Police officers and discipline. (5-10)

[Amended 3-5-02 by Ord. No. 2002-4]

The officers of the Fire Police shall consist of a Captain, Lieutenant, and Sergeant who shall be elected by the Fire Police and shall hold office for two (2) years, a term which that expires in January of each even year of the odd year following your appointment. The Captain and Lieutenant shall have Red Lights and Siren. All other members of the Fire Police shall run with Blue Lights.

Problems amongst members of the Fire Police shall be dealt with within the Fire Police, except those of a possible criminal, interdepartmental or dismissal nature, which shall be addressed by Borough Council.

5.1.11 Donation from Council. (5-11)

[Repealed 6-29-10 by Ord. No. 2010-5]

5.1.12 Rules and regulations. (5-12)

To further better regulations and operations of the Department, the Borough Council shall from time to time promulgate and cause to be printed and distributed to the companies comprising the Department, rules and regulations governing the conduct of the said Department, which said rules and regulations shall have the same force and effect as if set out in full and in detail in this chapter.

All fire department personnel are required to obtain, any and all Federally required NIMS "National Incident Management System" training certifications. [Added 6-29-10 by Ord. No. 2010-5]

5.1.13 Violations. (5-13)

If any of the companies comprising the Fire Department shall at any time hereafter violate any of the conditions of this chapter or the rules and regulations provided hereunder, such companies so violating the

Chapter 5 - Fire Department

same shall, at the option of the Borough Council, lose their certificate of recognition and all rights under this chapter.

5.1.14 Junior Firefighters Program. (5-14)

[Amended 6-29-10 by Ord. No. 2010-5]

The Emergency Services Board shall maintain a policy on Junior firefighters. This policy shall be managed within the Standard Operating Guidelines of the Northumberland Fire Department.

6.1.01 Authority. (6-1)

[Amended November-1,-2005 as Ord. No. 2005-6.]

The Emergency Management Agency, "EMA", is established pursuant to the provisions of the Emergency Management Services Code.

6.1.02 General Duties and Responsibilities. (6-2)

The EMA shall have the responsibility to provide for emergency management and disaster response and recovery within the Borough and outside the Borough as required by the terms and conditions of this Ordinance.

6.1.03 Borough Coordinator of Emergency Management. (6-3)

- A. In accordance with Title 35 of the Pennsylvania Code, a Borough Coordinator is appointed by the Governor upon the recommendation of the Mayor and Borough Council.
- B. The Coordinator shall be professionally competent and capable of planning, effecting coordination among operating agencies of government and controlling coordinated operations.
- C. The duties and responsibilities of the Borough Coordinator are outlined in Chapter 75 of Title 35 of the Pennsylvania Code.
- D. Title 35 of the Pennsylvania Code Section 7502 establishes that the training of the Borough Emergency Coordinator is the responsibility of the County Emergency Management Office. The Borough Coordinator can attend classes through the Pennsylvania Emergency Management Agency.
- E. When responding to an emergency, the Borough EMA Coordinator may siren and, to the extent permitted by state law, run red lights.
- F. The Borough EMA Coordinator shall live within the Borough of Northumberland or Point Township.
- G. The Borough Council shall review the Borough EMA Coordinator every 4 years and determine whether the Coordinator should continue in his position or to recommend to the Governor a new appointee.
- H. The Borough Council shall have the power to replace the Coordinator and recommend to the Governor a new appointee at any time.

6.1.04 Assistants to the Borough Coordinator. (6-4)

- A. The Borough Coordinator may have two assistants to assist the Borough Coordinator in the administration of their functions, powers and duties.
- B. The assistants must be approved by the Borough Council per the recommendation of the Borough EMA Coordinator.
- C. The terms of the assistants shall be 4 years, with approval needed every 4 years by the Borough Council for each assistant.
- D. Should an assistant resign, another assistant should be approved to fill the remainder of the term.
- E. An assistant should be a resident of the Borough or Point Township.