

BOROUGH OF NORTH APOLLO
ORDINANCE 335 OF 2019

**AN ORDINANCE OF THE BOROUGH OF NORTH APOLLO,
ARMSTRONG COUNTY, PENNSYLVANIA, AMENDING CHAPTER 7
OF THE NORTH APOLLO BOROUGH CODE OF ORDINANCES
TO REPEAL THE FIRE PROTECTION SERVICES FEE IMPOSED
THROUGH ORDINANCE 313 OF 2013 AND TO CONFIRM BOROUGH
FINANCIAL ASSISTANCE AND FUNDING OF THE NORTH
APOLLO BOROUGH VOLUNTEER FIRE DEPARTMENT**

WHEREAS, Section 1202(2) of the Borough Code, 52 P.S. §46202(2), provides the Borough with the power to make and regulate changes of the Borough's facilities and services to the public; and,

WHEREAS, Chapter 7 of the North Apollo Borough Code of Ordinances, Fire Protection and Fire Prevention regulates fire prevention and fire protection within the Borough; and,

WHEREAS, the Council of the Borough desires to amend Chapter 7 of the North Apollo Borough Code of Ordinances, Fire Protection and Fire Prevention, to repeal a Fire Protection Services Fee and to establish a method for providing financial assistance to the North Apollo Borough Volunteer Fire Department.

NOW THEREFORE, the Council of North Apollo Borough hereby ordains and enacts as follows, incorporating the above recited by reference:

SECTION 1. Chapter 7 of the North Apollo Borough Code of Ordinances, Fire Prevention and Fire Protection is amended as follows:

Part 3
Fire Protection Services

§7-301 Fire Protection Services Fee Established; Use of generated revenue. Is repealed and replaced with the following provisions:

1. North Apollo Borough shall pay quarterly payments (4 payments annually) to the North Apollo Borough Volunteer Fire Department - a total of \$15,000.00. In addition to the aforementioned \$15,000.00 annual contribution, North Apollo Borough will annually match the funds raised by the North Apollo Voluntary Fire Department up to a maximum of \$15,000.00. Effective August 1, 2019, North Apollo Borough will contribute a maximum of \$5,000.00 for the 2019 calendar year. In future years, starting January 1 2020, the North Apollo Voluntary Fire Department will be eligible to receive the matching funds of \$15,000.00 during the calendar year. All requests for said contribution shall be in writing

and describe the source and when the fund-raising monies were received along with a signed affidavit from a fire department officer.

2. The North Apollo Borough Volunteer Fire Department shall only use the funds contributed by the Borough of North Apollo if it is in furtherance of the following emergency and non-emergency activities of the North Apollo Borough Volunteer Department:

- a. Extinguishment of fires and the prevention of loss of life and property from fires;
- b. Assistance at the scene of automobile accidents, medical emergencies, hazardous materials incidents, natural or man-made phenomenon and other dangerous situations;
- c. Any and all public safety activities undertaken by the North Apollo Borough Volunteer Fire Department to render care to the injured, prevent loss of life, provide comfort and security to victims and limit or prevent damage to or loss of property as circumstances may indicate;
- d. Removing water after storms;
- e. Assisting in the abatement and prevention of damage or injury to persons or property whether through natural or man-made causes;
- f. Recovery of animals;
- g. Fire prevention activities, post fire investigations, bomb searches and evacuation drills;
- h. Assisting police by rendering assistance to police officers where such aid is specifically requested or done without request to protect the public welfare from eminent danger, including fire police duties;
- i. Maintenance and repair work performed on a North Apollo Borough Volunteer Fire Department vehicle, building, grounds or equipment;
- j. Participation in drills, practices, training sessions and pre-fire planning activities as may be deemed necessary by the officers of the North Apollo Borough Volunteer Fire Department to maintain proficiency in required services;
- k. Preparation of the North Apollo Borough Fire Department for use as a temporary shelter or other emergency use;

I. The purchase of any of the following items:

- i. Protective equipment;
- ii. General supplies;
- iii. Office supplies;
- iv. Janitorial supplies;
- v. Fire prevention supplies;
- vi. Training materials;
- vii. Printing and postage;
- ix. Radio, communications and maintenance;
- x. Uniforms;
- xi. Contract services;
- xii. Vehicle repair, maintenance and repair;
- xiii. Equipment repairs and maintenance;
- xiv. Building maintenance and repair;
- xv. Vehicle tires;
- xvi. Dues and memberships;
- xvii. Meetings and conferences;
- xviii. Minor equipment purchase;
- xix. Major equipment purchase.

m. Any other activity authorized by Borough Council which if not listed, shall require prior approval by Council before using fire protection services funds for any such activity.

§3-602 Responsibilities of North Apollo Borough Volunteer Fire Department.

1. On or before January 30 of each calendar year commencing on January 30, 2020, the North Apollo Borough Volunteer Fire Department shall submit a report to Borough Council which details the manner in which the fire protection service funds were dispersed in the prior calendar year. The report shall at a minimum contain the following information:
 - a. The beginning balance;
 - b. The carry over balance;
 - c. A list of expenditures including a description of each purchased item and the purpose for which it is purchased referencing the list contained in §7-301.2.1 of this part;
 - d. All supporting documentation for each expenditure, including, but not limited to all receipts, invoices and other records of expenditures and;
 - e. The ending balance and carry overs.
2. The Borough shall have the right to conduct a financial audit of any accounts of the North Apollo Borough Volunteer Fire Department which, at any time

in the prior calendar year, contained any funds generated from the prior fire protections services fee. The North Apollo Borough Volunteer Fire Department shall permit the financial audit to begin within seven (7) days of its receipt of a written request by the Borough.

3. The North Apollo Volunteer Fire Department shall amend its bylaws to permit all North Apollo Borough residents to attend its monthly meeting without imposition of a membership requirement.

§7-3-3 Collection procedure; penalty for delinquent accounts. Is repealed.

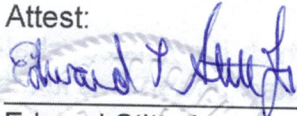
§7-305 Penalty. Is repealed.

Section 2. All prior Ordinances are hereby repealed in whole or in part to the extent consistent herewith.

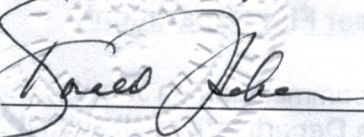
Section 3. The Ordinance will take effect in accordance with applicable law.

ORDERED and **ENACTED** this 1 day of July, 2019 by he Council of North Apollo Borough in lawful session dually assembled.

Attest:

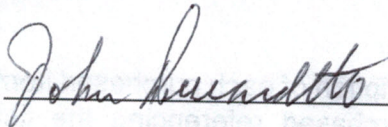


Edward Stitt, Jr.
Borough Secretary



President, North Apollo Borough Council

Examined and approved this 1 day of July, 2019.



Mayor, North Apollo Borough