

**ORDINANCE NO. 1376**

**AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF CATASAUQUA, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING THE POSITION OF FIRE INSPECTOR; DESCRIBING THE GENERAL DUTIES AND RESPONSIBILITIES OF THE FIRE INSPECTOR AND PROVIDING FOR THE APPOINTMENT OF AN INDIVIDUAL TO SERVE AS THE FIRE INSPECTOR BY RESOLUTION OF THE BOROUGH COUNCIL**

**SECTION 1: STATEMENT OF LEGISLATIVE FINDINGS**

**WHEREAS**, § 1006, of the Borough Code, 8 Pa. C. S. A §101, et. seq., (hereinafter, “Code”), titled “Duties of the Council,” grants to Borough Council (hereinafter, “Council”), the power to enact, revise, repeal and amend ordinances as it deems beneficial to the Borough; and

**WHEREAS**, pursuant to §1202 of the Code, titled “Specific powers,” at subsection (56) provides to Council the power to ensure fire and emergency medical services are provided within the Borough; and

**WHEREAS**, pursuant to §1202 of the Code, subsection (15) Council has the power to adopt and enforce a fire prevention code; and

**WHEREAS**, pursuant to Article IV, Fire Prevention Code, of the Code of the Borough of Catasauqua (hereinafter, “Catasauqua Code”), the Borough has enacted an Ordinance adopting the International Fire Code, 2009 Edition (hereinafter, “IFC”), as the Borough’s Fire Code; and

**WHEREAS**, the IFC provides for the regulation and governance necessary for the safeguard of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; and

**WHEREAS**, pursuant to IFC Section 103.2, Council shall appoint a fire code official; and

**WHEREAS**, Council desires to establish the position of Fire Inspector to serve as the fire code official in accordance with the IFC; and

**WHEREAS**, Council may appoint any person to serve as the Fire Inspector that Council, in its sound discretion, believes possesses the requisite training, education or experience relevant to the application of the IFC.

**NOW THEREFORE** the Borough Council of the Borough of Catasauqua does hereby enact and ordain as follows:

**SECTION 2: ORDINANCE TEXT**

1. The position of Fire Inspector is hereby created for the purpose of conducting plan reviews; performing inspections; investigating complaints; verifying compliance and identifying corrective actions necessary for compliance; initiating enforcement actions for violations of the IFC and any other laws, regulations, codes, standards and ordinances relating to fire safety; supporting the Office of Emergency Management and the Office of the Fire Marshal; developing initiatives to sustain the volunteer fire services, performing cause and origin investigations; and performing any other duties as the Borough Manager or Borough Council may from time-to-time deem necessary to fire safety and emergency management.

2. The Borough Manager shall create a job description which identifies the essential duties, responsibilities and qualifications for the Fire Inspector. The job description and any amendments thereto shall be subject to review and approval by resolution of Council.

3. The Fire Inspector will serve in the Borough's Department of Emergency Services and Office of Code Enforcement and will report directly to the Borough Manager.

4. The Fire Inspector shall be appointed by resolution of Council.

5. The Borough Manager or his designee shall develop a fee schedule for services performed by the Fire Inspector and other matters related thereto. The fee schedule and any amendments thereto shall be subject to the review and approval by resolution of Council.

**SECTION 3: EFFECTIVE DATE**

This Ordinance shall become effective upon enactment by Borough Council and Mayoral approval or in the alternative pursuant to Section 3301.3 of the Borough Code.

**SECTION 4: PROTANTO REPEAL**

Unless otherwise specifically stated in this Ordinance, all ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5: SAVINGS CLAUSE**

To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion or provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion or provision found to be invalid or void.

(Signatures Follow)

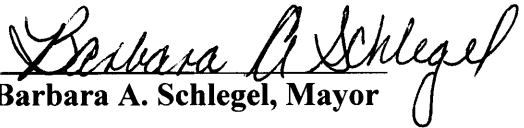
ORDAINED AND ENACTED this 5th day of November, 2018.

BOROUGH OF CATASAUQUA

BY:   
Vincent Smith,  
President of Council

ATTEST:   
Stephen Travers, Secretary

APPROVED this 5th day of November, 2018.

BY:   
Barbara A. Schlegel, Mayor