

**BOROUGH OF AVALON**  
**COMMONWEALTH OF PENNSYLVANIA**  
**ORDINANCE NO. 1377**

**AN ORDINANCE ESTABLISHING THE APPOINTED OFFICE OF THE AVALON BOROUGH FIRE MARSHAL**

WHEREAS, Council of the Borough of Avalon is authorized by law to safeguard and promote the health, safety, and welfare of the citizens of the Borough of Avalon; and

WHEREAS, the Borough has adopted modern fire codes and other standards to prevent fires in accordance with nationally recognized fire safety standards; and

WHEREAS, the Borough desires to create an official appointed position to assist the Borough's Administration and Council maintain the highest standards of safety and protection for the Borough's residents and visitors;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of Avalon, Pennsylvania in a meeting assembled and is hereby ordained and enacted by the authority of the same as follows.

**Section 1- Office Established**

The office of Avalon Borough Fire Marshal is hereby established.

**Section 2 – Duties**

The Fire Marshal shall advise, consult and assist Borough Council and Borough Administration regarding matters concerning fire safety, fire service and fire prevention, when requested. The Fire Marshal may provide community education regarding fire prevention and safety. The Fire Marshal may serve in an honorary capacity at civic events and meetings. The Fire Marshal shall make such reports regarding his/her official activities to Borough Council and/or its designated committee(s) as directed.

**Section 3 – Appointment**

The Fire Marshal serves an annual term by appointment of Borough Council, who may appoint and remove at will by motion at a public meeting.

**Section 4 – Conflict**

Nothing herein shall amend or abridge the Fire Code Official’s authority arising under a Fire Code or other duly adopted ordinance, or the authority of a Fire Marshal duly appointed under the Pennsylvania State Fire Marshal Law, as amended.

**Section 5 – Legal Provisions**

If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the same contained in this Ordinance. It is hereby declared as the intent of the Council of the Borough of Avalon that this Ordinance would have been adopted has such unconstitutionality, illegality or invalidity sentence, clause, or section or part thereof and not been included therein.

The failure of the Borough of Avalon to enforce any provisions of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

**Section 6 – Inconsistent Ordinances Repealed**

All prior Ordinances and sections inconsistent with the terms contained herein are hereby repealed.

**Section 7 – Effective Date**

This Ordinance shall be effective immediately.

THIS ORDINANCE adopted by the Council of Avalon Borough at a duly assembled public meeting held this 16<sup>th</sup> day of January, 2018.

ATTEST:

Gerraine Makatura  
Secretary

AVALON BOROUGH

By: [Signature]  
Council President

Examined and approved this 16<sup>th</sup> day of January, 2018.

[Signature]  
Mayor