

City of Philadelphia



May 20, 2010

CERTIFICATION: This is to certify that Bill No. 100214, entitled “An Ordinance amending Title 4 of The Philadelphia Code, entitled ‘The Philadelphia Building Construction And Occupancy Code,’ by amending Subcode F, entitled ‘The Philadelphia Fire Code,’ by further delineating the Philadelphia Fire Department’s mission and obligation to provide fire and other emergency services via uniformed fire personnel including Firefighters and Fire Service Paramedics, and clarifying that all uniformed fire personnel, including Fire Service Paramedics, are authorized and required to act as fire personnel.” was returned by the Mayor to City Council on the twentieth day of May, 2010 “DISAPPROVED.”

The said bill having been considered again, was repassed on the twentieth day of May, 2010. Two-thirds of all the members of City Council having voted in the affirmative, the said bill became law without the Mayor’s approval, pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter.

A handwritten signature in cursive script that reads "Michael A. Decker".

Michael A. Decker
Chief Clerk of the City Council

(Bill No. 100214)

AN ORDINANCE

Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction And Occupancy Code,” by amending Subcode F, entitled “The Philadelphia Fire Code,” by further delineating the Philadelphia Fire Department’s mission and obligation to provide fire and other emergency services via uniformed fire personnel including Firefighters and Fire Service Paramedics, and clarifying that all uniformed fire personnel, including Fire Service Paramedics, are authorized and required to act as fire personnel.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 4 of The Philadelphia Code is hereby amended to read as follows:

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TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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SUBCODE "F" (THE PHILADELPHIA FIRE CODE)

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CHAPTER 1 ADMINISTRATION

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SECTION F-104 GENERAL AUTHORITY AND RESPONSIBILITIES

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F-104.2 Authority at fires and other emergencies.

1. The fire department official in charge at the scene of a fire or other emergency involving the protection of life or property or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty.
2. *The fire department official in charge at the scene of a fire or other emergency involving the protection of life or property or any part thereof, shall have the authority to direct uniformed Fire Department personnel, including but not limited to Firefighters and Fire Service Paramedics, to engage in such actions that are necessary in order to complete the assignment, including but not limited to fire rescue, fire abatement, and emergency medical services. Because of their legislative authority to act and actual participation in such operations, Fire Service Paramedics shall continue to be considered firemen for the purposes of the act of June 24, 1968 (P.L.237, No.111), referred to as the Policemen and Firemen Collective Bargaining Act.*
3. In the exercise of such power, the fire official is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene and is authorized to remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing which could impede or interfere with the operations of the fire

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department and, in the judgment of the fire official, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.

SECTION 2. Effective Date. This Ordinance shall take effect immediately.

Explanation:

Italics indicate new matter added.