

**AMITY TOWNSHIP
BERKS COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2026- 11

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF AMITY TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA, ADOPTING A POLICY GOVERNING THE
REQUEST FOR ASSISTANCE FROM THE PENNSYLVANIA STATE POLICE –
OFFICE OF THE STATE FIRE MARSHAL FOR FIRE INVESTIGATIONS,
TECHNICAL ASSISTANCE, FIRE CODE ENFORCEMENT, AND RELATED PUBLIC
SAFETY MATTERS**

WHEREAS, the Board of Supervisors of Amity Township is charged with protecting the health, safety, and welfare of Township residents and visitors; and

WHEREAS, the Board of Supervisors recognizes the importance of conducting thorough and professional fire investigations, ensuring compliance with applicable fire safety laws, and utilizing specialized expertise when necessary; and

WHEREAS, the Pennsylvania State Police – Office of the State Fire Marshal provides fire cause and origin investigations, technical assistance, fire code enforcement support, forensic expertise, and related services to municipalities throughout the Commonwealth; and

WHEREAS, the Board of Supervisors desires to establish a uniform policy identifying circumstances under which assistance from the Office of the State Fire Marshal may be requested and establishing procedures for coordination among Township officials, emergency responders, and law enforcement agencies;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Amity Township, Berks County, Pennsylvania, as follows:

SECTION 1. ADOPTION OF POLICY

The Board of Supervisors hereby adopts the “Requesting Assistance of Pennsylvania State Fire Marshal Policy,” identified as Policy Number EM-26-001, effective July 15, 2026, attached hereto and incorporated herein by reference as Exhibit “A.”

SECTION 2. PURPOSE

The purpose of the policy is to establish procedures and authorization for requesting assistance from the Pennsylvania State Police – Office of the State Fire Marshal in matters involving fire investigations, technical expertise, fire code enforcement, and other public safety matters occurring within Amity Township.

SECTION 3. APPLICABILITY

The policy shall apply to:

- A. Fire companies authorized to provide fire protection services within Amity Township;
- B. The Amity Township Fire Marshal and Deputy Fire Marshal(s);
- C. The Amity Township Police Department;

- D. The Amity Township Public Safety Officer;
- E. The Township Emergency Management Coordinator; and
- F. Township administrative officials acting within the scope of their assigned duties.

SECTION 4. AUTHORIZED REQUESTS

Assistance from the Pennsylvania State Police – Office of the State Fire Marshal may be requested under the circumstances identified in the adopted policy, including but not limited to:

- A. Fire cause and origin investigations;
- B. Incidents involving fatalities, serious injuries, suspicious or incendiary fires;
- C. Complex investigations requiring specialized expertise;
- D. Fire code enforcement and regulatory assistance;
- E. Joint investigations with law enforcement agencies; and
- F. Other circumstances authorized by Township officials or required by law.

SECTION 5. AUTHORIZED OFFICIALS

The officials authorized to request assistance from the Pennsylvania State Police – Office of the State Fire Marshal shall be those identified within the adopted policy. Such requests shall be coordinated through the Amity Township Fire Marshal whenever practicable and consistent with the operational needs of the incident.

SECTION 6. COORDINATION AND INCIDENT MANAGEMENT

Township personnel shall cooperate fully with representatives of the Pennsylvania State Police – Office of the State Fire Marshal during investigations, inspections, or enforcement activities. Incident management shall be conducted in accordance with the National Incident Management System (NIMS), Unified Command principles when applicable, and all applicable laws and regulations.

SECTION 7. RECORDS AND REPORTING

All reports, findings, recommendations, and related documentation received from the Pennsylvania State Police – Office of the State Fire Marshal shall be maintained in accordance with Township record retention requirements and coordinated with appropriate Township officials as set forth in the adopted policy.

SECTION 8. SEVERABILITY

If any provision of this Resolution is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such determination shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

SECTION 9. REPEALER

All resolutions or portions of resolutions inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 10. EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.

DULY ADOPTED this 15th day of July, 2026, by the Board of Supervisors of Amity Township, Berks County, Pennsylvania.

**AMITY TOWNSHIP
BOARD OF SUPERVISORS**

Kim McGrath
Chairperson

ATTEST:

Pamela L. Kisch
Township Secretary

Amity Township

Fire Department Policy

Requesting Assistance of Pennsylvania State Fire Marshal

Policy Number: EM-26-001

Effective Date: July 15, 2026

Review Date: June 18, 2026

Approved By: Board of Supervisors

1. Purpose

The purpose of this policy is to establish procedures and authorization for requesting assistance from the Pennsylvania State Police – Office of the State Fire Marshal in matters involving fire investigations, technical expertise, and enforcement of applicable state fire regulations within Amity Township, Berks County.

2. Legal Authority

This policy is adopted pursuant to:

- The Pennsylvania Second Class Township Code (Act of May 1, 1933, P.L. 103, as amended)
- The Fire and Panic Act (Act of April 27, 1927, P.L. 465, as amended)
- Applicable regulations of the Pennsylvania State Police and the Office of the State Fire Marshal

The Board of Supervisors retains general supervision over fire protection services and the enforcement of ordinances within the Township.

3. Applicability

This policy applies to:

- All fire companies authorized to provide fire protection services within Amity Township
- The Amity Township Fire Marshal or Deputy Fire Marshal(s)
- The Amity Township Police Department

- Amity Township Public Safety Officer
- The Township Emergency Management Coordinator (EMC)
- Township administrative officials acting within their assigned duties

4. Circumstances Requiring or Warranting State Fire Marshal Assistance

Assistance from the Office of the State Fire Marshal may be requested under the following circumstances, including but not limited to:

A. Fire Cause and Origin Investigations

- Fires involving a fatality or serious bodily injury
- Fires suspected to be incendiary, suspicious, or criminal in nature
- Fires involving substantial property loss or significant public impact
- Fires occurring in commercial, industrial, institutional, or multi-family occupancies

B. Specialized or Technical Expertise

- Complex fire scenes exceeding local investigative capability
- Incidents involving hazardous materials, explosives, or specialized building systems
- Electrical, mechanical, or forensic analysis requiring state-level expertise

C. Fire Code Enforcement and Regulatory Assistance

- Matters involving enforcement or interpretation of the Fire and Panic Act
- Inspections of state-regulated occupancies when required or requested
- Assistance with compliance orders or technical determinations

D. Law Enforcement Support

- Joint investigations with the Amity Township Police Department
- Evidence collection and expert testimony in criminal or civil proceedings

E. Direction of Township Officials

- Upon direction of the Board of Supervisors
- Upon request of the Township Solicitor
- When otherwise required by state law or regulation

5. Authorization to Request the State Fire Marshal

The following individuals are authorized to request assistance from the Pennsylvania State Fire Marshal:

- Amity Township Fire Marshal / Deputy Fire Marshal(s)
- Amity Township Police Chief (or designee)
- Township Emergency Management Coordinator / Public Safety Officer

The Pennsylvania State Police Fire Marshal shall not be contacted without approval of the Amity Township Fire Marshal. In emergency or time-sensitive situations, when the Amity Township Fire Marshal is unavailable, requests may be made immediately with prior approval from the Deputy Fire Marshal(s), Police Chief, or the Township Emergency Management Coordinator/Public Safety Officer, with notification to Township administration as soon as practicable.

6. Request Procedure

1. The requesting official shall contact the Pennsylvania State Police or the Office of the State Fire Marshal through established emergency or non-emergency channels.
2. The request shall include, when available:
 - Location and description of the incident
 - Reason for requesting Pennsylvania State Police Fire Marshal for assistance
 - Known hazards, injuries, or fatalities
 - Contact information for the requesting official
3. The fire scene shall be preserved in accordance with accepted investigative practices until released by the lead investigative authority.

7. Incident Command and Coordination

- Upon arrival, the State Fire Marshal shall assume lead responsibility for fire cause and origin investigations.
- Amity Township Fire, Police, and EMS personnel shall cooperate fully and provide reasonable assistance.
- Incident management shall follow NIMS and Unified Command principles when applicable.

8. Reports and Records

- The requesting agency shall complete a written incident report.
- Reports, findings, and recommendations provided by the State Fire Marshal shall be retained in Township records.
- Any enforcement actions or follow-up inspections shall be coordinated with the Township Public Safety Officer (Fire Code Official) and Township Solicitor, as appropriate.

9. Training and Familiarization

- Fire company officers, police supervisors, and Township officials shall be familiar with this policy.
- This policy may be incorporated into Township emergency operations planning and fire service training.

10. Review and Amendment

This policy shall be reviewed periodically by the Board of Supervisors and may be amended by resolution to ensure consistency with state law and Township operational needs.

11. Severability

If any provision of this policy is held invalid, such invalidity shall not affect the other provisions of this policy.