

ORDINANCE NO. 815

AN ORDINANCE OF THE TOWNSHIP OF PENN, YORK
COUNTY, PENNSYLVANIA, AMENDING AND ADOPTING
THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE.

BE IT ENACTED AND ORDAINED, by the Penn Township Board of Commissioners, York County, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

SECTION 1. Adoption of International Fire Code

Except to the extent otherwise adopted by the Commonwealth of Pennsylvania as part of the Pennsylvania Uniform Construction Code, that a certain document, a copy of which is on file in the Office of the Secretary of the Township of Penn, being marked and designated as the "*International Fire Code, 2015 edition*", including Appendix Chapters A through M, inclusive, as published by the International Code Council, be and is hereby adopted as the Fire Code of the Township of Penn, York County, Pennsylvania; for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, material and devices, and from conditions hazardous to the life or property in the building or premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Secretary of the Township of Penn which are hereby referred to, adopted, and made part hereof, as if fully set out in the ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. That the following sections are hereby revised:

Section 101. Scope and General Requirements

Section 101.1 Title

Shall be amended to read:

"These regulations shall be known as the *Fire Code* of Penn Township, hereinafter referred to as "this code"

Section 101.2.1 Appendices

Shall be amended to read:

"The provisions of Appendices A through M contained herein are hereby adopted."

Section 105 Permits

Section 105.1.1 Permits required

The following paragraph shall be added:

“Permits required by this code shall be obtained from the fire code official. Permit fees shall be set by Resolution, from time to time, by the Penn Township Board of Commissioners and shall be paid prior to the issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.”

Section 105.6 Required Operational Permits

Shall be amended to read:

“The Fire Code Official is authorized to issue operational permits for the operations set forth in Sections:

- | | |
|----------|------------------------|
| 105.6.15 | Explosives |
| 105.6.16 | Fire Hydrants & Valves |
| 105.6.32 | Open Burning |

Section 105.7 Required Construction Permits

Shall be amended to read:

The Fire Code Official is authorized to issue construction permits for work as set forth in sections:

- | | |
|----------|--|
| 105.7.1 | Automatic Fire Extinguishing Systems |
| 105.7.6 | Fire Alarm & Detection Systems and Related Equipment |
| 105.7.13 | Private Fire Hydrants |
| 105.7.17 | Standpipe Systems |

Section 109 Violations

Section 109.4 Violation Penalties

Shall be amended to read:

Persons who shall violate a provision of this code or fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall, upon conviction thereof before any Magisterial District Judge in a summary proceeding, be sentenced for each such violation to pay a fine not exceeding \$1,000, and costs of such proceedings, and in default thereof to undergo imprisonment for a period not exceeding 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111 Stop Work Order

Section 111.4 Failure to Comply

Shall be amended to read:

Any person who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition, shall be guilty of a Municipal Code Violations as listed and punishable under Chapter 1, Article II General Penalty of the Penn Township Code.

Section 113 Fees

Section 113.2 Schedule of permit fees

Shall be amended to read:

A fee for each permit or inspection shall be paid as required, in accordance with the schedule as established by the applicable governing authority. Failure of any person to comply with the payment of fees shall subject that person to the fines and penalties as set forth in Chapter 1, Article II General Penalty, of the Penn Township Code.

Section 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces.

Section 307.1.1 Prohibited Open Burning

The following shall be added:

“Open burning shall not be used for waste disposal purposes, shall be of the minimum size for the intended purpose, and the fuel chosen must minimize the generation and emission of air contaminants. Open burning that will be offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. The *fire code official* is authorized to order extinguishments by the permit holder or the fire department of open burning, which creates or adds to a hazardous or objectionable situation. The *fire code official* may rely on the Fire Chief or his designated representative to verify the content of the material to be burned, as well as any other public safety considerations which may fall within the realm of their expertise.”

Section 307.2 Permit Required

Shall be amended to read:

“A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for (1) burning of fence rows, fields, agricultural fields and materials relating to farming by the occupant of a tract of land consisting of not less than ten (10) contiguous acres; (2) range or wildlife management practices, prevention or control of disease or pests; (3) a bonfire. Permits require the payment of a fee, which shall be set by Resolutions from time to time. Annual permits must be renewed during the month of May. Permits not renewed by June 1 of each year shall be expired and a new permit will be required before burning can resume”

The following section shall be add:

Section 307.2.2 Notification

“Notification of open burning shall be submitted in writing at least three (3) days in advance and shall be in such form and contain any and all information required by the *fire code official*. Said notification shall contain, at a minimum, the purpose of the proposed burn, the nature and quantities of material, the date(s) when the burn will occur, and the location of the burn site”

Section 505 Premises Identification

Section 505.1 Address Identification

Shall be amended to read:

New and existing buildings shall be provided with an *approved* address identification complying with ‘Chapter 110 Buildings, Numbering of’ in the Penn Township Code.

SECTION 3. REPEALER

All Ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.

SECTION 4. SEVERABILITY

If any provision of this ordinance is held invalid, said invalidity shall not affect any other provision or application of this ordinance.

SECTION 5. AMENDMENT TO TOWNSHIP CODE

The Articles hereby adopted shall be deemed to be incorporated into the Penn Township Code so that reference to the Code shall be understood and intended to include such changes.

ENACTED AND ORDAINED this 18th day of February 2019.

Board of Commissioners or Penn Township

By: Raymond M. Van de Castle
Raymond Van de Castle, President

Attest:

Michael G. Brown
Michael G. Brown, Assistant Secretary