

RESOLUTION 89-115

A RESOLUTION OF THE HOPEWELL TOWNSHIP BOARD OF COMMISSIONERS, BEAVER COUNTY, PENNSYLVANIA AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT FOR FIRE PROTECTION SERVICES WITH OTHER MUNICIPALITIES WITHIN BEAVER COUNTY.

WHEREAS, the Hopewell Township Fire Department, the Beaver County Fire Chief's Association, and the Beaver County Emergency Services Center have recommended a county wide mutual aid fire agreement and

WHEREAS, this mutual aid agreement has been presented to the Hopewell Township Board of Commissioners for concurrence and execution and

WHEREAS, this agreement is attached hereto as "Exhibit A"

NOW THEREFORE BE IT RESOLVED the Board of Commissioners of Hopewell Township, Beaver County, Pennsylvania concur that a county wide mutual aid fire agreement is in the best interest of the Township and hereby authorizes its execution.

ADOPTED THIS 11 DAY OF APRIL, 1989

WITNESS:

HOPEWELL TOWNSHIP  
BOARD OF COMMISSIONERS

  
MANAGER/SECRETARY

  
PRESIDENT, BOARD OF COMM

Exhibit A

MUTUAL AID AGREEMENT

THIS AGREEMENT, made under the date of the     //     day of April 1989, between and among those Beaver County municipalities which have executed copies of this Agreement and the County of Beaver, all situate in the County of Beaver and the Commonwealth of Pennsylvania.

WITNESSETH, AS FOLLOWS

WHEREAS, the parties hereto have in the past extended to each other at the request of the other aid and assistance for fire protection; and

WHEREAS, the authority to provide aid and assistance for fire protection and to make appropriations therefore is contained in the following Acts of Assembly:

Third Class Cities: Act of June 23, 1931  
P.L. 922, Section 2403  
[53 P.S. Section 37403(59)];

Boroughs: Act of February 1, 1966  
P.L. 581, Section 1202  
[53 P.S. Section 46202(35)]

Township of the First Class: Act of June 24, 1931  
P.L. 1206 Art. XV, Section 1502, cl. LIV, added  
May 27, 1949, P.L. 1955, Section 32  
[53 P.S. Section 56554]; and

Township of the Second Class: Act of May 1, 1933  
P.L. 103 Art. VII, Section 702, cl. XL, added  
July 10, 1947, P.L. 1481, Section 9, as amended  
July 2, 1953, P.L. 354, Section 9.  
[53 P.S. Section 65740].

**WHEREAS**, without intergovernmental cooperation providing aid and assistance for fire protection, the quality of such protection which in the past has been afforded to the residents of the signatory parties, would be adversely affected; and

**WHEREAS**, the Act of July 12, 1972 P.L. 180 (53 P.S. Section 481, et seq.) requires that agreements providing for joint cooperation be in writing and be adopted by ordinance; and

**WHEREAS**, the signatory parties now desire to reduce to writing their previous understandings to assure intergovernmental cooperation to provide aid and assistance for fire protection upon request;

**NOW THEREFORE**, the governing bodies of the signatory parties, pursuant to the aforesaid authority, and intending to be legally bound, do mutually covenant and agree, as follows:

1. That in the event of fire, explosion or other emergency situation, the Fire Departments of the signatory parties, including Volunteer Fire Companies, shall be mutually obligated to each other to provide aid and assistance for fire protection.

2. The Fire Chief of each community shall have the authority and full discretion to issue a call for aid and assistance to the other Fire Departments.

3. That the officer in charge and/or Fire Chief shall be in charge of the situation and shall have full authority to issue orders and delegate duties to the Chief, officers and members of the responding Fire Departments.

4. That the Fire Department of each of the signatory parties shall conscientiously and in good faith provide aid and assistance to each other without charge or expense required to be paid by the summoning community to the responding community or communities.

5. That the responding community shall hold harmless the summoning community for injury sustained by the Chief, officers and members of the Fire Departments of the responding community and for loss of damage occurring to the property of the Fire Department of the responding community while providing aid and assistance to the summoning community and in going thereto and returning therefrom.

6. That no provision of this Agreement shall be construed to require a responding community to jeopardize or otherwise leave its community without adequate fire protection while providing aid and assistance to the summoning community.

7. That in the event the Fire Department of one community, a party hereto, is called out to answer a County Fire Alert the other party hereto will to the best of their ability provide Fire protection for the community left unprotected because of the County Fire Alert.

8. That this Agreement shall cover participation in exercises, drills, and other training activities designed to train fire personnel to prepare for, cope with, or prevent the occurrence of any fire related emergency.

9. That this Agreement shall continue in force and remain binding on each party to this Agreement until authorized representatives take action to withdraw therefrom. Such action shall not be effective until ninety (90) days after notice of withdrawal has been submitted. The withdrawal of or addition of any one or more parties shall have no effect on the other parties which are executors of this agreement.

IN WITNESS WHEREOF, the undersigned municipal government entities and the County of Beaver, by their respective elected officials, have duly executed this Mutual Aid Agreement for Fire protection services the day and year first above written. The original copy of this Agreement and of all executed pages thereto shall be kept on file in the custody of the Director of the Beaver County Emergency Services Center, 250 East End Avenue, in Beaver, Pennsylvania.