

TOWNSHIP OF MORRIS
ORDINANCE NO. 92-301

AN ORDINANCE OF MORRIS TOWNSHIP, CLEARFIELD
COUNTY, PENNSYLVANIA PROVIDING FOR THE
REIMBURSEMENT OF EMERGENCY SERVICE COSTS.

The Board of Supervisors of Morris Township, Clearfield County, Pennsylvania hereby enacts and ordains as follows:

SECTION 1. Any person who intentionally, negligently, accidentally or otherwise causes a motor vehicle accident, hazardous material or substance spill or any other act or omission necessitating the providing of emergency services by the Township or the Morris Township Volunteer Fire Company ("Fire Company") within the boundaries of the Township or the service area of the Fire Company shall be liable for all costs incurred by the Township and/or the Fire Company as a result of such accident, spill or other act or omission. The remedy provided by this Ordinance shall be in addition to any other remedies provided by law.

SECTION 2. For the purposes of this Ordinance, "hazardous materials" shall be defined as any substances or materials in a quantity or form which, in the determination of the Emergency Management Coordinator, or other authorized representative of the Township, poses an unreasonable an imminent risk to the life, health, or safety of persons or property or to the environment, and shall include, but not be limited to, such substances as explosives, radioactive materials, petroleum products or gases, poisons, etiologic (biologic) agents, flammables, corrosives or materials listed in the hazardous substances list of the Pennsylvania Department of Labor and Industry.

SECTION 3. The authority to recover costs under this Ordinance shall not include actual fire suppression services which are normally or usually provided by the Fire Company.

SECTION 4. For purposes of this Ordinance, the charges for use of Township and Fire Company emergency services equipment, materials and personnel shall be established by resolution of the Board of Supervisors.

SECTION 5. In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the Township that such remainder shall be and remain in full force and effect.

SECTION 6. REPEALER. Except as specifically provided herein, all other prior ordinances or parts of ordinances that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective five days after the date of enactment.

DULY ENACTED AND ORDAINED, this _____ day of _____, 1997, by the Board of Supervisors of Morris Township, Clearfield County, Pennsylvania, in lawful session duly assembled.

MORRIS TOWNSHIP
CLEARFIELD COUNTY, PENNSYLVANIA

BOARD OF SUPERVISORS
BY:

John J. Saggese Jr.
Gerald Morlach
Richard H. Osbell

ATTEST:

Sally J. Polach
Secretary