

Chapter 100

FIRE PREVENTION

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National Fire Codes

(Repealed and Replaced 4/3/13 by Ord. No. 1053)

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[*HISTORY:* Adopted by the BOROUGH Council: Art. I, 1-5-75 as Ord. No. 528; Art. II, 8-5-81 as Ord. No. 628. Amendments noted where applicable.]

GENERAL REFERENCES

Administration - See Ch. 5.
Building Commission - See Ch. 9.
Building construction - See Ch. 78.
Fire lanes - See Ch. 98.
Vehicles and traffic - See Ch. 171.

ARTICLE I
National Fire Codes
[Adopted 1-5-75 as Ord. No. 528]
(Repealed and Replaced 4/3/13 by Ord. No. 1053)

§ 100.1 Adoption of International Fire Code.

That a certain document, three (3) copies of which are on file in the office of the Borough Manager of the Borough of Whitehall, and being marked and designated as "The 2009 International Fire Code" (and as it may thereafter be subsequently amended or revised from time to time and including later-issued editions thereof), as published by the International Code Council, Inc., is hereby adopted for the control of buildings, structures, and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said 2009 International Fire Code (as it may be amended or revised from time to time and including later-issued editions thereof) are hereby referred to, adopted and made a part hereof, as if fully set forth in this Ordinance with the additions, insertions, deletions and changes, if any, prescribed in Section 100.2 hereof.

§ 100.2 Amendments to International Fire Code.

That the 2009 International Fire Code is hereby amended and changed in the following specific respects:

Section 101.1 ("Title."):

Insert "Borough of Whitehall."

Section 108.1 ("Board of appeals established.")

Delete "The *fire code official* shall be an ex officio member of said board but shall have no vote on any matter before the board."

Section 109.3 ("Violation penalties."):

Insert "criminal offense," "One Thousand Dollars (\$1,000.00)" and "thirty (30) days," respectively.

Section 111.4 ("Failure to comply."):

Insert "Three Hundred Dollars (\$300.00)" and "One Thousand Dollars (\$1,000.00)," respectively.

Section 903.2.8 ("Group R."):

Replace with "An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*, except for single-family and two-family dwellings."

Section 3404.2.9.6.1 ("Locations where above-ground tanks are prohibited."):

Replace with "Storage of Class I and II liquids in above-ground tanks outside of building is prohibited."

Section 3406.2.4.4 ("Locations where above-ground tanks are prohibited."):

Replace with "The storage of Class I and II liquids in above-ground tanks is prohibited."

Section 3506.2 ("Limitations."):

Replace with "Storage of flammable *cryogenic fluids* in stationary containers outside of buildings is prohibited."

Section 3804.2 ("Maximum capacity within established limits."):

Replace with "No storage of liquefied petroleum gas in excess of 2,000 gallons shall be permitted."

§ 100.3 Monitored Fire Detection for Multi-Family and Commercial Buildings.

100.3.1 In addition to the fire alarm and fire protection requirements contained in the 2009 International Fire Code, as amended ("the Fire Code"), the fire code official may continue to require owners and/or occupants of multi-family and/or commercial use buildings to install and maintain an approved automatic monitored fire detection system throughout the building and to connect the fire detection systems to a commercial company engaged to monitor such systems at the following existing and or new buildings and occupancies:

100.3.1.1 Multi-Family buildings. Buildings designated as Residential Group R-2 under the Fire Code which are comprised of six (6) or more dwelling units;

100.3.1.2 Commercial Buildings with a design occupancy load of fifty (50) or more persons or which meet or exceed five thousand (5,000) square feet of building area, in the following categories as set forth in the Fire Code:

- 100.3.1.2.1 Business Group B.
- 100.3.1.2.2 Mercantile Group M.
- 100.3.1.2.3 Storage Group S.
- 100.3.1.2.4 Factory Industrial Group F.
- 100.3.1.2.5 Assembly Group A, except for those in the A-5 category.
- 100.3.1.2.6 All buildings which are used for more than one type of occupancy.

§ 100.4 Effect on Other Regulations.

100.4.1. All fire prevention and/or building code ordinances, or portions of ordinances, which were previously adopted by the Borough of Whitehall and which equal or exceed the requirements of the aforementioned 2009 International Fire Code (as it may be hereafter amended or revised from time to time and including later-issued editions thereof), shall continue in full force and effect until such time as such previously adopted provisions fail to equal or exceed the minimum requirements of the 2009 International Fire Code, as it may be hereafter amended or revised from time to time (and including later-issued editions thereof).

100.4.2. All fire prevention and/or building code ordinances, or portions of ordinances, previously adopted by the Borough of Whitehall which are in effect as of the effective date of this ordinance and whose requirements are less than the minimum requirements of the aforementioned 2009 International Fire Code (as it may be hereafter amended or revised from time to time), are hereby amended to conform to the comparable provisions of the 2009 International Fire Code (as it may be hereafter amended or revised from time to time and including later-issued editions thereof).

100.4.3. All existing, relevant ordinances, regulations and policies of the Borough of Whitehall which are not governed by those portions of the aforementioned 2009 International Fire Code herein adopted (as it may be hereafter amended or revised from time to time and including later-issued editions thereof) shall remain in full force and effect.

ARTICLE II
Fire-Fighting Operations
[Adopted 8-5-81 as Ord. No. 628]

§ 100.5. Authority at fires or other emergencies.

The FIRE OFFICIAL or his duly authorized representatives as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property is empowered to direct such operations as may be necessary to extinguish or control any fires or hazardous conditions under his jurisdiction. The FIRE OFFICIAL may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department. The FIRE OFFICIAL may remove or cause to be removed any person, vehicle or object from areas hazardous as a result of the fire or other hazardous conditions under his jurisdiction. All persons ordered to leave a hazardous area shall do so immediately and shall not reenter the area until authorized to do so by the FIRE OFFICIAL.

§ 100.6. Interference with Fire Department vehicles or operations.

It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any Fire Department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any Fire Department operation.

§ 100.7. Compliance with orders.

A person shall not willfully fail or refuse to comply with any lawful order or direction of the FIRE OFFICIAL or interfere with the compliance attempts of another individual.

§ 100.8. Vehicles crossing fire hoses.

A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alleyway, private drive or any other vehicular roadway without the consent of the FIRE OFFICIAL in command of said operation.

§ 100.9. Vehicles following fire apparatus.

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than three hundred (300) feet to any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

§ 100.10. Boarding or tampering with emergency equipment.

A person shall not, without proper authorization from the FIRE OFFICIAL in charge of said Fire Department emergency equipment, cling to, attach himself to, climb upon or into, board or swing upon any Fire Department emergency vehicle, whether the same is in motion or

at rest, or sound the siren, horn, bell or other sound-producing device thereon, or manipulate or tamper with or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on or a part of any Fire Department emergency vehicle.

§ 100.11. Damage to Fire Department equipment or personnel.

It shall be unlawful for any person to damage or deface or attempt or conspire to damage or deface any Fire Department emergency vehicle at any time, or to injure or attempt to injure or conspire to injure Fire Department personnel while performing departmental duties.

§ 100.12. Permit required for use of hydrants.

A person shall not use or operate any fire hydrant intended for use of the Fire Department for fire suppression purposes unless such person first secures a permit for such use from the FIRE OFFICIAL and the water company having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by and authorized to make such use by the water company having jurisdiction.

§ 100.13. Sale of defective fire extinguishers.

A person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the FIRE OFFICIAL or which is not in proper working order or the contents of which do not meet the requirements of the FIRE OFFICIAL. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk when said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

§ 100.14. Violations and penalties.

Any person which shall violate a provision of this Article or shall fail to comply with any of the requirements herein may be prosecuted before a District Magistrate and, upon summary conviction, shall be subject to a fine not exceeding three hundred dollars (\$300.) or imprisonment not to exceed ninety (90) days, or both.