

FIRE PREVENTION CODE

ORDINANCE NO. 218

AN ORDINANCE ADOPTING THE BOCA BASIC FIRE PREVENTION CODE, ESTABLISHING SAFEGUARDS FOR THE PROTECTION OF LIFE AND PROPERTY; ESTABLISHING STANDARDS FOR THE STORAGE; HANDLING, AND USE OF HAZARDOUS MATERIALS AND DEVICES; AND CONTROLLING CERTAIN USES AND OCCUPANCIES OF BUILDINGS AND PREMISES.

BE IT ORDAINED AND ENACTED BY THE Borough of Clymer, Indiana County, Pennsylvania, (hereinafter called the Municipality) as follows:

SECTION 1. ADOPTION OF FIRE PREVENTION CODE

- 1.1 BOCA Basic Fire Prevention Code - There is hereby adopted in its entirety by the Municipality that certain document known as the "BOCA Basic Fire Prevention Code, 1978 fourth edition, as published by the Building Officials and Code Administrators International, Inc., copies of which are on file in the office of the Municipality, save and except such provisions as hereinafter deleted, modified or amended.
- 1.2 Effective Date of Enactment - The provisions set forth in this Ordinance shall take effect on the date of enactment of this Ordinance in accordance with the _____ Municipal Code of Pennsylvania.

SECTION 2. MODIFICATIONS MADE IN THE BOCA BASIC FIRE PREVENTIVE CODE

- 2.1 Deletions - There shall be no deletions from the 1978 BOCA Basic Fire Prevention Code.
- 2.2 Revisions - The following sections of the Fire Prevention Code are revised to read as follows:

F-102-1 - Enforcement Office - The Chief of the Fire Department of the Municipality is hereby established as the Municipal Fire Official. It shall be the duty and responsibility of the Fire Official or his duty authorized representative to enforce the provisions of the Fire Prevention Code as herein set forth. Whenever the fire official shall find any violation or hazardous or dangerous condition, he shall serve notice to the responsible owner, operator or occupant of the building or premises, in accordance with the provisions of this ordinance and the BOCA Basic Fire Prevention Code adopted herein.

F-103.7 - Payment of Fees - At the time of application for a permit, the applicant shall pay a fee of \$5.00 before said permit is issued.

F-104.1 - Appeals - Appeals to the board may be taken by any person aggrieved by any decision or interpretation by the fire official made under the provisions of this code. The board of appeals shall consist of three or more members who are knowledgeable in fire protection activities. The board of appeals shall be appointed by the chief appointing authority and shall hold office in accordance with the terms of the appointment. The board shall adopt reasonable rules and regulations for conducting its hearings and shall be made a public record.

F-105.5.5 - Penalty for Violations - Any person or member of a partnership or corporation who shall violate the provisions of this code or shall fail to comply with any of the requirements thereof shall be guilty of a misdemeanor and shall pay a fine of not more than three hundred dollars (\$300.00) or less than ten dollars (\$10.00) or by imprisonment of not more than 30 days or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

- 2.3 The following sections are adopted only to the extent that their provisions do not conflict with the provisions of this Ordinance and of the Building Code Ordinance of the Municipality.

Section F-102.2.2 - Right of Entry

Section F-102.5 - Administrative Liability

Section F-105.3 - Unsafe Buildings

Section F-105.4 - Notice of Violations

Section F-105.5 - Failure to Correct Violations

SECTION 3. GENERAL PROVISIONS

- 3.1 Savings Clause - Nothing in this ordinance or in the BOCA Basic Fire Prevention Code herein adopted shall be construed to affect any suit or proceedings now pending in any court, or rights acquired or liability incurred, or any cause or causes of action accrued or existing under any act or ordinance repealed hereby. No right or remedy of any character shall be lost, impaired, or affected by this Ordinance.
- 3.2 Validity - The invalidity of any section or provision of this ordinance or of the reference Codes hereby adopted shall not invalidate other sections or provisions thereof.
- 3.3 Conflict of Ordinances - Any ordinance or part of ordinance conflicting with the provisions of this ordinance be, and the same is hereby repealed, insofar as the same affects this ordinance.
- 3.4 Short Title - This Ordinance, together with the BOCA Basic Fire Prevention Code, adopted herein, shall be known and may be cited as the "Fire Prevention Code of the Municipality."

ORDAINED AND ENACTED into law this 16 day of July, 1981.

MUNICIPALITY

BY:

ATTEST:

BY:

Approved this 16th day of July, 1981.

BY: