

Chapter 164

FIRES AND FIRE PREVENTION

[HISTORY: Adopted by the Borough Council of the Borough of East Vandergrift as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Fire Department — See Ch. 20.

ARTICLE I

Authority at Fire Scenes

[Ch. 1, §§ 61.1 and 61.2, of the 1977 compilation]

§ 164-1. Authority of Fire Chief and officers.

- A. The Chief of the Vandergrift Fire Department or the officer or member thereof in command at the scene of a fire or disaster shall have authority, consistent with the circumstances of the emergency and the Department's operations, for the public safety, to:¹
- (1) Establish and enforce fire lines designating the boundaries of the fire scene or disaster scene;
 - (2) Require that any structure or premises within the fire lines be vacated by any and all persons; and
 - (3) Control traffic of all kinds within the fire lines, in coordination with police control of traffic outside the fire lines.
- B. The exercise of such authority shall be communicated by signs, markings and orders issued orally. Any person to whom such orders are communicated by signs or markings or by any fireman, fire officer or police officer, acting on behalf of the Fire Chief, fire officer or member in command, shall be deemed to have knowledge thereof.

§ 164-2. Violations and penalties.²

Any person violating any orders of the Fire Chief, fire officer or member in command issued pursuant to this article shall be subject to arrest on view by a police officer or special fire police. Any person in violation of this article by reason of violation of any order issued by the Fire Chief, fire officer or member in command issued pursuant to the provisions of this article shall, upon conviction in a summary proceeding under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not less than \$300 nor more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs,

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

the defendant may be sentenced and committed to the county correctional facility for a period not exceeding 30 days. Each day that such violation exists shall constitute a separate offense, and each section of this article that is violated shall also constitute a separate offense. In addition to or in lieu of enforcement under this section, the Borough may enforce this article in equity in the Court of Common Pleas of Westmoreland County.