

ORDINANCE NO. 1-1987
SHENANGO TOWNSHIP, LAWRENCE COUNTY, PENNSYLVANIA
AN ORDINANCE ADOPTING A FIRE PREVENTION CODE
REGULATING PROPERTY AND STRUCTURES AND
THEIR USES FOR THE PROTECTION OF LIFE AND
PROPERTY AGAINST THE HAZARDS OF FIRE AND
EXPLOSION: ESTABLISHING PROCEDURES FOR THE
ADMINISTRATION OF SAID CODE AND
PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED by the Board of Supervisors of the Township of Shenango, a municipal corporation situate in the County of Lawrence and Commonwealth of Pennsylvania, AND IT IS HEREBY ORDAINED:

SECTION 1. This Ordinance shall be known and may be cited as the "Fire Prevention Code of the Township of Shenango".

SECTION 2. That for the protection of life and property against the hazards of fire and explosion the codes, standards and practices appearing in the latest revision of the National Fire Codes annually published by the National Fire Protection Association, except as the same is hereinafter modified, are hereby adopted by reference, as if the same were fully set forth at length herein, as the FIRE PREVENTION CODE OF THE TOWNSHIP OF SHENANGO.

SECTION 3. That the 1984 edition of the Fire Prevention Code published by the American Insurance Association, except as the same is hereinafter modified, is hereby adopted as the Official Summary of the FIRE PREVENTION CODE OF THE TOWNSHIP OF SHENANGO and reference

thereto and citation thereof may be made solely for the purpose of convenience in all cases where the provisions of the Official Summary are equal in extent and degree to the requirements, standards and practices contained in the latest revision of the National Fire Codes annually published by the National Fire Protection Association.

SECTION 4. That the Chief of the Shenango Township Volunteer Fire Department is hereby designated as Township Fire Marshall in order to administer and enforce this Ordinance and to cause due observation of the Acts of Assembly of the Commonwealth of Pennsylvania relating to:

- (a) The prevention of fires;
- (b) The storage and use of explosives and flammables;
- (c) The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment;
- (d) The maintenance and regulation of fire escapes;
- (e) The means and adequacy of exit in case of fire, from shopping centers, retail and wholesale outlets, factories, schools, hotels, dormitories, asylums, hospitals, nursing homes, churches, halls, theaters, amphitheatres, and all other places in which numbers of persons work, live, or congregate for any purpose;
- (f) The investigation of the cause and circumstances of fires.

SECTION 5. The Fire Marshall of Shenango Township shall investigate the cause and circumstances of every fire or explosion occurring in the Township of Shenango as a result of which property

is damaged or personal injury is sustained and, so far as possible, shall determine whether said fire or explosion was the result of carelessness or design. Such investigation shall begin immediately upon the occurrence of such fire or explosion and, if it appears that the same may have been caused by design, the Fire Marshall of Shenango Township shall take charge of the physical evidence and shall notify the proper authorities designated by law to pursue the further investigation of such fire or explosion.

The owner and/or occupant of any structure or premises damaged or lost as a result of fire or explosion shall furnish a written report of the same to the Fire Marshall of Shenango Township within ninety-six (96) hours after its occurrence; such written report shall be upon a form prescribed by the Fire Marshall of Shenango Township and shall contain a statement of all facts relating to the cause and circumstances of such fire or explosion, the extent of the damage resulting therefrom the insurance upon such property, and such other information as may be reasonably requested to determine the cause and extent of damage. All such reports shall be maintained in the files of the Fire Marshall of Shenango Township.

SECTION 6. That the Shenango Township Fire Marshall shall inspect, as often as may be necessary, all structures and property EXCEPT THE INTERIORS OF PRIVATE DWELLINGS, for the purpose of discovering any condition likely to contribute to the hazards of fire or explosion, and to enforce their correction.

Any such owner or occupant failing within a reasonable time to comply with an order of the Shenango Township Fire Marshall to correct or remedy any such condition, shall be liable to the penalty hereinafter provided. Such order may be personally served upon an occupant or owner or upon any adult person in charge of the premises; in the event that personal service cannot be made, the notice may be posted in a conspicuous place near or upon the entrance or approach to the premises. Such order may be served upon any owner not in possession by certified mail, return receipt requested, dispatched to the owner's last known post office address.

SECTION 7. That the Shenango Township Fire Marshall shall establish "fire lanes" on private property devoted to public use, including without limitation, shopping centers, schools, churches, theatres, fair grounds and industrial parks, where the parking of motor vehicles or other obstructions may interfere with the flight of persons in panic and with the ingress and egress of fire fighting vehicles for the protection of persons and property. Such lanes shall be established after due conference with the owner and occupant of the property and by Resolution of the Board of Supervisors of the Township of Shenango. PROVIDED, however, that no enforcement of this provision or the penalty hereinafter provided for its violation shall be made against the traveling public unless approved signs are erected designating such lanes as may be established hereunder.

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SECTION 8. The Shenango Township Fire Marshall within thirty (30) days following the conclusion of each calendar year shall file an annual report with the Board of Supervisors of the Township of Shenango of all violations of this Ordinance and all proceedings thereunder. Such report shall also include any recommendation concerning amendments to this Ordinance which may appear to be necessary or desirable.

SECTION 9. The Shenango Township Fire Marshall shall have the power and full authority to modify any of the provisions of the Ordinance where their strict application would result in unnecessary hardship. PROVIDED, however, that the purpose and intent of this Ordinance shall be observed, the public safety secured and substantial justice done. The particulars of each modification as may be allowed shall be furnished in writing to each applicant and a copy thereof retained in the files of the Shenango Township Fire Marshall.

SECTION 10. Whenever the Shenango Township Fire Marshall shall disapprove an application for modification of any provision of this Ordinance or shall refuse to grant a permit, or when it may be claimed that the provisions of this Ordinance do not apply or that the true intent and meaning of this Ordinance has been misconstrued or wrongly interpreted, the person aggrieved thereby may appeal from the decision of the Shenango Township Fire Marshall to the Board of

Supervisors of the Township of Shenango. Such appeal must be made within thirty (30) days following the date of the decision of the Shenango Township Fire Marshall from which relief is sought.

SECTION 11. No bonfire or other outdoor fire shall be kindled or maintained in the Township of Shenango except as may hereinafter allowed or provided:

- (a) No bonfire or other outdoor fire shall be kindled or maintained upon any public street in the Township of Shenango.
- (b) No bonfire or other outdoor fire shall be kindled or maintained for the purpose of burning garbage, animal or vegetable waste, manure, rubber, plastics, furniture, beddings, car products or any other material which will create nauseous or noxious fumes, smoke or toxic chemicals. Provided, however, that this subsection shall not prohibit outdoor fires kindled and maintained for cooking purposes or outdoor bonfires kindled and maintained for recreational purposes.
- (c) Location: No bonfire or other outdoor fire shall be kindled within 15 feet from any structures and more than 15 feet from any property line of public street right-of-way.
- (d) Except as may be expressly allowed by any preceding subsection, no bonfire or outdoor fire shall be kindled or maintained unless:
 - Such fire shall be constantly attended by a competent person until such fire is extinguished; such person shall have a garden

hose connected to the water supply, or other fire extinguishing equipment, readily available for use.

- (e) Notwithstanding any other provision of this section, no fire shall be kindled before 7:00 o'clock a.m. and such fire must be wholly extinguished before 9:00 o'clock p.m., prevailing times; fire shall not be kindled on any Sunday or the following legal holiday: Good Friday.
- (f) Notwithstanding any other provision of this section, the Shenango Township Fire Marshall may prohibit any or all bonfires and other outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.

SECTION 12. Notice of Controlled Burning: Any person who burns waste materials resulting from construction or demolition of buildings or structures and for open burning of brush, dry grass and land cleaning shall notify the Shenango Township Volunteer Fire Department one (1) hour prior to the burning.

SECTION 13. That whenever the words "Chief of the Bureau of Fire Prevention: may be used in the National Fire Codes annually published by the National Fire Protection Association or in the Official Summary thereof, the same shall be construed to mean the Shenango Township Fire Marshall.

SECTION 14. That whenever the words "municipality," "town" or "city" may be used in the National Fire Codes annually published by the National Fire Protection Association or in the Official Summary thereof, the same shall be construed to mean the Township of Shenango.

SECTION 15. That whenever the words "corporation counsel" may be used in the National Fire Codes annually published by the National Fire Protection Association or in the Official Summary thereof, the same shall be construed to mean the Solicitor of the Township of Shenango

SECTION 16. The territorial limits of the Township of Shenango are hereby designated as the limits of districts in which the following matters are prohibited or restricted:

- (a) Storage of flammable liquids in outside above ground tanks (Article 16, 1970 edition of the Official Summary).
- (b) Bulk Storage of Liquefied Petroleum Gases (Article 21, 1970 edition of the Official Summary).
- (c) Storage of Explosives and Blasting Agents (Article 12, 1970 edition of the Official Summary).

SECTION 17. The following fines shall be paid following conviction for the violation of the provisions of this Ordinance:

- (a) Any person who shall violate Section 7 of this Ordinance by parking or leaving an unattended motor vehicle standing in a properly marked fire lane shall, upon conviction thereof, be sentenced to pay a fine of \$15.00 and costs of prosecution.
- (b) Any person who shall violate any other Section of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than Twenty-five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00) and/or shall undergo imprisonment for a period not exceeding thirty (30) days.

- (c) The imposition of a fine or penalty for a violation of the provisions of this Ordinance shall not permit the continuance of such violation. All such violations shall be remedied within a reasonable time as may be prescribed by the Shenango Township Fire Marshall and, when not otherwise prescribed, each ten (10) days that conditions are maintained which are prohibited by any Section of this Ordinance shall constitute a separate offense.

SECTION 18. The provisions of this Ordinance shall be severable, and if any provision thereof shall be held to be unconstitutional, invalid or illegal by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been enacted had such unconstitutional, invalid or illegal provisions not been included therein.

SECTION 19. This Ordinance shall become effective five (5) days after it is enacted.

ORDAINED AND ENACTED into an Ordinance by the Board of Supervisors of the Township of Shenango, Lawrence County, Pennsylvania, on this 9th day of April, 19~~86~~⁸⁷.

TOWNSHIP OF SHENANGO,
LAWRENCE COUNTY, PENNSYLVANIA

ATTEST:

Teusa K. Pooe
Secretary

BY Joseph Shinsky
Chairman

BY Andrew Piccirilli
Supervisor

BY Earl F. Cunningham
Supervisor