

CONNOQUENESSING BOROUGH

Butler County, Pennsylvania

ORDINANCE NO. 8

AN ORDINANCE OF THE BOROUGH OF CONNOQUENESSING, COUNTY OF BUTLER, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE BOROUGH'S PARTICIPATION IN A BUTLER COUNTY-WIDE MUTUAL AID AGREEMENT FOR FIRE PROTECTION.

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa. C.S.A. 2301 et seq., provides that two or more municipalities in this Commonwealth may jointly cooperate in the exercise of performance of their respective governmental functions, powers or responsibilities; and,

WHEREAS, the Borough Code, 53 P.S. §46202(35), authorizes boroughs to enter into contracts with other municipalities for mutual aid or assistance in fire protection; and

WHEREAS, the Borough Council of Connoquenessing Borough, Butler County, Pennsylvania, deems it to be in the best interest of, and for the general welfare to the citizens and residents of Connoquenessing Borough to enter into a County-Wide Mutual Aid Agreement for Fire Protection with those Butler County municipalities and fire departments who have also executed the mutual aid agreement and the County of Butler; and

WHEREAS, the Borough Council desires to enter into the Butler County-Wide Mutual Aid Agreement for Fire Protection;

NOW THEREFORE, BE ENACTED AND ORDAINED by the Borough Council of Connoquenessing Borough, Butler County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1: Title - This ordinance shall be known and may be cited as the Connoquenessing Borough Ordinance Authorizing the Borough to enter into the Butler County-Wide Mutual Aid Agreement for Fire Protection.

SECTION 2: Approval and Authorization of County-Wide Mutual Aid Agreement for Fire Protection - The Butler County-Wide Mutual Aid Agreement for Fire Protection between the various participating municipalities and fire departments that are signatories thereto, is approved, adopted and authorized.

SECTION 3: Terms of County-Wide Mutual Aid Agreement for Fire Protection -

- A. Purpose and Objectives - The County-Wide Mutual Aid Agreement for Fire Protection shall provide that the signatory parties of the agreement render assistance, upon request, to one another, to provide fire fighting and emergency service assistance to each other party signing the agreement. Each party reserves the right to promptly refuse to render assistance, or to recall any or all rendered assistance when it is necessary in their discretion to do so.
- B. Conditions - Each party to the agreement waives any and all claims against each other party to the agreement, for compensation of any loss, damage, personal injury or death occurring in the performance of the agreement. Any injured personnel shall be bound by and only entitled to Workers' Compensation benefits coverage under the Workers' Compensation carrier of the fire department and municipality to which said party or personnel is a member.
- C. Organizational Structure – The fire chiefs for each of the fire departments or emergency services that are parties to the Agreement may meet and draft any detailed preplans or procedures of operation that may be necessary to effectively implement the Agreement. Such plans and procedures of operation shall become effective upon ratification by the parties to the Agreement.
- D. Financing – All services requested and/or performed pursuant to the agreement shall be rendered without reimbursement to any party or parties, except that terms of reimbursement for consumable materials or items may be agreed to in writing between the parties.
- E. Duration – The Agreement will remain in effect and be binding upon each party, until thirty (30) days written notice is delivered stating that the party is officially withdrawing from the Agreement. The withdrawal of any party to the Agreement shall have no effect on the Agreement, as between the remaining signatories to the Agreement.

SECTION 4: Provision for Implementation Resolutions - The Borough Council of Connoquenessing Borough may, by resolution, adopt procedures and regulations to implement this County-Wide Mutual Aid Agreement for Fire Protection.

SECTION 5: Severability - The provisions of this Ordinance shall be severable. If any section, subsection, sentence or clause of this Ordinance is held, for any reason, to be invalid, illegal, or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6: Repealer - All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 7: Effective Date - This ordinance shall take effect on the date of its enactment.

ENACTED AND ORDAINED into law, at a regular meeting of the Borough Council of Connoquenessing Borough, Butler County, Pennsylvania, this 1st day of May, 2007.

CONNOQUENESSING BOROUGH

ATTEST:

Vickie J. Lorber
Borough Secretary

(Borough Seal)

By: Shay L. Leal
President

Approved by me this 1st day of May, 2007.

By: Justin W. Harts
Mayor