



Stroud Township Volunteer Fire Department
Dedicated to the Protection of Life and Property

P.O. Box 807 Stroudsburg PA 18360

Affidavit for membership into the Stroud Township Volunteer Fire Department

I, _____ Residing at _____
hereby swear (or affirm) under penalty of perjury or false swearing, that I have never been convicted, or pleaded no contender, or been found guilty of the following:

- The crime of arson or it's related offenses. I have read the definition of "Arson and related offenses" as set forth in section 3301 of the crimes code (18 PA C.S. §3301), which is attached hereto as exhibit A, and hereby swear that I have never committed nor engaged in any of the acts defined or described in this section.
- The crime of false alarms to public safety agencies. I have read the definition of "false alarms to agencies of public safety" as set forth in section 4905 of the crimes code (18 PA C.S. §4905), which is attached hereto as exhibit A, and I hereby swear that I have never committed or engaged in any of the acts defined of described in this section.

I further swear that as part of this membership application; I have made full disclosure of any and all arrests, convictions, or adjudications for any other criminal offenses.

I understand that if subsequent investigation reveals that I have falsified or otherwise misrepresented the true nature of any criminal offenses that involve myself, I may forfeit my membership with the Stroud Township Volunteer Fire Department and may be subject to criminal penalties for perjury or false swearing.

Exhibit A

§3301. Arson and related offenses

(A) Arson endangering persons

- (1) A person who commits a felony of the first degree if he intentionally starts a fire or causes an explosion, or if he/she aids, counsels, pays or agrees to pay another to cause a fire or explosion, whether on his/her property or on that of another, and if:
 - (I) He thereby recklessly places another person in danger of death or bodily injury, including but not limited to a firefighter, police officer or another person actively engaged in fighting the fire: or,
 - (II) He/she commits the act with the purpose of destroying or damaging an inhabited building or occupied structure of another.
- (2) A person who commits arson endangering persons is guilty of murder of the second degree if the fire or explosion causes death of any person, including but not limited to a firefighter, police officer or another person actively engaged in fighting the fire, and is guilty of murder of the first degree if the fire or

explosion causes the death of any person and was set with the purpose of causing the death of another person.

(B) Sentence

A person convicted of violating the provisions of subsection (a) (2), murder of the first degree, shall be sentenced to death or life imprisonment without the right to parole; a person convicted of murder of the second degree, pursuant to subsection (a) (2) shall be sentenced to life imprisonment without the right to parole. Notwithstanding provisions to the contrary, no language herein shall infringe upon the inherent powers of the Governor to commute said sentence.

(C) Arson endangering property

A person commits a felony of the second degree if he/she intentionally starts a fire or causes an explosion, whether on his property or that of another, or if he/she aids, counsels, pays or agrees to pay another to cause a fire or explosion, and if:

- (I) He/she commits the act with intent of destroying or damaging a building or unoccupied structure of another;
- (II) He/she thereby recklessly places an inhabited building or occupied structure of another in danger of damage or destruction; or
- (III) He/she commits the act with intent of destroying or damaging an property, whether his/her own or of another, to collect insurance for such loss.

(D) Reckless burning or explosion

A person commits a felony of the third degree if he/she intentionally starts a fire or causes an explosion, or if he/she aids, counsels, pays or agrees to pay another to cause a fire or explosion whether on his property or that of another, and thereby recklessly:

- (I) Places an uninhabited building or unoccupied structure of another in danger of damage or destruction: or
- (II) Places any personal property of another having value that exceeds \$5,000.00 or if the property is an automobile, airplane, motorboat, motorcycle or other motor-propelled vehicle in danger of damage or destruction.

(D.1) Dangerous burning

A person commits a summary offense if he/she intentionally or recklessly starts a fire to endanger any person or property of another whether or not any damage to person or property actually occurs

(E) Failure to control or report dangerous fires

A person who knows that a fire is endangering the life or property of another and fails to take reasonable measures to put out or control the fire, when he/she can do so without substantial risk to himself/herself, or to give prompt fire alarm, commits a misdemeanor of the first degree if:

- (I) He/she knows that he/she is under an official, contractual or other legal duty to control or combat the fire: or
- (II) The fire was started, albeit lawfully, by himself/herself or with his assent, or on property in his custody or control.

(F) Possession of explosive or incendiary material or devices

A person commits a felony of the third degree if he possesses, manufactures or transports any incendiary or explosive material with the intent to use or to provide such device or material to commit any offense described in

(G) Prohibition on certain service

A person convicted of violating this section or any similar offense under Federal or State law shall be prohibited from serving as a firefighter in this Commonwealth and shall be prohibited from being certified as a firefighter under section 4 of the act of November 13, 1995 (P.L. 604, No 61) known as the State Fire

Commissioner Act, proof of non-conviction must consist of either of the following:

- (I) An official criminal history record check obtained pursuant to Chapter 91 (relating to criminal history record information) indicating no arson convictions
- (II) A dated and signed statement by the person swearing to the following:

“I have never been convicted of an offense that constitutes the crime of “arson and related offenses” under 18 PA C.S. §3301 or any similar offense under any Federal or State law. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statement herein, I am subject to penalties prescribed by law, including, but not limited to, a fine of at least \$1,000.00.

(H) Definitions

As used in this section the following words and phrases shall have the meanings given to them in this section:

“OCCUPIED STRUCTURE” – Any structure, vehicle or place adapted for overnight accommodation of persons or for carrying on business therein, whether or not a person is actually present. If a building or structure is divided into separately occupied units, any unit not occupied by the actor is an occupied structure of another.

“PROPERTY OF ANOTHER” – A building or other property, whether real or personal, in which a person other than the actor has an interest which the actor has no authority to defeat or impair, even though the actor may also have an interest in the building or property.

§ 4905. False alarms to agencies of public safety

(A) Offense defined

A person commits an offense if he knowingly causes a false alarm of fire or other emergency to be transmitted to or within any organization, official or volunteer, for dealing with emergencies involving danger to life or property.

I fully intend to be bound hereby, by affixing my signature on this, the ____ day of _____ in the year of _____

Signature of applicant

Printed name of applicant

Signature of parent or guardian for junior firefighter applicants

Printed name of parent or guardian for junior firefighter applicants

Signature of active member that accepts application

Printed name of active member that accepts application