

FIRE PREVENTION CODE

ORDINANCE NO. 278

AN ORDINANCE ADOPTING A 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 _____ of _____, 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, copies of which are on file in the office of the Municipality, that certain Fire Prevention Code, known as the "BOCA Basic Fire Prevention Code, 1975 Edition" as amended through the effective date of adoption of this Ordinance, and as published by the Building Officials and Code Administrators International, Inc., save and except such provisions as are hereinafter deleted, modified, or amended.
- 1.2 Application—The provisions set forth in this Ordinance and the BOCA Basic Fire Prevention Code, including proposed amendments thereto, shall take effect thirty-one (31) days from the date of enactment of this ordinance or any amendment thereto, and shall apply throughout the entire Municipality.

SECTION 2. ADMINISTRATION AND ENFORCEMENT

- 2.1 Office of Code Enforcement—All of the provisions of the Code Enforcement Ordinance of the Municipality are hereby adopted with this Ordinance. The administration and enforcement of this Ordinance and of the BOCA Basic Fire Prevention Code herein adopted shall be carried out by the Office of Code Enforcement of the Municipality, in accordance with the procedures established by the Code Enforcement Ordinance of the Municipality and by the BOCA Basic Fire Prevention Code herein adopted. Said Code Enforcement Ordinance provides for certain powers and duties of a Code Enforcement Officer, for the creation of a Code Hearing Board and for procedures relative to applications, fees, permits, inspections, appeals, penalties, and other matters.
 - a. "Enforcement Authority" Shall Mean "Office of Code Enforcement."
 - b. "Fire Official" Shall Mean "Chief of the Fire Department."

- 2.2 Permits Required--A permit shall be required for all activities, uses, and other operations specified in the BOCA Basic Fire Prevention Code adopted herein. Such permits shall be issued in accordance with the provisions of this Ordinance, of the Code Enforcement Ordinance of the Municipality, and of the BOCA Basic Fire Prevention Code adopted herein.

SECTION 3. MODIFICATIONS MADE IN THE BOCA BASIC FIRE PREVENTION CODE

- 3.1 Deletions--The following sections of the BOCA Basic Fire Prevention Code are deleted in their entirety:

a. Section F-104.0--Board of Appeals.

- 3.2 Amendments--The following sections of the BOCA Basic Fire Prevention Code are hereby amended to read as follows:

a. Section F-102.1--Enforcement Officer---The Chief of the Fire Department of the Municipality or his authorized assistant, is hereby established as the authorized representative of the Code Enforcement Officer for the purpose of making necessary inspections, issuing permits and undertaking other activities as are required by the provisions of the BOCA Basic Fire Prevention Code adopted herein. Said Chief shall undertake his duties in accordance with the procedures set forth in the Code Enforcement Ordinance of the Municipality and the BOCA Basic Fire Prevention Code adopted herein. Whenever the Chief of the Fire Department shall find any violation or hazardous or dangerous condition, he shall serve notice to the responsible owner, operator, or occupant in accordance with the provisions of the Code Enforcement Ordinance of the Municipality.

b. The following sections are adopted only to the extent that their provisions do not conflict with the provisions of this Ordinance and of the Code Enforcement Ordinance of the Municipality:

1. Section F-102.2.2--Right-of-Entry.
2. Section F-102.5--Administrative Liability.
3. Section F-105.3--Unsafe Buildings.
4. Section F-105.4--Notice of Violation.
5. Section F-105.5--Failure to Correct Violations.

6. Section F-105.5.1--Penalty for Violations.

SECTION 4. GENERAL PROVISIONS

- 4.1 Saving Clause—Nothing in this Ordinance or in the BOCA Basic Fire Prevention Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any 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.
- 4.2 Validity—The invalidity of any section or provision of this Ordinance or of the BOCA Basic Fire Prevention Code hereby adopted shall not invalidate other sections or provision thereof.
- 4.3 Conflict of Ordinances—Any Ordinance of part of Ordinance conflicting with the provisions of this Ordinance be, and the same is hereby repealed, insofar as the same affects this Ordinance.
- 4.4 Short Title—This Ordinance, together with the BOCA Basic Fire Prevention Code adopted herein shall be known and may be cited as "Fire Prevention Code of the Municipality."

Ordained and enacted into a law this _____ day of _____, 19_____.

MUNICIPALITY

BY:

ATTEST:

BY:

Approved this _____ day of _____, 19_____.

BY: