

**NORTH MIDDLETON TOWNSHIP  
CUMBERLAND COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2008-04**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH MIDDLETON  
DELEGATING AUTHORITY OF THE BOARD OF SUPERVISORS  
TO THE TOWNSHIP MANAGER, PROVIDING THE MANAGER  
AUTHORITY TO REQUEST DEPLOYMENT OF THE NORTH  
MIDDLETON TOWNSHIP SPECIAL FIRE POLICE FOR NON-  
EMERGENCY FUNCTIONS.**

BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Supervisors in and for North Middleton Township, Cumberland County, Pennsylvania, as follows:

SECTION 1: Purpose.

The Special Fire Police are regulated by state law of the Commonwealth of Pennsylvania as set forth in 35 Pa. C.S. § 2101, et seq. which provides for both emergency and non-emergency deployment of a fire company's fire police. The provisions of that law require deployment for non-emergency functions to be based upon a formal request from the governing body of the municipality wherein the event is held. Because the Board of Supervisors does not meet on a weekly basis, it is the intention of the Board of Supervisors of North Middleton Township to delegate such authority to request non-emergency deployment of the North Middleton Township Special Fire Police to the Township Manager.

SECTION 2: Manager's Authority.

The Board of Supervisors of North Middleton Township hereby delegate and authorize the acting Manager of North Middleton Township to request deployment of the North Middleton Township Fire Police in non-emergency situations. Such request shall be subject to review by the Board of Supervisors as well as all actions taken by the Manager pursuant to this authority. Notification to the Board of Supervisors shall be given at the next regularly scheduled public meeting.

SECTION 3: Limit of Manager's Authority.

Manager's authority shall be limited to non-emergency deployments which arise from time to time on an ad hoc basis. This delegation of authority to the Township Manager does not remove the authority of the Board of Supervisors to, likewise, request non-emergency deployment, but is merely a delegation of authority in the event it is inconvenient, untimely or the Board of Supervisors is unable to make such request due to their limited meeting times and dates.

SECTION 4: Repealer.

All Ordinances inconsistent herewith are hereby repealed.

SECTION 5: Effective Date.

This Ordinance shall become effective five (5) days after passage or adoption.

ADOPTED AND ORDAINED this 4<sup>th</sup> day of September, 2008.

ATTEST:  
TOWNSHIP



\_\_\_\_\_  
Township Secretary

NORTH MIDDLETON

BOARD OF SUPERVISORS

Richard A. Bucher

Richard A. Bucher, Chairman

Robert H. Shearer

Robert H. Shearer, Vice Chairman

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Dennis E. Hurley, Member

Harry E. Kelso

Harry E. Kelso, Member

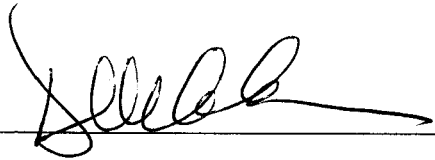
Robert A. Reisinger

Robert A. Reisinger, Member

CERTIFICATE

I, the undersigned, Secretary of the Township of North Middleton, Cumberland County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which duly was enacted by affirmative vote of a majority of the members of the Board at a meeting held on September 4, 2008; said Ordinance duly has been recorded in the Ordinance Book of the Township; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 4<sup>th</sup> day of September, 2008.

  
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Secretary

(SEAL)

# PROOF OF PUBLICATION

State of Pennsylvania, County of Cumberland

Erica Peterson, Classified Manager, of The Sentinel, of the County and State aforesaid, being duly sworn, deposes and says that THE SENTINEL, a newspaper of general circulation in the Borough of Carlisle, County and State aforesaid, was established December 13<sup>th</sup>, 1881, since which date THE SENTINEL has been regularly issued in said County, and that the printed notice or publication attached hereto is exactly the same as was printed and published in the regular editions and issues of THE SENTINEL on the following day(s):

August 18, 25, 2008

## COPY OF NOTICE OF PUBLICATION

### PUBLIC NOTICE

The Board of Supervisors of North Middleton Township will hold a hearing to take public comment on proposed Ordinance No. 2008-04 entitled AN ORDINANCE OF THE TOWNSHIP OF NORTH MIDDLETON DELEGATING AUTHORITY OF THE BOARD OF SUPERVISORS TO THE TOWNSHIP MANAGER, PROVIDING THE MANAGER AUTHORITY TO REQUEST DEPLOYMENT OF THE NORTH MIDDLETON TOWNSHIP SPECIAL FIRE POLICE FOR NON-EMERGENCY FUNCTIONS during their regularly scheduled Board of Supervisors meeting at 7:00 p.m. on Thursday, September 4, 2008, or any other time which the Public Hearing may be continued by the Board of Supervisors, at the North Middleton Township Municipal Building, 2051 Spring Road, Carlisle, Pennsylvania 17013.

The proposed Ordinance is for the purpose of delegating authority to the Manager to request deployment of the North Middleton Township Special Fire Police for non-emergency functions.

At the conclusion of the public comment scheduled at the regularly scheduled Board of Supervisors meeting at 7:00 p.m. on Thursday, September 4, 2008, or any other time to which the public hearing is continued by the Board of Supervisors, the North Middleton Township Board of Supervisors will consider passage of proposed Ordinance No. 2008-04, entitled AN ORDINANCE OF THE TOWNSHIP OF NORTH MIDDLETON DELEGATING AUTHORITY OF THE BOARD OF SUPERVISORS TO THE TOWNSHIP MANAGER, PROVIDING THE MANAGER AUTHORITY TO REQUEST DEPLOYMENT OF THE NORTH MIDDLETON TOWNSHIP SPECIAL FIRE POLICE FOR NON-EMERGENCY FUNCTIONS. This Ordinance is for the purpose is to delegate authority to request non-emergency deployment of the North Middleton Township Special Fire Police to the Township Manager. The Ordinance includes a severability clause and an effective date. A copy of the proposed Ordinance as drafted may be examined without charge or obtained for a charge not greater than the cost thereof at the North Middleton Township Municipal Building, 2051 Spring Road, Carlisle, Pennsylvania 17013, during regularly scheduled business hours.

Mark W. Allshouse, Esquire  
Solicitor for North Middleton Township

Affiant further deposes that he/she is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Erica Peterson

Sworn to and subscribed before me this

26<sup>th</sup> day of August, 2008

Bonita A. Canup

Notary Public

My commission expires:

NOTARIAL SEAL  
BONITA A CANUP  
Notary Public  
CARI ISLE BOROUGH, CUMBERLAND COUNTY  
My Commission Expires Jun 8, 2009