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PART 1

FIRE PROTECTION

§ 7-101. Composition of Borough Fire Department/Functions. [Ord. 810, 9/21/1971, § 1; as amended by Ord. 861, 12/16/1975, § 1]

The Fire Department of the Borough of Mechanicsburg shall be composed of the Washington Fire Company No. 1 and the Citizens Fire and Rescue Company No. 2. The Washington Fire Company No. 1 and the Citizens Fire and Rescue Company No. 2 shall respond to all alarms of fire within the Borough and shall attend all fires.

§ 7-102. Authority of Borough Fire Chief and Company Fire Chiefs. [Ord. 810, 9/21/1971, § 2; as amended by Ord. 929, 12/20/1983, § 1; and by Ord. 1151, 11/17/2015]

The activities of the Fire Department of the Borough and of any and all fire companies comprising the Fire Department shall, while taking place within the limits of the Borough, be under the direct and specific control of the Borough Fire Chief, who shall be appointed from time to time by the Borough Council and who shall hold such office at the pleasure of the Council. In case of the absence of the Borough Fire Chief from any fire or other emergency in the Borough in which one or more of the fire companies comprising the Borough Fire Department is serving, or in case of his inability to serve, the first Company Chief to arrive at the scene shall serve as acting Borough Fire Chief.

§ 7-103. Company Chiefs. [Ord. 810, 9/21/1971, § 3]

Each of the fire companies comprising the Borough Fire Department may elect from its members, according to the terms of the bylaws or applicable regulations of the company, one person to serve as Company Chief.

§ 7-104. Qualifications of Drivers and Operators of Borough-Owned Fire Apparatus and Equipment. [Ord. 810, 9/21/1971, § 4]

Each driver and operator of Borough-owned fire apparatus and equipment shall be 21 years of age or older and shall be examined and approved by both the Borough Fire Chief and the Borough Police Chief as to his qualifications and ability to efficiently and safely operate and/or drive said apparatus and equipment before being appointed as a driver and/or operator of Borough-owned apparatus or equipment by the fire companies comprising the Borough Fire Department.

PART 2

SPECIAL FIRE POLICE MUTUAL AID AND EMERGENCY ASSISTANCE**§ 7-201. Short Title. [Ord. 1097, 7/17/2007]**

This Part shall be known and may be cited as the "Special Fire Police Mutual Aid and Emergency Assistance Ordinance."

§ 7-202. Legislative Intent and Applicability. [Ord. 1097, 7/17/2007]

The background of this Part and the legislative intention of the Borough Council in enacting it are as follows:

- A. The Borough of Mechanicsburg is a Pennsylvania borough.
- B. The Act of December 19, 1996, P.L. 1158, No. 177, referred to as the Intergovernmental Cooperation Law, 53 Pa.C.S.A. § 2301 et seq., provides that local governments may jointly cooperate in the exercise or in the performance of their respective governmental functions, powers or responsibilities.
- C. The use of special fire police to perform traffic and crowd control services and other necessary functions, whether within or outside the boundaries of the municipality by which they are confirmed, is governed by statutory authority, 35 P.S. § 1201 et seq.
- D. The Borough Council and the governing bodies of the County and participating municipalities recognize the desirability of sharing special fire police resources for both emergency and nonemergency events for the protection of the health, safety and welfare of all residents.

§ 7-203. Terms of Agreement. [Ord. 1097, 7/17/2007]

1. The conditions of membership, duration, purpose and objectives of the agreement, including the powers and scope of authority delegated therein, the manner and extent of financing, the organizational structure necessary to implement the agreement and the manner in which real and personal property will be acquired, managed and disposed of are set forth in the master Intergovernmental Cooperation Agreement for Special Fire Police Mutual Aid and Emergency Assistance ("agreement"), a copy of which is attached to this Part as Exhibit A and incorporated herein as if set forth in full.¹
2. Any funds for the agreement may be appropriated by the Borough Council as it shall determine, in its sole discretion, from time to time.

¹Editor's Note: The agreement is on file in the Borough offices.

3. Real and personal property may be acquired, managed or disposed of under this Part.
4. Each party has the power to enter into contracts for policies of group insurance and employee benefits, including social security, for all of their employees, including those whose duties further the purposes of the program.

§ 7-204. Authority to Enter Agreement. [Ord. 1097, 7/17/2007]

The President of the Borough Council is hereby authorized to execute all documents and perform all actions necessary to cause the Borough to enter the agreement.

§ 7-205. Severability. [Ord. 1097, 7/17/2007]

If any sentence, clause, phrase or section of this Part 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, phrases, sections or parts of this Part. It is hereby declared as the intention of the Borough Council that this Part would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included herein.

§ 7-206. When Effective. [Ord. 1097, 7/17/2007]

This Part shall become effective as provided by law. The agreement shall be effective upon the effective date of the intergovernmental cooperation ordinance last enacted by the parties.