

Chapter 97

FIRE PREVENTION

[HISTORY: Adopted by the Borough Council of the Borough of Chester Heights 12-7-1998 by Ord. No. 153. Amendments noted where applicable.]

GENERAL REFERENCES

Fire Department — See Ch. 12.
Building construction — See Ch. 61.

ARTICLE I Administration

§ 97-1. Short title.

This chapter shall be known as "The Chester Heights Fire Code" or "The Fire Code."

§ 97-2. Member company.

The member company of the fire protection organization is the following fire company: the Chester Heights Fire Company No. 1.

§ 97-3. Bureau of Fire Prevention.

The Fire Marshal shall be in charge of the Bureau of Fire Prevention and shall be appointed as provided for in the Borough Code (1965 P.L. 1656, No. 581), as amended.¹ In addition to the Fire Marshal, the Bureau of Fire Prevention shall consist of the Assistant Fire Marshal, the Chairman of the Borough Council's Fire Committee, and the Fire Chief of the Chester Heights Fire Company.

§ 97-4. Appointment and powers of Fire Marshal.

- A. The Fire Marshal shall be appointed by Council each January and shall have the power and authority of enforcing all laws, ordinances and regulations with respect to:
- (1) The prevention of fires.
 - (2) The storage and use of any flammable or hazardous material.
 - (3) The installation and maintenance of any fire protection device.
 - (4) The regulation and adequacy of fire exits and fire escapes.
 - (5) The inspection for compliance in all buildings and grounds as required herein.

1. Editor's Note: See 53 P.S. § 45101 et seq.

- (6) The investigation of the cause, origin and circumstances surrounding any fire in the Borough.
- B. The Fire Marshal may be assisted in this work by any assistant(s) as selected by the Fire Marshal and appointed by Council.

§ 97-5. Election and responsibilities of Fire Chief.

The Fire Chief shall be elected by the Fire Company membership in January of each year and considered for ratification by Council at its February meeting. If Council does not ratify the choice of the Fire Company, the matter shall be resolved by a committee consisting of two members appointed by Borough Council and two members selected by the Fire Company. He/she shall be the Chief of the Fire Company with respect to the operation in the Borough of Chester Heights. In the absence of the Chief, the Deputy Fire Chief shall act as Chief.

- A. The Fire Chief and his/her assistants shall be responsible for the following:
 - (1) The operation of the Fire Company at the scene of an alarm.
 - (2) The reporting of any deficiencies with respect to water supplies, equipment, alarm procedures, etc., and shall report to the Fire Marshal all infractions of the Fire Code that have been observed. The Chief will also make the necessary recommendations for the standardization of equipment and procedures.

§ 97-6. Internal organization of Fire Company.

The Fire Company shall operate under its own bylaws which shall be in accordance with generally accepted standards for similar organizations. Nothing in this chapter is intended to restrict or hamper the internal organization of the Fire Company.

- A. The Company Fire Chief or subordinate officers shall be in command of the company at all fires and alarms.
- B. The Company Fire Chief and subordinate officers shall be responsible for the maintenance of efficiency and conduct of their company.

§ 97-7. Reports and recommendations of fire officials.

- A. The Fire Marshal shall render a report to Borough Council on or before the February Council meeting of each year. The report shall contain a record of all proceedings under the Fire Code during the preceding calendar year. The Fire Marshal and the Fire Chief shall also recommend to the Borough Council any amendments to the Fire Code and this chapter which, in their judgment, are needed.
- B. The Fire Chief shall render a verbal report (with written follow-up, as appropriate) to the Borough Council on or before the September Council meeting of each year. The report shall contain a record of all alarms, drills and other functions the Fire Chief deems necessary to report on for the preceding calendar year.

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§ 97-8. Adoption.

- A. For the purpose of prescribing requirements and controls to safeguard life, property and public welfare from the hazards of fire and explosions arising from the storage, handling or use of substances, materials, devices, and from conditions hazardous to life, property and public welfare in the use or occupancy of buildings, structures and premises, the Borough Council of the Borough of Chester Heights, Delaware County, Pennsylvania, does hereby adopt a certain document marked and designated as the BOCA National Fire Prevention Code, 1996, as published by the Building Officials and Code Administrators International, Inc., save and except such portions as hereinafter deleted, modified or amended by other sections of this chapter. A copy of the above referenced Code is on file in the Office of the Borough Fire Marshal and is available for public inspection.
- B. The Borough Council of the Borough of Chester Heights deems it appropriate to make certain amendments, deletions and modifications to said BOCA National Fire Code in an effort to further safeguard life, property and public welfare from the hazards of fire and explosion.

§ 97-9. Definitions.

As used in this Code, the following terms shall have the meanings indicated:

BONFIRE — An unconfined fire or open burning of any type and shall include, but not be limited to, the burning of vegetative matter and brush where land is being cleared and similar projects. (See § 97-29)

FIRE LANE — Those aisles, roadways, passageways, or other areas located on private property which are designated by the Fire Marshal as fire lanes to insure ingress and egress of fire or other emergency vehicles for the protection of persons and property and where such areas, when blocked or congested, would interfere with the free movement of such emergency vehicles. A fire lane shall be designated by a solid line or lines and by signs establishing such lanes which read "No Parking by Order of the Fire Marshal" or similar wording. In the event of a fire lane adjacent to a building, it shall be no less than 30 feet in width and there shall be a painted yellow line established 30 feet from the building, curb, or border, whichever is applicable, and signs placed at intervals and heights as prescribed in the Vehicle Code of the Commonwealth of Pennsylvania for parking regulatory signs. "Fire lane" shall also mean any thirty-foot wide area, designated by a yellow line(s) in front of any fire hydrant or fire department-type connection, whether attached to or remote from any building or structure.

FIRE OFFICIAL — The Fire Marshal or the Assistant Fire Marshal of the Borough of Chester Heights.

MUNICIPALITY — The Borough of Chester Heights.

§ 97-10. Amendments and deletions.

- A. Amendments to the BOCA National Fire Prevention Code, 1996 Edition.
 - (1) Chapter 1, Section F-100: The words "The Borough of Chester Heights" shall be

inserted after the words "Fire Prevention Code of ...," to designate the name of the adopting municipality.

- (2) Appendix A, Section 1: The words "The Borough of Chester Heights shall be inserted after the words "adopted by . . .," to designate the name of the adopting municipality."
- (3) Appendix A, Section 6: The word "Pennsylvania" shall be inserted after the words "the State of . . .," in the first sentence.
- (4) Appendix A, Section 20: the specific effective date of this chapter shall and is hereby inserted in the second sentence.

B. Deletions to the BOCA National Fire Prevention Code, 1996 Edition.

- (1) Chapter 1, Section F-107.2. Permits required, and Section F-107.8, Payment of Fees, are hereby deleted, and the following new provisions substituted in their place:
 - (a) Section 107.2 Permits Required. Permits are required for the various uses and activities as provided in this Code, except that no permit is required whenever a Borough of Chester Heights building permit has been issued governing the construction, installation, or demolition of the prescribed item of this Code. Required permits shall at all times be maintained on the premises designated therein and shall at all times be subject to inspection by the Fire Marshal.
 - (b) Section F-107.8 Payment of Fees. A permit shall not be issued until the proper fee has been paid. The fee shall be calculated from the Fee Schedule adopted by the Borough Council.
- (2) Chapter 1, Section F-112.3 Penalty for Violation: is hereby deleted in its entirety.
- (3) Chapter 1, Section F-113.0 Means of Appeal: is hereby deleted in its entirety.
- (4) Chapter 3, Section F-311.0 Fire Lanes: is hereby deleted and the following provisions substituted in its place:
 - (a) F-311.0 Fire Lanes on Private Property for public use.
 - (b) **F-311.1 Marking of Fire Lanes:** The marking of fire lanes on private property devoted to public use shall be required on all parking areas and other similar places, so as to insure that fire-fighting and other lifesaving equipment shall have access to all portions of the property at all times. All building permit applications (except for single-family residential where no new streets are required) shall be submitted to the Fire Marshal for review prior to approval by the Building Inspector. The plans that accompany building permit application shall include the location and marking of fire lanes and shall be submitted to and approved by the Fire Marshal, and a permanent record of the marking of said fire lanes shall be maintained by the Borough of Chester Heights. The cost of marking and thereafter maintenance of said fire lanes and plan of same shall be borne by the owner of the property where said lanes are located.
 - (c) **F-311.2 Parking or Otherwise Obstructing Fire Lanes:** The parking of any vehicle or otherwise obstructing fire lanes shall be prohibited at all times.

- (5) Article 31 , Section F-3101.2 Permit Required: Delete the words "Sale or Discharge" in the first sentence. By this deletion, the sale or discharge of fireworks, as defined in the BOCA National Fire Code, cannot be approved by the issuance of a permit. The sale or discharge of fireworks is thus clearly prohibited by Section F-3101.1 of the Code unless covered by a state-granted permit.

§ 97-11. Traffic control system.

Traffic signaling devices installed in the Borough shall have an emergency traffic control system attached for use by the Fire Company. Specifications for the traffic control system shall be as follows:

- A. The system shall be approved by the Borough Fire Chief.
- B. The system shall be compatible with existing systems used on fire company vehicles.
- C. The system shall be triggered optically at least 1,200 feet from the start of the intersection. The triggering device shall be capable of being mounted in the fire company vehicles. Operation of the triggering device shall be continuous without operator assistance until the signal is no longer required for a fire vehicle to clear the intersection.
- D. The receiving circuitry shall be capable of assigning priority traffic movement to one of two channels on a first come, first served basis. Each channel shall be connected to select a traffic movement from those normally available from within the controller.
- E. The selector shall be capable of recognizing a "commit to green" signal and the selector shall switch and hold for a minimum of four seconds; even if the optical signal is lost.
- F. The receiving sensors shall be mounted so that the triggering device can optically "see" the sensors continuously up to the point of intersection.
- G. Upon losing the optical signal, the traffic selector will release the controller to resume normal operation.
- H. The sensors shall be mounted so that the triggering device can trigger the system from any traffic direction.
- I. Maintenance of this device shall be the responsibility of the same government body that has responsibility for maintenance of the traffic signal.
- J. One transmitter shall be provided per installation to the Chester Heights Fire Company for use on emergency vehicles as necessary.

§ 97-12. Fire protection devices.

(Reserved)

§ 97-13. Water main sizes.

- A. Water mains shall be sized according to the following schedule:

**Minimum Nominal
(inches)**

Baltimore Pike (Route 1)	12
Valleybrook Road (Route 261)	10
Llewelyn Road	10
Other Roads	8

B. All connections shall be made to the best possible water supply available.

§ 97-14. Fire department connections.

- A. The number and location of the fire department connection(s) shall be at the Fire Marshal's direction.
- B. The fire department connection shall be located approximately 24 inches above the finished grade, or as otherwise directed by the Fire Marshal.
- C. Each fire department connection shall be provided with a conspicuous, durable and permanently legible sign reading FOR FIRE DEPARTMENT USE ONLY.
- D. The fire department connection(s) shall be provided with five-inch STORZ connection, cap, chain and clapper valve.

§ 97-15. Fire hydrants.

- A. Private fire hydrants connected to sufficient water supply for fire-fighting purposes shall be provided in all new real estate subdivisions with new streets, in shopping centers, educational institutions, apartment complexes and similar occupancies, at the direction of the Fire Marshal who shall consult with an approved rating bureau and the appropriate water authority before directing such installations. When new streets are taken over and made public by the Borough, all private fire hydrants on such streets become public and thereafter hydrant rental and other necessary charges for the same are borne by the Borough.
- B. Private and municipal fire hydrants shall adhere to the following specifications:
 - (1) Hydrants shall be of the dry-barrel-type, frostproof, having a minimum of six inch barrel and connection to the water main.
 - (2) Two-and-one-half-inch National Standard Thread (NST) nipple outlets pumper connection, with caps and chains.
 - (3) The hydrant outlets shall be a minimum of 18 inches from the finished grade and a maximum of 36 inches above the finished grade.
 - (4) The operating nut shall be no smaller than one inch and no longer than a one-and-one-half-inch pentagonal nut, opening counterclockwise.

- (5) The two-and-one-half-inch NST outlets shall have a pitch diameter of 2.897 inches, a major diameter of 3.074 inches and a minor diameter of 2.82 inches with 7.5 threads to the inch.
- (6) The four-and-one half-inch NST outlets shall have a pitch diameter of 5.571 inches, or diameter of 5.735 inches and a minor diameter of 5.392 inches with four threads to the inch.

§ 97-16. Automatic sprinklers.

Automatic sprinklers shall be installed and maintained throughout the buildings of the type set forth below, hereafter erected, converted or altered: (See BOCA Fire Code for specific terms and definitions.)

- A. High-hazard occupancy buildings.
- B. Hospital and other institutional-type buildings.
- C. Sanitariums, nursing homes, convalescent homes, homes for the aged, mentally retarded, housing bed-ridden or ambulatory patients.
- D. Non-fire-resistive buildings used as places of public assembly.
- E. Schools, dormitories and other type buildings used for educational purposes.
- F. Fire-resistive buildings having an undivided floor area of 10,000 square feet, or more, per floor used in whole or in part for a Group H or Group F type occupancy. In addition, any Group S type occupancy where combustible goods are stored. This shall include but not be limited to stores, restaurants and supermarkets. (Refer to BOCA Building Codes for Group definitions).
- G. Non-fire-resistive buildings used in whole or in part for a Group H or Group F type occupancy. Also, any Group S type occupancy where combustible goods are stored. This shall include but not be limited to stores, restaurants and supermarkets.
- H. Non-fire-resistive buildings used as offices over 5,000 square feet.
- I. Motels, hotels and occupancies of temporary and transient-type habitation.
- J. Multiple-family dwellings and apartments where there are more than three units in one fire area, or where there is a common entranceway for two or more units.
- K. Any nonresidential occupancy two or more stories in height. The height shall be taken from the lowest point of grade exposed.

§ 97-17. Maintenance of fire protection equipment.

Automatic sprinkler equipment shall be installed and maintained in accordance with and comply with NFPA 13. All fire protection equipment shall be connected to an adequate water supply, as determined by the system calculations and any additional requirements for hose streams that the Fire Marshal deems necessary. All fire protection systems shall be tested once every 12 months by an organization approved by the Fire Marshal. The results of these tests shall be forwarded to

the Fire Marshal.

§ 97-18. Approval of sprinkler plans.

Before any automatic sprinkler equipment is installed and/or altered in any building, detailed plans and calculations thereof shall be first submitted to and approved in writing by the Fire Marshal. The drawings and calculations must be certified as complying with NFPA 13 in writing by the sprinkler installer. If the Fire Marshal deems it necessary, the plans shall be signed by a licensed professional engineer.

§ 97-19. Calculation of water supplies.

- A. The following formula shall be used when calculating the required adequate water supply for all occupancies:

$$\text{Supply (GPM)} = \text{Gross Cubic Feet Building Volume} / 100$$

- B. The gross building volume shall include all areas in a building not separated by an approved four-hour fire wall.
- C. The resulting water supply can be downgraded by the Fire Marshal when considering other protection devices that are incorporated into the building, these include but are not limited to two-hour fire dividers and spot protection of hazards.
- D. When an occupancy is equipped with sprinklers, the calculated water flow for the sprinkler system plus hose lines will be considered adequate. (The minimum hose line calculations shall be no less than 250 GPM.)
- E. The duration of the minimum water flow shall be no less than two hours for most occupancies, for high hazard occupancies the flow shall be for no less than four hours.

§ 97-20. Standpipes.

Dry fire standpipes shall be installed and maintained in any building more than 30 feet in overall height. The installation shall be done in accordance with the NFPA 14. A dry fire standpipe is not required in the following:

- A. Single-family dwellings.
- B. Two-family dwellings.
- C. Sprinkled buildings, provided that they are not more than three stories in height.

§ 97-21. Secured key access.

Any building other than a residential building which has a fire alarm system or other fire protection system shall provide a secure key box installed in a location accessible to the Fire Company in case of an emergency. This box shall contain keys to the fire alarm panel(s), building access, and all other keys needed to gain access to the building and its systems or other means of access acceptable to the Fire Marshal.

§ 97-22. Fire inspection program.

- A. Inspections shall be completed by the Fire Marshal or his assistant according to the following schedule:
- (1) All buildings prior to the issuance of any occupancy permit.
 - (2) All buildings prior to the transfer of title.
 - (3) All rental properties every two years.
 - (4) All public buildings including offices, industrial buildings, every two years.
- B. Inspections [required under Subsection A(1) and (2) above] shall be scheduled with a minimum of 48 hours' notice. Failure to provide adequate notice shall result in a doubling of the fee. If the seller does not schedule the inspection prior to settlement, the buyer is responsible for all fees.
- C. The fire inspection program shall include all of the following unless waived by the Fire Marshal or his assistant.
- (1) Testing of smoke detectors: statically.
 - (2) Placement of smoke detectors: location and number per square foot (1,200).
 - (3) House numbers properly displayed and can easily be seen from street (four inches).
 - (4) Storage of flammable or hazardous materials (paints, solvents, cleaners, gasoline) etc.
 - (5) Door exits with double cylinder locks (emergency key nearby).
 - (6) Storage of flammable material close to house [trash, building materials, lp gas tank(s)] etc.
 - (7) Gates, chains and other methods of restricting access to roadways or other vehicle paths.
 - (8) Electrical systems (properly installed and not overloaded, exposed wires, open boxes, proper grounding and ground fault interrupters where needed) etc.
 - (9) Heating systems (overview of exhaust exits from heaters - main, space and water) fuel hazards of natural gas, heating oil and propane.
 - (10) Portable fire extinguisher (active dates).
 - (11) Fire-signaling systems (certificate of working order from certified technician or business).
 - (12) On new construction, access to attics and crawl spaces shall have a minimum opening of 24 inches by 36 inches.

§ 97-23. Smoke alarms.

Smoke alarms are required in all residential and commercial buildings according to the following schedule:

- A. In residential buildings they shall be placed so as not to exceed 1,200 square feet per detector or one per level, whichever is greater.
- B. In commercial buildings they shall be placed so as not to exceed 800 square feet per detector. They shall be wired so that all detectors in one "fire area" shall sound upon the activation of a single detector.
- C. The smoke detectors shall be installed in accordance with the manufacturer's recommendations.

§ 97-24. False alarms.

A false alarm is any alarm, responded to by the Fire Company, where no fire, significant smoke or other emergency is found. False alarms shall be charged to the occupant (or owner in case of common areas) according to the following schedule:

- A. One false alarm in any twelve-month period: no charge.
- B. Two false alarms in any twelve-month period: warning.
- C. Three or more false alarms in any twelve-month period: billed per schedule.

§ 97-25. Fire drills.

Fire drills shall be conducted in all buildings as specified by NFPA 101, and records of these drills shall be maintained for two years for review by the Fire Marshal.

§ 97-26. Grant of relief from provisions.

The Fire Marshal shall have the power to interpret and/or grant relief from a strict interpretation of the BOCA National Fire Prevention Code when, upon application in writing by the owner or lessee, or their duly authorized agent, there appear to be practical difficulties in carrying out the strict letter of said Code; provided, however, that the spirit of the Code shall be observed, public safety secured, and substantial justice accomplished; provided further, however, that no such interpretation by the Fire Marshal shall be made without prior approval of the Borough Council and the Fire Chief. The particulars of such proposed interpretation, when granted, shall be entered upon the records of the Fire Marshal and a signed copy shall be sent to the applicant. A signed copy shall be retained by the Borough Secretary.

§ 97-27. Determination of new materials, processes or occupancies requiring permits.

The Borough Council and the Fire Marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall alter the requirement for permits as enumerated in this Code. The Fire Marshal shall post such a proposal in a conspicuous place in the Borough Fire Hall at 222 Llewelyn Road, Chester Heights, Pennsylvania and distribute copies thereof to interested persons so that they may have an opportunity to be heard.

§ 97-28. Methods of restricting access to roadways or other vehicle paths.

All gates, chains or other methods of blocking or restricting access to a private road, public road, pathway or other clearing capable of supporting vehicular traffic shall provide, at the expense of the property owner, a method of access according to § 97-21, Secured key access.

§ 97-29. Burning of brush, leaves and other natural vegetation.

- A. The burning of any brush or other type of natural vegetation from that property, on that private property, shall be allowed on any Friday or Saturday or on other days with notice to the Fire Marshal by telephone. Said burning shall be done in a controlled fashion as follows:
- (1) Leaves shall be placed in a noncombustible drum-type container with a screen or other type mesh lid approved by the Fire Marshal to control embers.
 - (2) Wood and other nonleaf vegetation may be burned in piles not to exceed 10 feet in diameter and no higher than five feet.
 - (3) Construction and other type building materials shall not be burned at any time.
 - (4) Burning of any other type of material is prohibited.
- B. All burning under this section shall be attended at all times and shall be extinguished completely at dusk. Persons not abiding by these requirements are in direct violation of the Fire Code and shall be fined accordingly.

§ 97-30. Appeals.

- A. Whenever the Fire Marshal rejects an application or refuses to grant a permit, or when it is claimed that the provisions of the Code do not apply, or that the true intent and the meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Marshal to the Borough Council within 60 days of the date of said decision.
- B. The appeal shall be submitted in writing to the Borough Secretary. The Borough Council shall render a decision within 90 days. The applicant shall be notified in writing of the decision of the Borough Council within 14 days of that decision. The decision of the Borough Council shall be final.

§ 97-31. Violations and penalties.

- A. The Fire Marshal and assistants shall have the authority to cite any person, business, corporation, or other entity who shall violate any provision of this Code, or who shall fail to comply therewith, or who shall violate or fail to comply with any order made thereafter, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Borough of Chester Heights or by a court of competent jurisdiction, within the time allowed, shall be deemed to have committed a violation of this Code (except as noted in Subsection A below) and shall upon conviction, be guilty of a summary offense which shall be punishable by a fine of not more than \$300 for each

offense or, in default thereof, may be imprisoned in the Delaware County Prison for a period not to exceed 30 days. Each day that the violation continues shall be considered a separate offense.

- B. Any person, business, corporation or other entity who or which has been cited for parking in a fire lane, fire zone, obstructing an emergency exit or entrance (any part or component of a required means of egress), fire hydrant, or fire department connection shall pay, within five days, to the Borough of Chester Heights, a fine set by the Borough for each citation. If the fine is not paid within the five days, the fine shall be increased. A new citation may be issued every day that the specific violation continues.
- C. Any person, business, corporation or other entity notified of a violation as set forth in this section, who or which does not elect to pay the fine as hereinabove provided, shall, upon summary conviction, be punishable by a fine of not less than \$35 nor more than \$300 for each violation or offense, or upon failure to pay such fine, shall be imprisoned not more than 30 days.
- D. In addition to the punishment for violations set forth in § 97-31A, B and C above, any person, business or corporation who or which parks in a fire lane or fire zone, obstructs an emergency exit or entrance, fire hydrant, or fire department connection shall be subject to have his, her, or their vehicle towed immediately and without further notice. The cost of towing and/or storage of said vehicle, shall be borne entirely by the owner thereof, in accordance with the standard schedule of charges of the towing firm then in effect.
- E. The Fire Marshal may, at his option, issue warnings to cars parked in a fire lane. Such warning shall take the form of a sticker to be placed on the driver's window of the offending vehicle.