

TITLE 2: NATURAL RESOURCES
DIVISION 7: BUILDING AND ZONING CODES

§ 7321. Powers of the Department of Public Safety, Fire Division.

(a) The Department of Fire and Emergency Medical Services shall have the power and duty to control and extinguish injurious or dangerous fires and to remove that which is liable to cause such fires and to enforce all laws relating to the preventing and spreading of fires and all laws pertaining to fire control, fire hazards, and enforcement of all ordinances of the jurisdiction as set forth in the Uniform Fire Code, Article 1, Section 103.

(b) The officer of the Department of Fire and Emergency Medical Services in charge at the scene of any fire shall have the full power and authority to direct the operation of extinguishment and to take the necessary precautions to prevent the spread of fires. In the course of such operations, the officer may prohibit approach to such fire or incident by any person, vehicle, vessel or thing and may remove or cause to be removed and kept away from such fire or incident any vehicle or thing and all persons not actually or usefully employed in the judgment of said officer in the extinguishing and control of such fire incident, or the preservation of property in the vicinity.

(c) Nothing in this chapter shall be construed to limit the authority of the master or officer of any vessel on fire or in danger of fire subject to the general authority granted herein to the Department of Fire and Emergency Medical Services to control the operations in protection of public interest within the Commonwealth.

(d) The Department of Fire and Emergency Medical Services shall have the power and responsibility of maintaining an emergency medical and rescue service system. The Department of Fire and Emergency Medical Services shall employ emergency medical services personnel who have been certified to provide such services. The Department of Fire and Emergency Medical Services shall maintain and operate equipment necessary to convey on land and sea individuals who are actually ill, injured, incapacitated or helpless and require emergency care. The Department of Fire and Emergency Medical Services personnel shall provide emergency medical (pre-hospital) care on the scene and enroute to any emergency care facility to the full extent of their certification by the emergency medical commission or board.

Source: PL 11-56, § 7306, modified; subsection (a) amended by PL 11-98, § 1; subsections (a)-(d) amended by global amendment by PL 18-73 §§ 5(a), (c) (Jan. 25, 2015).

Commission Comment: PL 11-56 took effect February 1, 1999. PL 11-56 contained a severability clause as follows:

Section 7317. Severability. If any Section of this Act should be declared invalid by a court of competent jurisdiction, the remainder of this Act shall not be affected thereby.

PL 11-98 took effect September 21, 1999. PL 11-98 contained a severability clause as follows:

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Section 5. Severability Clause. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to person or circumstances other than those to which it is held invalid shall not be affected thereby.