

**BOROUGH OF JERMYN**  
**LACKAWANNA COUNTY, PENNSYLVANIA**  
**ORDINANCE NO. 3-17**

**AN ORDINANCE AUTHORIZING FIRE COMPANIES IN THE BOROUGH TO  
OBTAIN REIMBURSEMENT THROUGH A PERSON'S INSURANCE POLICY  
WHEN EMERGENCY SERVICES ARE RENDERED**

By the powers granted to the Borough of Jermyn by the Pennsylvania Borough Code, 8 Pa.C.S.A. § 101 et seq., be it ENACTED and ORDAINED by the Borough Council of the Borough of Jermyn, Lackawanna County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of the Jermyn Borough Council as follows:

**SECTION 1: DEFINITIONS**

**“Borough”** shall mean the Borough of Jermyn, Pennsylvania.

**“Fire Company”** shall mean a volunteer fire company organized, acknowledged and existing in the Borough and lawfully providing emergency services in the Borough.

**“Emergency”** shall mean an incident that requires responsive coordinated action in the form of emergency services.

**“Emergency Services”** shall include fire-fighting, rescue, medical or other emergency service or combination thereof, to protect a person, the environment, critical infrastructure, or property.

**“Person”** shall mean an individual, organization, corporation, resident, and/or property owner requiring and receiving emergency services from a Fire Company.

**“Insurance Policy”** shall mean a document detailing the terms and conditions of a contract of insurance.

**“Insurer”** shall mean a company, organization, or other entity that is in the business of insurance and issued an insurance policy to the Person.

**SECTION 2: APPLICATION**

- a) A Person or Persons who receive(s) fire-fighting, rescue, medical or other Emergency Service or any combination of those services shall be liable for the actual and reasonable costs incurred by the Fire Company for the services rendered.
- b) A Fire Company is authorized to obtain reimbursement through the Person's Insurance Policy for actual and reasonable costs for Emergency Services rendered related to an Emergency as provided for under this section.

- c) The Fire Company shall recover the costs for the Emergency Services rendered by directly billing the insurer. The Fire Company shall be responsible for establishing a fee schedule for the fees, costs and expenses contemplated by this Ordinance and the bill for reimbursement must clearly itemize the costs that have been incurred.

**SECTION 4: SEVERABILITY**

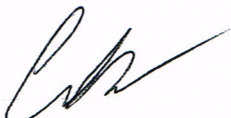
If any section, clause, provision, or portion of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, then such decision shall not affect any other section, clause, provision, or portion of this ordinance so long as it remains legally enforceable without the invalid portion(s). The Borough Council reserves the right to amend this ordinance, or any portion thereof, from time to time as it shall deem necessary to further the purposes of this ordinance and the effective administration thereof. Any such amendments shall be made in accordance with the requirements of the Pennsylvania Borough Code, 8 Pa.C.S.A. § 101 et seq.

**SECTION 5: EFFECTIVE DATE**

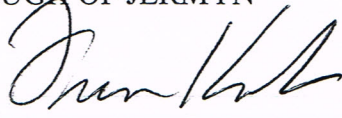
This ordinance shall become effective upon enactment.

ENACTED AND ORDAINED THIS 2 DAY OF March, 2017.

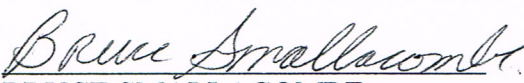
ATTEST:

  
\_\_\_\_\_  
CARA FRANKOSKY  
Borough Secretary

BOROUGH COUNCIL OF THE  
BOROUGH OF JERMYN

BY:   
\_\_\_\_\_  
FRANK KULICK  
President

APPROVED THIS 2 DAY OF March, 2017.

  
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BRUCE SMALLACOMBE  
Mayor, Borough of Jermyn