

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 855 Session of
2005

INTRODUCED BY KENNEY, J. TAYLOR, O'BRIEN, PERZEL, LEDERER,
W. KELLER, MANDERINO, BARRAR, BASTIAN, BEBKO-JONES, BELFANTI,
BOYD, CALTAGIRONE, CRAHALLA, FLEAGLE, GINGRICH, GOODMAN,
HENNESSEY, JAMES, LEACH, MANN, O'NEILL, PHILLIPS, REICHLEY,
SCAVELLO, TIGUE, WALKO, YOUNGBLOOD, SOLOBAY, MELIO, HABAY,
GOOD, SATHER, KILLION AND DENLINGER, MARCH 14, 2005

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 11, 2005

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for limitations on
3 certain municipal powers; and providing for fire company
4 reduction and closure provisions for cities of the first
5 class, second class, ~~second class A~~ and third class. <—

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 2962(d) of Title 53 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 2962. Limitation on municipal powers.

11 * * *

12 (d) Reduction of police force.--Notwithstanding any
13 provision of this subpart or any other statute to the contrary,
14 any municipality that is or was a city of the second class A may
15 reduce its police force [or its firefighting force] for economic
16 reasons, as determined by ordinance.

17 * * *

1 Section 2. Title 53 is amended by adding a chapter to read:

2 CHAPTER 60

3 PAID FIRE PROTECTION IN CITIES

4 Sec.

5 6001. Reduction of fire protection in cities.

6 § 6001. Reduction of fire protection in cities.

7 A city of the first class, second class, ~~second class A~~ and <—
8 third class shall not reduce or eliminate any ladder or engine
9 company located in a city of their respective class without
10 first satisfying each of the following criteria:

11 (1) In the event that the city seeks to reduce or
12 eliminate any engine or ladder company, the city must provide
13 written notice of the proposed reduction or elimination to
14 all firefighters and paramedics assigned to the affected
15 company, to any labor organizations representing affected
16 firefighters and paramedics and to all citizens served by the
17 affected company. In order to notify the public, the city may
18 place an advertisement in a newspaper of general circulation
19 within the affected area.

20 (2) In the event that the city seeks to reduce or
21 eliminate any engine or ladder company, it must first
22 commission and complete a study of the proposed reduction,
23 which shall include, but not be limited to, detailed
24 projections of the savings to be achieved by the proposed
25 reduction or closure, and analyses of the impact of the
26 proposed reduction on emergency response time, delivery of
27 emergency services to the public, homeowner fire insurance
28 premium coverage implications and safety of firefighters,
29 paramedics and citizens. An independent third party shall
30 conduct the impact study, which shall be released no earlier

1 than 90 days from the date of commission. Once the study has
2 been completed, it shall be made immediately available to
3 labor organization representatives, the Office of the State
4 Fire Commissioner and any other interested party that
5 requests a copy.

6 (3) No less than 60 days nor more than 75 days after
7 receipt of the study by the labor organization
8 representatives and the Office of the State Fire
9 Commissioner, the city shall hold public hearings in order to
10 receive feedback on the proposed reduction in fire protection
11 services and on the results of the impact study. The city of
12 the first class, second class,~~second class A~~ and third class <—
13 shall also accept written responses to the findings contained
14 in the impact study.

15 (4) The provisions of this section shall be applicable
16 to cities of the first class, second class,~~second class A~~ <—
17 and third class, notwithstanding the fact that such cities,
18 after the effective date of this section, may have adopted or
19 amended a home rule charter.

20 Section 3. This act shall take effect immediately.