

**ORDINANCE NO. O-1-2022**

**AN ORDINANCE OF THE TOWNSHIP OF UNITY, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA REPEALING AND REPLACING CHAPTER 53 OF THE CODE OF UNITY TOWNSHIP RELATING TO HYDRANTS, STRIKING SECTION 52-9.1 OF THE CODE OF UNITY TOWNSHIP RELATING TO FIRE INSURANCE PROCEEDS AND AMENDING AND RESTATING THEM IN SECTION XI OF CHAPTER 53 HEREAFTER AND PROVIDING PENALTIES FOR THE VIOLATION OF SAME**

WHEREAS, the Board of Supervisors previously enacted Chapter 53 of the Code of Unity Township relating to "Fire Hydrants"; and

WHEREAS, the Board of Supervisors desire to repeal and replace Chapter 53 of the Code of Unity Township with a more comprehensive "Fire Prevention Code" to establish means, methods and measures to be undertaken to promote fire safety, the protection of real and personal property and prevent bodily injury and personal harm; and

WHEREAS, for continuity and ease of administration and enforcement, the Board of Supervisors desire to repeal and remove Section 52-9.1 of the Code of Unity Township relating to "Fire Insurance Proceeds" and amend and restate provisions associated with the disposition of Fire Insurance Proceeds in Section XI of Chapter 53 as set forth hereafter; and

WHEREAS, the proposed repeal, replacements and amendments are intended to promote orderly and efficient fire safety within the Township and promote the continuing public health, safety and welfare.

NOW, THEREFORE, WITH THE FOREGOING RECITALS AND FINDINGS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE BOARD OF SUPERVISORS OF UNITY TOWNSHIP HEREBY ORDAIN AND ENACT AS FOLLOWS:

1. THAT, Section 52-9.1 of the Code of Unity Township be repealed in its entirety and removed from the Code;
2. THAT, the existing Chapter 53 of the Code of Unity Township be repealed in its entirety and replaced by the amended and restated provisions of Chapter 53, attached hereto, made a part hereof and marked as Exhibit "A", such amended and restated provisions to be known hereafter as the Unity Township Fire Prevention Code;

3. THAT, the changes made to Chapter 53 of the Code are illustrated in the "redlined" version of Chapter 53 attached hereto, made a part hereof and marked Exhibit "B", with existing language appearing in black print, deleted language being "struck through" and added language "underlined".

4. THAT, any other portion, term or provision of the Code of Unity Township currently in effect, that is not modified or otherwise affected by the amendments set forth herein, shall continue in full force and effect.

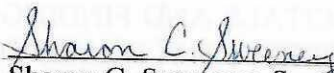
5. THAT, the provisions contained in these amendments are severable. In the event any term or provision of this Ordinance are deemed by a court of competent jurisdiction to be void or invalid, then such term or provision shall be stricken and the remaining terms and provisions shall continue in full force and effect.

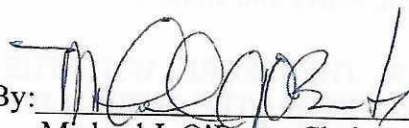
6. THAT, these changes shall be incorporated into and made a part of the Code of Unity Township and published accordingly.

THIS ORDINANCE IS DULY ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF UNITY TOWNSHIP AT A PUBLIC MEETING HELD THE 10<sup>th</sup> DAY OF FEBRUARY, 2022 AND SHALL TAKE EFFECT CONSISTENT WITH THE TERMS OF THE SECOND CLASS TOWNSHIP CODE.

ATTEST:

THE BOARD OF SUPERVISORS OF  
UNITY TOWNSHIP

  
Sharon C. Sweeney, Secretary

By:   
Michael J. O'Barro, Chairman

## CHAPTER 53 - FIRE PREVENTION CODE

### SECTION I - ADMINISTRATION

#### § 53-1. Statement of Purpose and Adoption of Standards.

This Chapter shall be known as the "Unity Township Fire Prevention Code, and is enacted for the purpose of prescribing regulations designed to protect against conditions hazardous to life and property from fires and/or explosion, To the extent other portions of the Code of Unity Township, or the provisions of the Pennsylvania Uniform Construction Code in the form enforced in Unity Township, make provision for the storage or handling of combustible or flammable materials not otherwise regulated by this Chapter, such provisions shall remain in full force and effect and may be enforced under and consistent with the terms of same.

- A. **Scope.** The provisions of this Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.
- B. **Existing structures.** The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as otherwise specifically provided in this code.
- C. **Buildings not previously occupied.** A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion, shall comply with the applicable provisions of this Code for new construction or with any current permit for such occupancy.
- D. **Buildings previously occupied.** The legal occupancy of any building existing on the date of adoption of this Code shall be permitted to continue without change, except as otherwise specifically provided in this Code or as is deemed necessary by the Fire Code Official for the general safety and welfare of the occupants and the public.
- E. **General.** Where there is a conflict in this Code between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this Code authorize alternative methods of compliance, the most restrictive shall apply.
- F. **Other laws.** The provisions of this Code shall not be deemed to waive compliance with the provisions of any other state or federal law or local Code Section or Ordinance.

**G. Conflicts.** Unless otherwise stated herein, where conflicts occur between provisions of this Code and any other Codes and standards, the provisions of this code shall apply.

**H. Unlawful acts.** It shall be unlawful for any person, entity, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Code; or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

### **§53-2. Enforcement**

The Fire Prevention Code shall be enforced by the Township of Unity through its Code Enforcement Office and Officers. The Township shall designate a Code Enforcement Officer who has the requisite knowledge, education, background, experience and/or certifications in fire safety as "Fire Code Official" for purposes of this Ordinance.

- A. General.** The Fire Code Official appointed by the Township is authorized and directed to enforce the provisions of this Code. The Fire Code Official shall have the authority to render interpretations of this code and adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code.
- B. Applications and permits.** The Fire Code Official shall receive applications, review all documents, issue permits for the erection, perform inspections of the premises for which such permits have been issued and enforce compliance with the provisions of this code.
- C. Validity of permit.** The issuance or granting of a permit shall not be construed to be a waiver or approval of any violation of any of the provisions of this Code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or waive the provisions of this Code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in any documents and other data. The Fire Code Official is authorized to prevent occupancy or use of a structure where same would result in a violation of this Code or of any other ordinances of this jurisdiction.
- D. Expiration.** Every permit issued shall be void and invalid unless any work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Fire Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- E. Suspension or revocation.** The Fire Code Official is authorized to suspend or revoke a permit issued under the provisions of this Code wherever the permit is issued in error or



issued on the basis of incorrect, inaccurate or incomplete information, or issued in violation of any ordinance or regulation or any of the provisions of this Code.

- F. **Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.
- G. **Payment of fees.** A permit shall not be valid until the fees prescribed by the Township of Unity have been paid, nor shall an amendment to a permit be released until any additional fee, if any, has been paid. Permit fees under this Code shall be established, and may be modified, by Resolution of the Board of Supervisors of Unity Township.
- H. **Work commencing before permit issuance.** Any person who commences any work required under this Code before obtaining the necessary permits shall be in violation of this Code.
- I. **Notices and orders.** The Fire Code Official shall issue necessary notices or orders to ensure compliance with this code.
- J. **Records.** The Fire Code Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.
- K. **Liability.** The Fire Code Official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.
- L. **Legal defense.** Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The Fire Code Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

### **§ 53-3. Filing of complaints.**

Any complaints concerning violations of this Chapter shall be made to the Fire Code Official of Unity Township. Any violations of this chapter shall be enforced by the Township and/or the Fire Code Official consistent with the terms set forth hereafter.

- A. Notice of violation.** The Fire Code Official is authorized to serve a notice of violation or order on the person responsible any act, or failure to act, in violation this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order may direct the discontinuance of any violation of this Code, or condition on the property deemed in violation of this Code, and the abatement of the violation within a time period prescribed by the Fire Code Official and set forth in the Notice of Violation.
- B. Stop Work Order.** Where the Fire Code Official finds any work regulated by this Code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Fire Code Official is also authorized to issue a stop work order.
- C. Unlawful continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties proscribed hereafter.
- D. Prosecution of violation.** If the notice of violation is not complied within the period of time for abatement, the Fire Code Official, in addition to the pursuit of any other penalty for violation set forth in this Code hereafter, is authorized to request the Township Solicitor to institute an appropriate proceeding to restrain, correct or abate such violation, or to require the removal or termination of an unlawful occupancy of the building or structure in violation of the provisions of this Code, to compel compliance with the order or direction of the Fire Code Official, or request such other relief as may be required to correct the circumstances giving rise to the notice of violation.

#### **§ 53-4. Right of Entry and Availability for Inspection.**

All buildings or portions thereof which are subject to compliance with any term or provision contained in this Chapter, shall be made available for inspection by a Fire Code Official during (a) a specific date and time scheduled for inspection with the owner or other person in charge of the building, or (b) the normal operating hours for such building. The failure to make any building or portion thereof available for inspection shall be a violation of this Chapter.

- A. General.** Any work for which a permit is required shall be subject to inspection by the Fire Code Official and shall remain accessible and exposed for inspections until final approval is received. Approval as a result of an inspection shall not be construed to be an approval of any condition which may later be discovered to be a violation of this Code or of any other Federal or State Law, Township Ordinance or any other provision of the Code of Unity Township. Inspections presuming to give authority to the violation or waiver of the provisions of this Code or of other law, ordinance or provision of the Code of Unity Township shall not be deemed or construed to be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain accessible and exposed for inspection purposes. Neither the Fire Code Official nor the Township of Unity shall be

liable for any cost or expense incurred by a property owner for the removal or replacement of any material required to allow inspection.

- B. **Inspections.** The Fire Code Official may either (1) make any required inspections, or, in the alternative, (2) agree to accept reports of inspections and certifications by approved agencies or individuals responsible for the installation and performance of any facility required under this Code. Reports of such inspections and/or certifications shall be in writing and executed by a responsible officer of such approved agency or by the responsible individual. The Township may retain the services of a third party/independent expert to review, comment and/or report upon unusual technical issues that arise during the course of any inspection.
- C. **Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this Code, or where the Fire Code Official has reasonable cause to believe that a condition exists in a structure, or upon a premises, that is contrary to or in violation of this Code, or that makes the structure or premises unsafe, dangerous or hazardous, the Fire Code Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this Code. If such structure or premises is occupied the Fire Code Official's credentials shall be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Fire Code Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Fire Code Official shall have recourse to the remedies provided by law to secure entry.
- D. **Alternative materials, design and methods of construction and equipment.** The provisions of this Code are not intended to prevent an alternative method of compliance not specifically prescribed by this Code, provided that any such alternative has been approved by the Fire Code Official. An alternative method of compliance may only be approved where the Fire Code Official determines that the proposed alternative method is satisfactory, complies with the intent of the provisions of this Code, and the alternative method offered provides equivalent or better protection than the method prescribed in this Code. Where the alternative method of compliance is not approved, the Fire Code Official shall notify the property owner, in writing, of the reasons why the alternative was not approved.
- E. **Tests.** Whenever there is insufficient evidence of compliance with the provisions of this Code, or evidence that an alternative method of compliance does not conform to the requirements of this Code, or in order to substantiate claims for use of alternative methods, the Fire Code Official may require tests of the alternative method to be made as evidence of compliance. Test methods shall be as specified by recognized test standards. In the absence of recognized and accepted test methods, the Fire Code Official shall approve the testing procedures. Tests shall be performed by an agency approved by the Fire Code Official. Reports of such tests shall be retained by the Fire Code Official for the period

required for retention of public- records. The costs of all testing shall be born by the property owner or person, entity, corporation or firm seeking to implement the alternative method of compliance.

- F. **Final inspection.** The final inspection shall be made after all work required by the permit is completed.
- G. **Use and occupancy.** A building or structure shall not be used or occupied, and no change in the existing use or occupancy classification of a building or structure, or portion thereof shall be made, until the Fire Code Official has issued a certificate of occupancy as provided herein. The issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.
- H. **Periodic Inspections.** The Fire Code Official may require, and conduct, inspections of all properties, occupancies and businesses required to install or maintain any fire suppression system, rapid entry key box, or other facility required to be constructed and/or maintained under this Chapter to ensure that such fire suppression system, rapid entry key box, or other facility required to be constructed and/or maintained under this Chapter is functioning properly. Such inspection may be scheduled at any time, at random and at the discretion of the Fire Code Official, provided, however, that the property owner or manager of such property is provided at least twenty-four hours advance notice of the inspection and the time and date scheduled for same does not unreasonably interfere with the operations of the Owner of, or tenant on, the property. Inspections may also be required, without prior notice to the Property Owner or tenant where the Fire Code Official has received a complaint regarding the functionality of such system, a fire on the property has occurred, or a fire suppression system or other system regulated by this Ordinance has discharged without a fire occurring.

#### **§ 53-5. Modification.**

The Board of Supervisors may, at their sole discretion and with the approval of the Fire Code Official, grant modifications from strict compliance with the requirements of this Chapter if (1) the affected property owner demonstrates that strict compliance with the terms of this chapter is unreasonable or can only be accomplished at prohibitive cost, or (2) the affected property owner demonstrates that compliance with the terms, spirit and/or intent of this chapter can be achieved through alternative means or methods acceptable to the Township.

### **SECTION II – FIRE HYDRANTS**

**§ 53-6. Purpose.** These regulations are adopted and implemented to achieve the following general purposes and objectives:



- A. To set forth standard criteria for the specification and location of fire hydrants installed throughout the municipality of Unity Township. This standard applies to all fire hydrants, including dry hydrants and wall hydrants; and
- B. To regulate the intentional or unintentional obstruction, damage or misuse of fire hydrants.

**§ 53-7. Definitions.** As used in this chapter, the following terms shall have the meanings indicated:

**APPROVED** — Accepted by or approved by the Township officials.

**DRY HYDRANT** — A permanent piping system, normally used for drafting or as a support device for interior water distribution devices.

**FIRE HYDRANT** — A valved connection on a water supply system having one or more outlets and that is used to supply hose and Fire Department pumpers with water.

**MUNICIPAL AUTHORITY** — The Latrobe Municipal Authority or the Municipal Authority of Westmoreland County or their successors.

**MUNICIPAL WATER LINE EXTENSION** — Any new line, extension of an existing line or replacement of an existing water line having a diameter of six inches or greater.

**ORNAMENTAL FIRE HYDRANT** — Any actual or fake fire hydrant or any object which is not connected to an adequate water supply and could be mistaken for a serviceable fire hydrant due to its shape, color, appearance or location.

**PLANNED BUILDING GROUP** — Multiple structures or subdivision developments constructed on a parcel or parcels under the ownership, control or development by an individual, a corporation, a partnership or a firm.

**PRIVATE ROAD** — An accessway normally intended for vehicular use and not dedicated as a public street.

**PUBLIC ROAD** — Any thoroughfare which has been dedicated for vehicular use by the public.

**SERVICEABLE FIRE HYDRANT** — Any fire hydrant used to supply water to a fire department for the purpose of supporting fire-fighting operations

**§53-8. Hydrant location.**

- A. Any subdivision plan, planned building group or any site plan presented to the Township for approval shall provide details of the location of all fire hydrants. The fire hydrants provided for can either be installed immediately at the cost of the contractor or the appropriate funds can be placed in escrow with the Treasurer of the Township of Unity, the same to be erected at such time as sufficient houses are built within 660 feet of the same; provided, however, that should they be installed immediately, then an escrow fund

to ensure the payment of the tax to be levied thereon, covering the payment due on the fire hydrants for the first three years, shall be established by the contractor prior to the approval of any plan.

- B. All municipal water line extensions installed along roadways within the Township, whether installed by the municipal authority, private contractors or municipality, shall be required to locate a fire hydrant every 1,200 feet along the extension. Such extensions shall have the first hydrant placed at the point of tap onto the existing line. If an existing hydrant is located within 1,200 feet of the extension tap point, the first hydrant can be located at a point measured 1,200 feet from said existing hydrant, but in no case shall fire hydrants be located further than 1,200 feet from the next closest hydrant. Additional hydrants shall be required every 1,200 feet thereafter. This rule shall apply to all public or private water line extensions with a diameter of six inches or greater.
- C. Fire hydrants for areas of multi-family and commercial structures shall be installed within 500 feet from the structure but not less than 50 feet from the structure.
- D. All commercial structures with standpipes and/or sprinkler systems must have a hydrant installed within 200 feet and not less than 50 feet from the Fire Department connection.
- E. All fire hydrants located in parking areas shall be protected by barriers that will prevent physical damage from vehicles without obstructing hydrant operations.
- F. All fire hydrants shall be located no less than six feet and no more than eight feet from the curb or edge of the paved surface throughout the Township.
- G. Fire hydrants shall not be supplied by lines of less than six inches in diameter.
- H. No person other than those authorized by the Township or the Water Authority shall paint any fire hydrant.
- I. Ornamental fire hydrants shall not be located in any yard location where they can be mistaken for a serviceable hydrant used for fire protection.

**§ 53-9. Hydrant thread size and outlet**

- A. Only approved fire hydrants installed to water authority specifications shall be installed as part of the fire protection system within the Township of Unity. All fire hydrants shall contain three service outlets. One outlet shall be National Standard Thread sized 4.5 inches terminating with a male thread and cap. There shall be 2.5 inch outlets terminating the male thread and caps. The thread size for the 2.5 inch connections shall be consistent with the connections of the fire department that services the area.
- B. It shall be the responsibility of the installer to ensure the hydrant is fitted with the correct thread for the service area. Any changes necessary will be the responsibility of the installer.

**§ 53-10. Hydrant installation.**

When infrastructure is being installed, and prior to the location and construction of buildings or portions thereof, the water supply for fire protection, either temporary or permanent, shall be made available prior to delivery of combustible materials. Temporary water supplies must be approved by the Unity Township Ordinance Officer.

**§ 53-11. Obstruction, damage or misuse.**

- A. It shall be unlawful for any person to reduce the effectiveness of operation of any serviceable fire hydrant by obstructing in any way the access to any connection.
- B. It shall be unlawful for any person to cause damage to or misuse any serviceable fire hydrant so as to prevent or restrict its operational effectiveness.
- C. It shall be unlawful for a serviceable fire hydrant to be used for any reason other than its intended use of public fire protection unless written permission has been received from the Unity Township Ordinance Officers or the Municipal Authority.
- D. It shall be unlawful for any person or property owner to allow bushes, shrubbery, trees or other types of vegetation to grow large enough to obstruct from clear view a serviceable fire hydrant as seen from the street or roadway.

**SECTION III- INGRESS, EGRESS AND RAPID ENTRY KEY BOX SYSTEMS**

**§53.12 PURPOSE**

The Board of Supervisors of Unity Township hereby finds that the lack of a high speed, common key secured entry system in those structures herein defined (i) impedes access by fire fighters and other emergency service personnel, (ii) unreasonably extends response times, (iii) results in the increased risk of damage to property and harm to the residents of the Township, and (iv) poses a threat to the public health, safety and welfare. The Board of Supervisors also find that actions which narrow, impede, block, delay or otherwise impair access to emergency exits within places of assembly, or which preclude the safe and rapid entry by firefighters or other emergency personnel endangers and threatens the public health, safety and welfare. The purpose of this section is to require owners of commercial properties, churches and multi-family dwellings to provide rapid entry key box systems to enable firemen and other emergency personnel to have immediate access to commercial properties, churches and/or residential dwellings which do not have immediate access from an outside entry, and to ensure that emergency entrances and exits, and other areas required for emergency ingress and egress, are identified and maintained consistent with the provisions of this Section

**§53.13 DEFINITIONS**

**Common Key Rapid Entry Key Box** – A fireproof and secure box or other structure affixed to the outside of a required structure, approved for use by the Board of Supervisors, containing keys

for the entry of all units within the required structure and having a single-entry key in common with all other entry boxes in the Township of Unity.

**Required Structure** – Any structure required to have a common key rapid entry key box pursuant to the terms of this Section. A “required structure” for purposes of this Section shall be deemed to include, but not be limited to, all commercial buildings housing a commercial enterprise within the Township, regardless of the zoning classification in which it is located, all churches, a residential dwelling unit which does not have an independent exterior entry through a ground level door and any multi-family dwelling having a unit or units accessed through a common hallway or entryway. Nothing in this Section shall be deemed or construed to prohibit the owners of other property within the Township to voluntarily install a common key rapid entry key box pursuant to the terms of this Ordinance. The Township may approve an exception from the requirements of this Section upon a showing of compelling circumstances.

#### **§53.14. IMPLEMENTATION**

The owner of any required structure shall install and maintain a common key rapid entry key box on the exterior of the structure at or near a common entry door, in a location approved by the Township, to provide access to interior units by the Volunteer Fire Departments of Unity Township and/or other emergency service personnel. Such key box shall be installed on the required structure upon any change in occupants of any commercial structure or the change in occupants of any dwelling unit within a required residential structure. An approved lock shall be installed on gates or similar barriers when required by the fire code official. The foregoing notwithstanding, all required structures shall cause such key boxes to be installed no later than one (1) year from the date of this Section’s enactment.

#### **§53.15. BOX TYPE AND RESPONSIBILITY FOR COST AND EXPENSE**

The type of common key rapid entry key box installed shall be approved by the Township and have a common entry key in common with all other common key rapid entry key boxes within the Township. The cost of acquisition and installation of the common key rapid entry key box shall be paid by the owner of the required property.

#### **§53.16. ACCESS KEYS**

The owner of any required structure shall provide, place and keep copies of keys to the required structure and all units within the required structure in the common key rapid entry key box and shall clearly label each key with the door and number of each unit such key opens and/or serves. The Township shall obtain the common key for the box from the manufacturer of same and same shall be provided to the Chief of the Volunteer Fire Department having primary jurisdiction over the location in which the box is located. It is the continuing responsibility of the owner of the required structure to ensure that an up-to-date key is enclosed in the Knox Box.



#### **§53.17. REGISTRATION AND REPORTING**

The owner of any required structure shall provide the name, address, phone number and any other emergency contact information of a person in charge of the required structure to the Township at the time the rapid entry key box is installed. The owner shall also report any change in the person in charge, change in the contact information of the person in charge, or any change in the locks for the required structure within ten (10) days of same.

#### **§53.18 PRESERVATION AND MAINTENANCE OF EXISTING SYSTEMS**

In the event any required structure has an existing fire suppression system and/or fire notification system, and experiences a change in ownership or occupancy, the existing fire suppression system and/or fire notification system shall not be removed, but shall remain and be maintained in good working order. The owner of any required structure shall provide evidence that the fire suppression system and/or fire notification system is functioning properly every five (5) years from the date of this Section's adoption. The Township may also require additional testing or proof that the system is functioning properly in the event a failure or malfunction of same is reported or observed. In the event repairs are necessary, same shall be performed within a time period established by the Township.

#### **§53.19 EMERGENCY LIGHTING, EXIT LIGHTING AND SIGNAGE**

All emergency lighting and/or exit lighting in required structures shall be maintained in good working order, and in locations proscribed by the Uniform Construction Code, at all times. All emergency exit signage in required structures shall also be maintained in areas proscribed by the Uniform Construction Code at all times.

#### **§53.20 EMERGENCY ACCESS, INGRESS AND EGRESS ROUTES**

All egress widths required by the Uniform Construction Code shall be maintained at all times. The owner, occupant or other person responsible for the operation, maintenance or control of any required structure shall keep all entryways, ingress or egress routes, open and free from merchandise, furniture, debris or other materials that would reduce the required egress widths. No locking devices prohibited by the Uniform Construction Code (as amended) shall be installed on any entryway or exit to prohibit, limit or interfere with ingress or egress.

### **SECTION IV - FIRE APPARATUS ACCESS ROADS**

**53.21 Where required.** Fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the Township. The fire apparatus access road shall be approved in size and location by the fire code official on a case-by-case basis, giving considering the location, size and physical features of the property.

**53-22 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established and approved by the fire code official for same shall be maintained at all times.

**53-23 Required gates or barricades.** The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways.

**53.24 Secured gates and barricades.** When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed at the direction of the fire code official shall not be trespassed or used unless authorized by the owner and the fire code official. Provided, however, that this restriction shall not apply to public officers acting within the scope of their official duties.

**53.25 Security gates.** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

## **SECTION V - FIRE SUPPRESSION SYSTEMS AND NO SMOKING AREAS**

### **§53-26. Filling Stations.**

A. In addition to any other requirements of the Pennsylvania Uniform Construction Code enforced within the Township, or any other applicable statute or Ordinance, every self-service or other gasoline filling station located in the Township of Unity shall install the following:

1. A total fire suppression system designed by a fire suppression system engineer and approved by the Township with automatic firing capability and manual firing capability from both the service island and from the control point in the station.
2. A self-energized fire alarm box, designed to activate automatically if there is a firing of the suppression system either automatically or manually, and located on the outside of the station's structure in an area approved by the Township.
3. A manual pull station located at the control desk in the station.

B These provisions shall apply to all new stations and existing stations in the Township of Unity who have not yet installed fire suppression systems.

**§53-27 - No Smoking Areas.** At all gasoline filling stations, at all locations where propane is stored, in any areas of piers, wharves, warehouses, stores, industrial plants, health-care occupancies, laboratories, places of assembly, schools, school buses and in open spaces where flammable, combustible or hazardous materials are manufactured, stored or handled, or where other conditions exist to the extent smoking would present an increased risk of fire or explosion, The Township is empowered and authorized to order the owner or occupant to post "No Smoking"

signs in each building, structure, room, area or place in which smoking is to be prohibited. The Township shall designate the specific safe locations in any building, structure, area or place in which smoking is to be permitted.

## **VI - PREMISES IDENTIFICATION**

**53-28 Address numbers.** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Number shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.5 inches (12.7 mm).

**53-29 Street or road signs.** Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and maintained until replaced by permanent signs.

## **VII - FIRE PROTECTION WATER SUPPLIES**

**53-30 Required water supply.** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed, or moved into, within the Township.

**53-31 Type of water supply.** A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

- A. Private fire service mains.** Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.
- B. Water tanks.** Water tanks for private fire protection shall be installed in accordance with NFPA 22.

**53-32 Fire flow.** Fire flow requirements for buildings and facilities, or portions of buildings and facilities, shall be determined by an approved method.

**53-33 Water supply test.** The fire code official shall be notified prior to the water supply test. Water supply tests shall either be witnessed by the fire code official, or approved documentation of the test shall be provided to the fire code official, prior to final approval of the water supply system.

**53-34 Fire hydrant systems.** Fire hydrant systems shall be installed consistent with the provisions of the Uniform Construction in effect and administered within the Township at the time a building permit application is submitted. All fire hydrant systems shall be subject to review and approval by the fire code official.

- A. Inspection, testing and maintenance.** Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where they are, or become, defective. Additions, repairs, alterations and servicing shall comply with approved standards.
- B. Private fire service mains and water tanks.** Private fire service mains and water tanks shall be periodically inspected, tested and maintained at the discretion of the fire code official.
- C. Obstruction.** Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.
- D. Clear space around hydrants.** A 3 foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

#### **VIII - FIRE DEPARTMENT ACCESS TO EQUIPMENT**

**53-35 Identification.** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

#### **IX - ELECTRICAL EQUIPMENT, WIRING AND HAZARDS**

**53-36 Abatement of electrical hazards.** Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the code official responsible for enforcement of *the National Electrical Code*. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

**53-37 Illumination.** Illumination shall be provided for service equipment areas, motor control centers and electrical panelboards.

**53-38 Working space and clearance.** A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space, except where:



- A. Other dimensions are required or allowed by the ICC *Electrical Code*; or
- B. Access openings into attics or under-floor areas provide a minimum clear opening of 22 inches (559 mm) by 30 inches (762 mm).

**53-39 Labeling.** Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.

**53-40 Multiplug adapters.** Multiplying adapters, such as cube adapters, unfused plug strips or any other device not complying with the *National Electrical Code* shall be prohibited.

- A. **Power tap design.** Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363.
- B. **Power supply.** Relocatable power taps shall be directly connected to a permanently installed receptacle.
- C. **Installation.** Relocatable power tap cords shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage.

**53-41 Extension cords.** Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.

- A. **Power supply.** Extension cords shall be plugged directly into an approved receptacle, power or tap or multiplug adapter and, except for approved multiplug extension cords, shall serve only one portable appliance.
- B. **Ampacity.** The ampacity of the extension cords shall not be less than the rated capacity of the portable appliance supplied by the cord.
- C. **Maintenance.** Extension cords shall be maintained in good condition without splices, deterioration or damage.
- D. **Grounding.** Extension cords shall be grounded when serving grounded portable appliances.

**53-42 Unapproved conditions.** Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

**53-43 Appliances.** Electrical appliances and fixtures shall be tested and listed in published reports of inspected electrical equipment by an approved agency and installed and maintained in accordance with all instructions included as part of such listing.

**53-44 Electrical motors.** Electrical motors shall be maintained free from excessive accumulations of oil, dirt, waste and debris.

**53-45 Temporary wiring.** Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. Temporary wiring methods shall meet the applicable provisions of the *National Electrical Code*. Provided, however, that:

- A. Temporary wiring for electrical power and lighting installations is allowed during periods of construction, remodeling, repair or demolition of buildings, structures, equipment or similar activities and
- B. Temporary wiring attached to a structure shall be attached in a manner approved by the fire code official.

**53-46. Portable, electric space heaters.** Portable electric space heaters shall comply with Sections A through D hereafter.

- A. **Listed and labeled.** Only listed and labeled portable, electric space heaters shall be used.
- B. **Power supply.** Portable, electric space heaters shall be plugged directly into an approved receptacle.
- C. **Extension cords.** Portable, electric space heaters shall not be plugged into extension cords.
- D. **Prohibited areas.** Portable, electric space heaters shall not be operated within 3 feet (914 mm) of any combustible materials. Portable, electric space heaters shall be operated only in locations for which they are listed.

## **X - FIRE PROTECTION SYSTEMS - GENERAL**

**53-47 Scope.** The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance of all fire protection systems. All new fire protection systems or modifications to existing fire protection systems shall be approved by the Township.

**53-48 Construction documents.** The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation.

**53.49 Statement of compliance.** Before requesting final approval of the installation, where required by the fire code official, the installing contractor shall furnish a written statement to the fire code official that the subject fire protection system has been installed in accordance with approved plans and has been tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement.

**53-50 Permits and approvals.** All fire protection systems shall be installed consistent with the terms of the Uniform Construction Code in effect in the Township at the time a building permit application is made and shall be approved by the fire code official. No new fire protection system shall be installed, and no existing system shall be modified or replaced, without a permit from the fire code official.

**53-51 Installation.** Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

- A. Required fire protection systems.** Fire protection systems required by this code or the *International Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code.
- B. Nonrequired fire protection systems.** Any fire protection system or portion thereof not required by this code or the *International Building Code* shall be allowed to be furnished for partial or complete protection provided such installed system meets the requirements of this code and the *International Building Code*.
- C. Additional fire protection systems.** In occupancies of a hazardous nature, where special hazards exist in addition to the normal hazards of the occupancy, or where the fire code official determines that access for fire apparatus is unduly difficult, the fire code official shall have the authority to require additional safeguards. Such safeguards include, but shall not be limited to, the following: automatic fire detection systems, fire alarm systems, automatic fire-extinguishing systems, standpipe systems, or portable or fixed extinguishers. Fire protection equipment required under this section shall be installed in accordance with this code and the applicable referenced standards.
- D. Appearance of equipment.** Any device that has the physical appearance of life safety or fire protection equipment but that does not perform that life safety or fire protection function, shall be prohibited.

**53-53. Installation acceptance testing.** Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests

as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before any required acceptance testing.

**53-53. Occupancy.** It shall be unlawful to occupy any portion of a building or structure until the required fire detection, alarm and suppression systems have been tested and approved.

**53-54 Inspection, testing and maintenance.** Fire detection, alarm and extinguishing systems shall be maintained in an operative condition, at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed.

**53-55. Standards.** Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in the Table of Fire Protection System Maintenance Standards set forth in Section A below:

**A. TABLE OF FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

<b>System</b>	<b>Standard</b>
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

**B. Records.** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the fire code official upon request.

**C. Records information.** Initial records shall include the name of the installation contractor, type of components installed, manufacturer of the components, location and number of components installed per floor. Records shall also include the manufacturers' operation and maintenance instruction manuals. Such records shall be maintained on the premises.

**53-56 Systems out of service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. Where required and/or utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

**A. Impairment coordinator.** The building owner shall assign an impairment coordinator to comply with the requirements of this section. In the absence of a specific designee, the owner shall be considered the impairment coordinator.



- B. Tag required.** A tag shall be used to indicate that a system, or portion thereof, has been removed from service.
- C. Placement of tag.** The tag shall be posted at each fire department connection, system control valve, fire alarm control unit, fire alarm annunciator and fire command center, indicating which system, or part thereof, has been removed from service. The fire code official shall specify where the tag is to be placed.
- D. Preplanned impairment programs.** Preplanned impairments shall be authorized by the impairment coordinator. Before authorization is given, a designated individual shall be responsible for verifying that all of the following procedures have been implemented.
1. The extent and expected duration of the impairment have been determined.
  2. The areas or buildings involved have been inspected and the increased risks determined.
  3. Recommendations have been submitted to management or building owner/manager.
  4. The fire department has been notified.
  5. The insurance carrier, the alarm company, building owner/manager, and other authorities have jurisdiction have been notified.
  6. The supervisors in the area to be affected have been notified.
  7. A tag impairment system has been implemented.
  8. Necessary tools and materials have been assembled on the impairment site.
- E. Emergency impairments.** When unplanned impairments occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 53-56.4.
- F. Restoring systems to service.** When impaired equipment is restored to normal working order, the impairment coordinator shall verify that all of the following procedures have been implemented:
1. Necessary inspections and tests have been conducted to verify that affected systems are operational.
  2. Supervisors have been advised that protection is restored.

3. The fire department has been advised that protection is restored.
4. The building owner/manager, insurance carrier, alarm company and other involved parties have been advised that protection is restored.
5. The impairment tag has been removed.

**53-57 Removal of or tampering with equipment.** It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system, or other fire appliance required by this code except for the purpose of extinguishing fire, training purposes, recharging or making necessary repairs, or when approved by the fire code official.

- A. Removal of or tampering with appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags or seals which have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed, tampered with or otherwise vandalized in any manner.

**53-58 Recall of fire protection components.** Any fire protection system component regulated by this code that is the subject of a voluntary or mandatory recall under federal law shall be replaced with approved, listed components in compliance with the referenced standards of this code. The fire code official shall be notified in writing by the building owner when the recalled component parts have been replaced.

**53-59 Hose threads.** Fire hose threads and fittings used in connection with automatic sprinkler systems shall be as prescribed by the fire code official.

**53-60 Fire department connections.** The location of fire department connections shall be approved by the fire code official.

**53.61 Location of Class I standpipe hose connections.** Class I standpipe hose connections shall be provided in all of the following locations:

- A. In every required stairway, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at an intermediate floor level landing between floors, unless otherwise approved by the fire code official.
- B. On each side of the wall adjacent to the exit opening of a horizontal exit. Provided, however, that where floor areas adjacent to a horizontal exit are reachable from exit stairway hose connections by a 30-foot (9144mm) hose stream from a nozzle attached to 100 feet (30480mm) of hose, a hose connection shall not be required at the horizontal exit.
- C. In every exit passageway, at the entrance from the exit passageway to other areas of a building.

- D. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall.
- E. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a hose connection located either on the roof or at the highest landing of a stairway with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.
- F. Where the most remote portion of a non-sprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

**53-62 Protection.** Risers and laterals of Class I standpipe systems not located within an enclosed stairway or pressurized enclosure shall be protected by a degree of fire resistance equal to that required for vertical enclosures in the building in which they are located. Provided, however, that in buildings equipped throughout with an approved automatic sprinkler system, laterals that are not located within an enclosed stairway or pressurized enclosure are not required to be enclosed within fire-resistance-rated construction.

**53-63 Interconnection.** In buildings where more than one standpipe is provided, the standpipes shall be interconnected in accordance with NFPA 14.

## **SECTION XI - FIRE LOSS INSURANCE PROCEEDS**

**§53-64 Purpose.** The purpose of this Section is to implement, and continue in operation, the provisions set forth in 40 P.S. 638, relating to the duties and obligations of insurers for the disposition of fire loss proceeds and the payment over of portions of same to the Township.

**§53-65 Municipal certificate required prior to payment of fire loss claims.**

- A. No insurance company, association or exchange doing business in this Commonwealth shall pay a claim of a named insured for fire damage to a structure located within the Township where the amount recoverable for the fire loss to the structure under all policies exceeds Seven Thousand Five Hundred Dollars (\$7,500), unless (1) the insurance company, association or exchange is furnished with a certificate pursuant to subsection "B" of this section and (2) there is compliance with the procedures set forth in subsections "C" and "D" of this section.
- B. (1) The Township Treasurer shall - upon receipt of a written request of the named insured or insurer, containing (a) the tax description of the property (b) the name and address of the insurance company, association or exchange, and (c) the date agreed upon by the insurance company, association or exchange and the named insured as the date of the

receipt of a loss report of the claim - furnish the insurance company, association or exchange either of the certificates, where applicable, within fourteen (14) working days of the Treasurer's receipt of the request:

- (i) A certificate confirming that, as of the date specified in the request, there are no delinquent taxes, assessments, penalties or user charges against the property and that, as of the date of the Treasurer's certificate, the Township has not incurred any costs for the removal, repair or securing of a building or other structure on the property; or
- (ii) A certificate and bill showing the amount of delinquent taxes, assessments, penalties and user charges against the property as of the date specified in the request that have not been paid as of the date of the certificate and/or the amount of the costs, if any, that have been incurred by the Township for the removal, repair or securing of a building or other structure on the property. For the purposes of this subsection, the Township shall certify to the Treasurer the total amount, if any, of such costs. Also for purposes of this subsection, a tax, assessment, penalty or user charge becomes delinquent at the time and on the date a lien could otherwise have been filed against the property by the municipality under applicable law.

(2) (i) Upon the receipt of a certificate pursuant to B(1)(i) of this subsection, the insurance company, association or exchange shall pay the claim of the named insured in accordance with the policy terms, unless the loss agreed to between the named insured and the company, association or exchange equals or exceeds sixty per cent (60%) of the aggregate limits of liability on all fire policies covering the building or other structure. In the case of such a loss, the insurance company, association or exchange, the insured property owner and the Township shall follow the procedures set forth in subsections (c) and (d) of this section.

(ii) Upon the receipt of a certificate and bill pursuant to B(1)(ii) of this subsection, the insurance company, association or exchange shall return the bill to the Treasurer and transfer to the Treasurer an amount from the insurance proceeds necessary to pay the taxes, assessments, penalties, charges and costs as shown on the bill. The Township shall receive the amount and apply or credit it to payment of the items shown in the bill.

C. When the loss agreed to between the named insured and the company, association or exchange equals or exceeds sixty per centum (60%) of the aggregate limits of liability on all fire policies covering the building or other structure, the insurance company, association or exchange shall transfer from the insurance proceeds to the Township Treasurer a sum in the aggregate equal to two thousand dollars (\$2,000) for each fifteen thousand dollars (\$15,000), and each fraction of that amount, of the claim. Provided, however, that if at the time of a loss report the named insured has submitted a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure in an amount less than the amount calculated under the foregoing transfer formula, the insurance company,

association or exchange shall transfer from the insurance proceeds the amount specified in the contractor's signed estimate. The transfer of proceeds shall be made on a pro rata basis by all companies, associations or exchanges insuring the building or other structure. Policy proceeds remaining after the transfer to the Township shall be disbursed in accordance with the policy terms. The named insured may submit a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure after the transfer, and the Township Treasurer shall return the amount of the fund in excess of the estimate to the named insured if the Township has not commenced to remove, repair or secure the building or other structure.

- D. Upon receipt of those proceeds as authorized by this section, the Township Treasurer shall place the proceeds in a separate fund to be used solely as security against the total costs incurred by the Township of removing, repairing or securing any building or property, including, without limitation, any engineering, legal or administrative costs or fees incurred by the Township in connection with same. When transferring the funds as required in subsection "C" of this section, an insurance company, association or exchange shall provide the Township with the name and address of the named insured, whereupon the Township shall contact the named insured, certify that the proceeds have been received by the Township and notify the named insured that the procedures under this subsection will be followed. The funds held by the Township shall be returned to the named insured after repairs, removal or securing of the property, building or other structure have been completed and the Township has not incurred any costs for repairs, removal or securing the building or other structure as set forth above. If the Township has incurred costs for repairs, removal or securing of the building or other structure as set forth above, the costs shall be paid from the fund, and, if excess funds remain, the municipality shall transfer the remaining funds to the named insured. Nothing in this section shall be construed to limit the ability of a municipality to recover any deficiency. Further, nothing in this subsection shall be construed to prohibit the municipality and the named insured from entering into an agreement that permits the transfer of funds to the named insured, or their designee, if some other reasonable disposition of the damaged property has been negotiated and approved by the Township.
- E. Proof of payment by the insurance company, association or exchange of proceeds under a policy in accordance with subsection "C" of this section is conclusive evidence of the discharge of its obligation to the insured under the policy to the extent of the payment and of compliance by the company, association or exchange with subsection "C" of this section.
- F. Nothing in this section shall be construed to make an insurance company, association or exchange liable for any amount in excess of proceeds payable under its insurance policy, or for any other act performed pursuant to this section, or to make a municipality or public official an insured under a policy of insurance or to create an obligation to pay delinquent property taxes or unpaid liens or expenses other than as provided in this section.



- G. An insurance company, association or exchange making payments of policy proceeds under this section for delinquent taxes or structure removal liens or removal expenses incurred by a municipality shall have a full benefit of such payment, including all rights of subrogation and of assignment.
- H. A copy of this Section, and any modification or amendment thereof, together with the name and contact information of the Township Treasurer, shall be sent to the Commonwealth of Pennsylvania Department of Community and Economic Development to provide notice of the implementation of this Section subject to its terms consistent with the provisions of 40 P.S. 638.

**§53-66 Applications.** The Secretary of the Board of Supervisors of Unity Township shall prepare and make available appropriate applications to be completed by the property owner and/or insurer setting forth all property identification information required for the issuance of the certificate referenced herein.

**§53-67 Fees.** The municipal certificate required under the terms hereof shall be provided to the applicant, upon payment of a fee in an amount as shall be determined from time to time by resolution of the Unity Township Supervisors.

## **SECTION XII – FIRE EXTINGUISHERS**

**53-68 Where required.** Portable fire extinguishers shall be required and installed in the following locations.

- A. In new and existing Uniform Construction Code Use Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies. Provided, however, that in new and existing Group A, B and E occupancies that are equipped throughout with quick-response sprinklers, portable fire extinguishers shall be required only in locations specified in Paragraphs B through F below;
- B. Within 30 feet of commercial cooking equipment.
- C. In areas where flammable or combustible liquids are stored, used or dispensed.
- D. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1 of the International Fire Code.
- E. Where required consistent with Table 53-68.1 attached hereto as Addendum A.
- F. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

**53-69 General requirements.** Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and the provisions of the NFPA 10, provided, however, that:

- A. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.
- B. Thirty (30) day inspections shall not be required, and maintenance shall be authorized at a rate of once every three (3) years, for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided all of the following conditions are met:
  - 1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed; and
  - 2. Loss of power or circuit continuity to the electronic monitoring device initiates a trouble signal; and
  - 3. The extinguishers are installed inside of a building or cabinet in a noncorrosive environment; and
  - 4. Electronic monitoring devices and supervisory circuits are being tested every three (3) years when extinguisher maintenance is performed; and
  - 5. A written log of required hydrostatic test dates for extinguishers is maintained by the owner to ensure that hydrostatic tests are conducted at the frequency required by the NFPA 10.

**53-70 Size and distribution.** For occupancies that involve primarily Use Class A fire hazards, the minimum sizes and distribution of fire extinguishers must comply with Table 53-70.1 attached to this Ordinance as Exhibit "B". Fire extinguishers for occupancies involving flammable or combustible liquids with depths of less than or equal to 0.25-inches shall be selected and placed in accordance with Table 53-70.2 attached to this Ordinance as Addendum "C". Fire extinguishers for occupancies involving flammable or combustible liquids with a depth of greater than 0.25-inch (6.35 mm) or involving combustible metals shall be selected and placed in accordance with the NFPA 10. Extinguishers for Class C fire hazards shall be selected and placed on the basis of the anticipated Class A or Class B hazard.

**53-71 Cooking grease fires.** Fire extinguishers provided for the protection of cooking grease fires shall be of a type approved by the Fire Code Official and be compatible with the automatic fire-extinguishing system agent for that extinguisher.

**53-72 Conspicuous location.** Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the Fire Code Official determines that the hazard posed indicates the need for placement away from normal paths of travel.

**53-73 Unobstructed and unobscured.** Portable fire extinguishers shall not be obstructed or obscured from view. In rooms or areas where visual obstruction cannot be completely avoided, appropriate signage shall be provided to identify the locations of extinguishers.

**53-74 Hangers and brackets.** Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on hangers or brackets appropriate for same. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.

**53-75 Cabinets.** Cabinets used to house portable fire extinguishers shall not be locked. Provided, however, that:

- A. Where portable fire extinguishers subject to malicious use or damage are provided with some other approved means of ready access; and
- B. In Group I-3 occupancies and in mental health areas in Group I-2 occupancies, access to portable fire extinguishers may be locked or located in staff locations provided the staff has keys to open same.

**53-76 Height above floor level.** Portable fire extinguishers having a gross weight less than 40 pounds shall be installed so that its top is not more than five (5) feet above the floor. Hand-held portable fire extinguishers having a gross weight exceeding 40 pounds shall be installed so that its top is not more than 3.5 feet above the floor. The clearance between the floor and the bottom of installed hand-held extinguishers shall not be less than 4 inches.

**53-77 Wheeled units.** Wheeled fire extinguishers shall be conspicuously located in a designated location.

### **SECTION XIII - VIOLATIONS AND PENALTIES**

#### **§53.78 VIOLATIONS**

The failure of any person to comply with the provisions of any Section of this Chapter, or to comply with any directive or notice given by the Township or the Township's Fire Code Official, including, but not limited to a notice to correct a violation or stop work order, shall be a violation of this Chapter and subject the violator to those penalties set forth above and hereafter.

#### **§53.79 PENALTIES**

Any person who violates the provisions of this Section shall be charged with a summary offense and, upon conviction thereof by a court of competent jurisdiction, be subject to a penalty of not less than FIVE HUNDRED and 00/100 (\$500.00) DOLLARS nor more than ONE THOUSAND and 00/100 (\$1,000.00) Dollars. In such proceedings, the Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required under the applicable Pennsylvania Rules of Criminal Procedure (relating to trial in summary cases). The failure to pay any fine imposed shall result in the violator's imprisonment to the extent allowed by law for the punishment of summary offenses. All court costs, cost of prosecution, including the Township's attorney's fees and expenses, incurred in such prosecution, shall be assessable in addition to any fine imposed. Each day that the condition giving rise to the violation continues to exist five (5) days after the date of conviction shall constitute a separate offense and be subject to those separate

penalties, costs and expenses referenced herein for each separate offense without the necessity of a new filing.

**§53.80. Other enforcement remedies.** In addition to those penalties contained herein, the Township may, at its discretion, initiate an action in equity to compel any person, corporation, entity or firm to comply with the requirements of this Chapter. In the event such proceedings are initiated, all court costs, expert witness fees, and all other costs of litigation, including the Township's attorney's fees, costs and expenses, incurred in such litigation, shall be assessable against the violating party, and paid by the violating party, in addition to any judgment, award or verdict entered.

**ADDENDUM "A"**  
**TABLE 53.68.1**  
**ADDITIONAL REQUIRED PORTABLE FIRE EXTINGUISHERS**

<b>IFC SECTION</b>	<b>SUBJECT</b>
303.5	Asphalt kettles
307.5	Open burning
308.4	Open flames-torches
309.4	Powered industrial trucks
1105.2	Aircraft towing vehicles
1105.3	Aircraft welding apparatus
1105.4	Aircraft fuel-servicing tank vehicles
1105.5	Aircraft hydrant fuel-servicing vehicles
1105.6	Aircraft fuel-dispensing stations
1107.7	Heliports and helistops
1208.4	Dry cleaning plants
1415.1	Buildings under construction or demolition
1417.3	Roofing operations
1504.4.1	Spray-finishing operations
1505.4.2	Dip-tank operations
1506.4.2	Power-coating areas
1904.2	Lumberyards / woodworking facilities
1908.8	Recycling facilities
1909.5	Exterior lumber storage
2003.5	Organic-coating areas
2106.3	Industrial ovens
2205.5	Motor fuel-dispensing facilities
2210.6.4	Marine motor fuel-dispensing facilities
2211.6	Repair garages
2306.10	Rack storage
2404.12	Tents, canopies and membrane structures
2508.2	Tire rebuilding / storage
2604.2.6	Welding and other hot work
2903.6	Combustible fibers
3308.11	Fireworks
3403.2.1	Flammable and combustible liquids, general
3404.3.3.1	Indoor storage of flammable and combustible liquids
3404.3.7.5.2	Liquid storage rooms for flammable and combustible liquids
3405.4.9	Solvent distillation units
3406.2.7	Farms and construction sites – flammable and combustible liquids storage
3406.4.10.1	Bulk plants and terminals for flammable and combustible liquids
3406.5.4.5	Commercial, industrial, governmental or manufacturing establishments- Fuel dispensing
3406.6.4	Tank vehicles for flammable and combustible liquids
3606.5.7	Flammable solids
3808.2	LP-gas



**ADDENDUM "B"**

**TABLE 53-70.1  
FIRE EXTINGUISHERS FOR CLASS A FIRE HAZARDS**

	LIGHT (Low) HAZARD OCCUPANCY	ORDINARY (Moderate) HAZARD OCCUPANCY	EXTRA (High) HAZARD OCCUPANCY
Minimum Rated Single Extinguisher	2-A <sup>1</sup>	2-A	4-A <sup>2</sup>
Maximum Floor Area Per Unity of A	3,000 square feet	1,500 square feet	1,000 square feet
Maximum Floor Area For Extinguisher <sup>3</sup>	11,250 square feet	11,250 square feet	11,250 square feet
Maximum Travel Distance to Extinguisher	75 feet	75 feet	75 feet

**For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929m(squared), 1 gallon = 3.785 L.**

<sup>1</sup> Two water-type extinguishers each with a 1-A rating shall be deemed the equivalent of one 20-A rated extinguisher for Light (Low) Hazard Occupancies.

<sup>2</sup> Two 2.5 – gallon water-type extinguishers shall be deemed the equivalent of one 4-A rated extinguisher.

<sup>3</sup> Annex E.3.3 of NFPA 10 provides more details concerning application of the maximum floor area criteria.

**ADDENDUM "C"**

**TABLE 53-70.2  
FLAMMABLE OR COMBUSTIBLE LIQUIDS WITH  
DEPTHS OF LESS THAN OR EQUAL TO 0.25 INCH**

<b>TYPE OF HAZARD</b>	<b>BASIC MINIMUM EXTINGUISHER RATING</b>	<b>MAXIMUM TRAVEL DISTANCE TO EXTINGUISHERS (feet)</b>
Light (Low)	5-B	30
	10-B	50
Ordinary (Moderate)	10-B	30
	20-B	50
Extra (High)	40-B	30
	80-B	50

For S1: 1 inch – 25.4 mm, 1 foot = 304.8 mm

**NOTE: For requirements on water-soluble flammable liquids and alternative sizing criteria, see Section 4.3 of NFPA 10.**

CHAPTER ~~5253~~ - FIRE PREVENTION CODE

SECTION I – ADMINISTRATION

§ ~~5253-1~~ . Statement of Purpose and Adoption of Standards.

This Chapter shall be known as the “Unity Township Fire Prevention Code, and is enacted for the purpose of prescribing regulations designed to protect against conditions hazardous to life and property from fires and/or explosion, To the extent other portions of the Code of Unity Township, or the provisions of the Pennsylvania Uniform Construction Code in the form enforced in Unity Township, make provision for the storage or handling of combustible or flammable materials not otherwise regulated by this Chapter, such provisions shall remain in full force and effect and may be enforced ~~under~~ under and consistent with the terms of same, these

- A. Scope. ~~The provisions of this Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.~~
- B. Existing structures. ~~The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as otherwise specifically provided in this code.~~
- C. Buildings not previously occupied. ~~A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion, shall comply with the applicable provisions of this Code for new construction or with any current permit for such occupancy.~~
- D. Buildings previously occupied. ~~The legal occupancy of any building existing on the date of adoption of this Code shall be permitted to continue without change, except as otherwise specifically provided in this Code or as is deemed necessary by the Fire Code Official for the general safety and welfare of the occupants and the public.~~
- E. General. ~~Where there is a conflict in this Code between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this Code authorize—alternative methods of compliance-, the most restrictive shall apply..~~
- F. Other laws. ~~The provisions of this Code shall not be deemed to waive compliance with the provisions of any other state or federal law or local Code Section or Ordinance.~~

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G. Conflicts. Unless otherwise stated herein, where conflicts occur between provisions of this Code and any other Codes and standards, the provisions of this code shall apply.

G.H. Unlawful acts. It shall be unlawful for any person, entity, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Code; or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

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#### §5253-2. Enforcement

The Fire Prevention Code shall be enforced by the Township of Unity through its Code Enforcement Office and Officers. The Township shall designate a Code Enforcement Officer who has the requisite knowledge, education, background, experience and/or certifications in fire safety as "Fire Code Official" for purposes of this Ordinance.

- A. General. The Fire Code Official appointed by the Township is authorized and directed to enforce the provisions of this Code. The Fire Code Official shall have the authority to render interpretations of this code and adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code.
- B. Applications and permits. The Fire Code Official shall receive applications, review all documents, issue permits for the erection, perform inspections of the premises for which such permits have been issued and enforce compliance with the provisions of this code.
- C. Validity of permit. The issuance or granting of a permit shall not be construed to be a waiver or approval of any violation of any of the provisions of this Code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or waive the provisions of this Code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in any documents and other data. The Fire Code Official is authorized to prevent occupancy or use of a structure where same would result in a violation of this Code or of any other ordinances of this jurisdiction.
- D. Expiration. Every permit issued shall be void and invalid unless any work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Fire Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

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- E. Suspension or revocation. The Fire Code Official is authorized to suspend or revoke a permit issued under the provisions of this Code wherever the permit is issued in error or issued on the basis of incorrect, inaccurate or incomplete information, or issued in violation of any ordinance or regulation or any of the provisions of this Code.
- F. Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project.
- G. Payment of fees. A permit shall not be valid until the fees prescribed by the Township of Unity have been paid, nor shall an amendment to a permit be released until any additional fee, if any, has been paid. Permit fees under this Code shall be established, and may be modified, by Resolution of the Board of Supervisors of Unity Township.
- H. Work commencing before permit issuance. Any person who commences any work required under this Code before obtaining the necessary permits shall be in violation of this Code.
- I. Notices and orders. The Fire Code Official shall issue necessary notices or orders to ensure compliance with this code.
- J. Records. The Fire Code Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.
- K. Liability. The Fire Code Official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.
- L. Legal defense. Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The Fire Code Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

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**§ 5253-3. Filing of complaints.**

Any complaints concerning violations of this Chapter shall be made to the Fire Code Official of Unity Township. Any violations of this chapter shall be enforced, prosecuted by the Township and/or the Fire Code Official consistent with the terms set forth hereafter.



**A. Notice of violation.** The Fire Code Official is authorized to serve a notice of violation or order on the person responsible any act, or failure to act, in violation this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order may direct the discontinuance of any violation of this Code, or condition on the property deemed in violation of this Code, and the abatement of the violation within a time period prescribed by the Fire Code Official and set forth in the Notice of Violation.

**B.**  
**M. Stop Work Order.** Where the Fire Code Official finds any work regulated by this Code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Fire Code Official is also authorized to issue a stop work order.

**N. C. Unlawful continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties proscribed hereafter.

**O.**  
**P. D. Prosecution of violation.** If the notice of violation is not complied within the period of time for abatement, the Fire Code Official, in addition to the pursuit of any other penalty for violation set forth in this Code hereafter, is authorized to request the Township Solicitor to institute an appropriate proceeding to restrain, correct or abate such violation, or to require the removal or termination of an unlawful occupancy of the building or structure in violation of the provisions of this Code, to compel compliance with the order or direction of the Fire Code Official, or request such other relief as may be required to correct the circumstances giving rise to the notice of violation.

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#### § 5253-4. Right of Entry and Availability for Inspection.

All buildings or portions thereof which are subject to compliance with any term or provision contained in this Chapter, shall be made available for inspection by a Fire Code Official during (a) a specific date and time scheduled for inspection with the owner or other person in charge of the building, or (b) the normal operating hours for such building. The failure to make any building or portion thereof available for inspection shall be a violation of this Chapter.

**A. General.** Any work for which a permit is required shall be subject to inspection by the Fire Code Official and such work shall remain accessible and exposed for inspections purposes until final approval is received. Approval as a result of an inspection shall not be construed to be an approval of any condition which may later be discovered to be a violation of this Code or of any other Federal or State Law, Township Ordinance or any other provision of the Code of Unity Township. Inspections presuming to give authority to the violation or waiver of the provisions of this Code or of other law, ordinance or provision of the Code of Unity Township shall not be deemed or construed to be valid. It shall be the duty of the owner or the owner's authorized agent to cause the work to remain

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accessible and exposed for inspection purposes. Neither the Fire Code Official nor the Township of Unity shall be liable for any cost or expense incurred by a property owner for the removal or replacement of any material required to allow inspection.

B. Inspections. The Fire Code Official may ~~shall~~ either (1) make any the required inspections, or, in the alternative, (2) agree to accept reports of inspections and certifications by approved agencies or individuals responsible for the installation and performance of any facility required under this Code. Reports of such inspections and/or certifications shall be in writing and executed by a responsible officer of such approved agency or by the responsible individual. The Township may retain the services of a third party/independent expert to review, comment and/or report upon unusual technical issues that arise during the course of any inspection.

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C. Right of entry. Where it is necessary to make an inspection to enforce the provisions of this Code, or where the Fire Code Official has reasonable cause to believe that a condition exists in a structure, or upon a premises, that is contrary to or in violation of this Code, or that makes the structure or premises unsafe, dangerous or hazardous, the Fire Code Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this Code. If such structure or premises is occupied the Fire Code Official's credentials shall be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Fire Code Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Fire Code Official shall have recourse to the remedies provided by law to secure entry.

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D. Alternative materials, design and methods of construction and equipment. The provisions of this Code are not intended to prevent an alternative method of compliance not specifically prescribed by this Code, provided that any such alternative has been approved by the Fire Code Official. An alternative method of compliance may only be approved where the Fire Code Official determines that the proposed alternative method is satisfactory, complies with the intent of the provisions of this Code, and ~~that~~ the alternative method offered provides equivalent or better protection than the method prescribed in this Code. Where the alternative method of compliance is not approved, the Fire Code Official shall notify the property owner, in writing, of the reasons why the alternative was not approved.

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E. Tests. Whenever there is insufficient evidence of compliance with the provisions of this Code, or evidence that an alternative ~~a material or~~ method of compliance does not conform to the requirements of this Code, or in order to substantiate claims for use of alternative materials or methods, the Fire Code Official may ~~shall have the authority to~~ require tests as evidence of compliance of the alternative method to be made as evidence of compliance ~~at no expense to the jurisdiction.~~ Test methods shall be as specified in this Code ~~or by other recognized test standards.~~ In the absence of recognized and accepted

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test methods, the Fire Code Official shall approve the testing procedures. Tests shall be performed by an approved agency approved by the Fire Code Official. Reports of such tests shall be retained by the Fire Code Official for the period required for retention of public records. The costs of all testing shall be born by the property owner or person, entity, corporation or firm seeking to implement the alternative method of compliance.

F. Final inspection. The final inspection shall be made after all work required by the permit is completed.

G. Use and occupancy. A building or structure shall not be used or occupied, and no change in the existing use or occupancy classification of a building or structure, or portion thereof shall be made, until the Fire Code Official has issued a certificate of occupancy as provided herein. The issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

G.H. **Periodic Inspections.** The Fire Code Official may require, and conduct inspections of all properties, occupancies and businesses required to install or maintain any fire suppression system, rapid entry key box, or other facility required to be constructed and/or maintained under this Chapter to ensure that such fire suppression system, rapid entry key box, or other facility required to be constructed and/or maintained under this Chapter is functioning properly. Such inspection may be scheduled at any time, at random and at the discretion of the Fire Code Official, provided, however, that the property owner or manager of such property is provided at least twenty-four hours advance notice of the inspection and the time and date scheduled for same does not unreasonably interfere with the operations of the Owner of, or tenant on, the property. Inspections may also be required, without prior notice to the Property Owner or tenant where the Fire Code Official has received a complaint regarding the functionality of such system, a fire on the property has occurred, or a fire suppression system or other system regulated by this Ordinance has discharged without a fire occurring.

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#### § 5253-5. Modification.

The Board of Supervisors may, at their sole discretion and with the approval of the Fire Code Official, grant modifications from strict compliance with the requirements of this Chapter if (1) the affected property owner demonstrates that strict compliance with the terms of this chapter is unreasonable or can only be accomplished at prohibitive cost, or (2) the affected property owner demonstrates that compliance with the terms, spirit and/or intent of this chapter can be achieved through alternative means or methods acceptable to the Township.

## SECTION II – FIRE HYDRANTS

§ 5253-6. **Purpose.** These regulations are adopted and implemented to achieve the following general purposes and objectives:

- A. To set forth standard criteria for the specification and location of fire hydrants installed throughout the municipality of Unity Township. This standard applies to all fire hydrants, including dry hydrants and wall hydrants; and
- B. To regulate the intentional or unintentional obstruction, damage or misuse of fire hydrants.

§ 5253-7. **Definitions.** As used in this chapter, the following terms shall have the meanings indicated:

**APPROVED** — Accepted by or approved by the Township officials.

**DRY HYDRANT** — A permanent piping system, normally used for drafting or as a support device for interior water distribution devices.

**FIRE HYDRANT** — A valved connection on a water supply system having one or more outlets and that is used to supply hose and Fire Department pumpers with water.

**MUNICIPAL AUTHORITY** — The Latrobe Municipal Authority or the Municipal Authority of Westmoreland County or their successors.

**MUNICIPAL WATER LINE EXTENSION** — Any new line, extension of an existing line or replacement of an existing water line having a diameter of six inches or greater.

**ORNAMENTAL FIRE HYDRANT** — Any actual or fake fire hydrant or any object which is not connected to an adequate water supply and could be mistaken for a serviceable fire hydrant due to its shape, color, appearance or location.

**PLANNED BUILDING GROUP** — Multiple structures or subdivision developments constructed on a parcel or parcels under the ownership, control or development by an individual, a corporation, a partnership or a firm.

**PRIVATE ROAD** — An accessway normally intended for vehicular use and not dedicated as a public street.

**PUBLIC ROAD** — Any thoroughfare which has been dedicated for vehicular use by the public.

**SERVICEABLE FIRE HYDRANT** — Any fire hydrant used to supply water to a fire department for the purpose of supporting fire-fighting operations

**§5253-8. Hydrant location.**

- A. Any subdivision plan, planned building group or any site plan presented to the Township for approval shall provide details of the location of all fire hydrants. The fire hydrants provided for can either be installed immediately at the cost of the contractor or the appropriate funds can be placed in escrow with the Treasurer of the Township of Unity, the same to be erected at such time as sufficient houses are built within 660 feet of the same; provided, however, that should they be installed immediately, then an escrow fund to ensure the payment of the tax to be levied thereon, covering the payment due on the fire hydrants for the first three years, shall be established by the contractor prior to the approval of any plan.
- B. All municipal water line extensions installed along roadways within the Township, whether installed by the municipal authority, private contractors or municipality, shall be required to locate a fire hydrant every 1,200 feet along the extension. Such extensions shall have the first hydrant placed at the point of tap onto the existing line. If an existing hydrant is located within 1,200 feet of the extension tap point, the first hydrant can be located at a point measured 1,200 feet from said existing hydrant, but in no case shall fire hydrants be located further than 1,200 feet from the next closest hydrant. Additional hydrants shall be required every 1,200 feet thereafter. This rule shall apply to all public or private water line extensions with a diameter of six inches or greater.
- C. Fire hydrants for areas of multi-family and commercial structures shall be installed within 500 feet from the structure but not less than 50 feet from the structure.
- D. All commercial structures with standpipes and/or sprinkler systems must have a hydrant installed within 200 feet and not less than 50 feet from the Fire Department connection.
- E. All fire hydrants located in parking areas shall be protected by barriers that will prevent physical damage from vehicles without obstructing hydrant operations.
- F. All fire hydrants shall be located no less than six feet and no more than eight feet from the curb or edge of the paved surface throughout the Township.
- G. Fire hydrants shall not be supplied by lines of less than six inches in diameter.
- H. No person other than those authorized by the Township or the Water Authority shall paint any fire hydrant.
- I. Ornamental fire hydrants shall not be located in any yard location where they can be mistaken for a serviceable hydrant used for fire protection.

**§ 5253-9. Hydrant thread size and outlet**

- A. Only approved fire hydrants installed to water authority specifications shall be installed as part of the fire protection system within the Township of Unity. All fire hydrants shall



contain three service outlets. One outlet shall be National Standard Thread sized 4.5 inches terminating with a male thread and cap. There shall be 2.5 inch outlets terminating the male thread and caps. The thread size for the 2.5 inch connections shall be consistent with the connections of the fire department that services the area.

- B. It shall be the responsibility of the installer to ensure the hydrant is fitted with the correct thread for the service area. Any changes necessary will be the responsibility of the installer.

**§ 5253-10. Hydrant installation.**

When infrastructure is being installed, and prior to the location and construction of buildings or portions thereof, the water supply for fire protection, either temporary or permanent, shall be made available prior to delivery of combustible materials. Temporary water supplies must be approved by the Unity Township Ordinance Officer.

**§ 5253-11. Obstruction, damage or misuse.**

- A. It shall be unlawful for any person to reduce the effectiveness of operation of any serviceable fire hydrant by obstructing in any way the access to any connection.
- B. It shall be unlawful for any person to cause damage to or misuse any serviceable fire hydrant so as to prevent or restrict its operational effectiveness.
- C. It shall be unlawful for a serviceable fire hydrant to be used for any reason other than its intended use of public fire protection unless written permission has been received from the Unity Township Ordinance Officers or the Municipal Authority.
- D. It shall be unlawful for any person or property owner to allow bushes, shrubbery, trees or other types of vegetation to grow large enough to obstruct from clear view a serviceable fire hydrant as seen from the street or roadway.

**SECTION III— INGRESS, EGRESS AND RAPID ENTRY KEY BOX SYSTEMS**

**§5253.12 PURPOSE**

The Board of Supervisors of Unity Township hereby finds that the lack of a high speed, common key secured entry system in those structures herein defined (i) impedes access by fire fighters and other emergency service personnel, (ii) unreasonably extends response times, (iii) results in the increased risk of damage to property and harm to the residents of the Township, and (iv) poses a threat to the public health, safety and welfare. The Board of Supervisors also find that actions which narrow, impede, block, delay or otherwise impair access to emergency exits within places of assembly, or which preclude the safe and rapid entry by firefighters or other emergency personnel endangers and threatens the public health, safety and welfare. The purpose of this section is to require owners of commercial properties, churches and multi-family dwellings to provide rapid entry key box systems to enable firemen and other emergency personnel to have immediate

access to commercial properties, churches and/or residential dwellings which do not have immediate access from an outside entry, and to ensure that emergency entrances and exits, and other areas required for emergency ingress and egress, are identified and maintained consistent with the provisions of this Section

**§5253.13 DEFINITIONS**

**Common Key Rapid Entry Key Box** – A fireproof and secure box or other structure affixed to the outside of a required structure, approved for use by the Board of Supervisors, containing keys for the entry of all units within the required structure and having a single-entry key in common with all other entry boxes in the Township of Unity.

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**Required Structure** – Any structure required to have a common key rapid entry key box pursuant to the terms of this Section. A “required structure” for purposes of this Section shall be deemed to include, but not be limited to, all commercial buildings housing a commercial enterprise within the Township, regardless of the zoning classification in which it is located, all churches, a residential dwelling unit which does not have an independent exterior entry through a ground level door and any multi-family dwelling having a unit or units accessed through a common hallway or entryway. Nothing in this Section shall be deemed or construed to prohibit the owners of other property within the Township to voluntarily install a common key rapid entry key box pursuant to the terms of this Ordinance. The Township may approve an exception from the requirements of this Section upon a showing of compelling circumstances.

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**§5253.14. IMPLEMENTATION**

The owner of any required structure shall install and maintain a common key rapid entry key box on the exterior of the structure at or near a common entry door, in a location approved by the Township, to provide access to interior units by the ~~Unity Township~~ Volunteer Fire Departments of Unity Township and/or other emergency service personnel. Such key box shall be installed on the required structure upon any change in occupants of any commercial structure or the change in occupants of any dwelling unit within a required residential structure. An approved lock shall be installed on gates or similar barriers when required by the fire code official. The foregoing notwithstanding, all required structures shall cause such key boxes to be installed no later than one (1) year from the date of this Section’s enactment.

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**§5253.15. BOX TYPE AND RESPONSIBILITY FOR COST AND EXPENSE**

The type of common key rapid entry key box installed shall be approved by the Township and have a common entry key in common with all other common key rapid entry key boxes within the Township. The cost of acquisition and installation of the common key rapid entry key box shall be paid by the owner of the required property.

**§5253.16. ACCESS KEYS**

The owner of any required structure shall provide, place and keep copies of keys to the required structure and all units within the required structure in the common key rapid entry key box and

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shall clearly label each key with the door and number of each unit such key opens and/or serves. The Township shall obtain the common key for the box from the manufacturer of same and same shall be provided to the Chief of the Volunteer Fire Department having primary jurisdiction over the location in which the box is located. It is the continuing responsibility of the owner of the required structure to ensure that an up-to-date key is enclosed in the Knox Box.

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**§5253.17. REGISTRATION AND REPORTING**

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The owner of any required structure shall provide the name, address, phone number and any other emergency contact information of a person in charge of the required structure to the Township at the time the rapid entry key box is installed. The owner shall also report any change in the person in charge, change in the contact information of the person in charge, or any change in the locks for the required structure within ten (10) days of same.

**§5253.18 PRESERVATION AND MAINTENANCE OF EXISTING SYSTEMS**

In the event any required structure has an existing fire suppression system and/or fire notification system, and experiences a change in ownership or occupancy, the existing fire suppression system and/or fire notification system shall not be removed, but shall remain and be maintained in good working order. The owner of any required structure shall provide evidence that the fire suppression system and/or fire notification system is functioning properly every five (5) years from the date of this Section's adoption. The Township may also require additional testing or proof that the system is functioning properly in the event a failure or malfunction of same is reported or observed. In the event repairs are necessary, same shall be performed within a time period established by the Township.

**§5253.19 EMERGENCY LIGHTING, EXIT LIGHTING AND SIGNAGE**

All emergency lighting and/or exit lighting in required structures shall be maintained in good working order, and in locations proscribed by the Uniform Construction Code, at all times. All emergency exit signage in required structures shall also be maintained in areas proscribed by the Uniform Construction Code at all times.

**§5253.20 EMERGENCY ACCESS, INGRESS AND EGRESS ROUTES**

All egress widths required by the Uniform Construction Code shall be maintained at all times. The owner, occupant or other person responsible for the operation, maintenance or control of any required structure shall keep all entryways, ingress or egress routes, open and free from merchandise, furniture, debris or other materials that would reduce the required egress widths. No locking devices prohibited by the Uniform Construction Code (as amended) shall be installed on any entryway or exit to prohibit, limit or interfere with ingress or egress.

**SECTION IV.H - FIRE APPARATUS ACCESS ROADS**

**5253.21 Where required.** Fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the Township. The

fire apparatus access road shall be approved in size and location by the fire code official on a case-by-case basis, giving consideration to the location, size and physical features of the property.

**5253-22 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established and approved by the fire code official for same shall be maintained at all times.

**5253-23 Required gates or barricades.** The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways.

**5253-24 Secured gates and barricades.** When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed at the direction of the fire code official shall not be trespassed or used unless authorized by the owner and the fire code official. Provided, however, that this restriction shall not apply to public officers acting within the scope of their official duties.

**5253-25 Security gates.** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

#### **SECTION IV - FIRE SUPPRESSION SYSTEMS AND NO SMOKING AREAS**

##### **5253-26. Filling Stations.**

A. In addition to any other requirements of the Pennsylvania Uniform Construction Code enforced within the Township, or any other applicable statute or Ordinance, every self-service or other gasoline filling station located in the Township of Unity shall install the following:

1. A total fire suppression system designed by a fire suppression system engineer and approved by the Township with automatic firing capability and manual firing capability from both the service island and from the control point in the station.
2. A self-energized fire alarm box, designed to activate automatically if there is a firing of the suppression system either automatically or manually, and located on the outside of the station's structure in an area approved by the Township.
3. A manual pull station located at the control desk in the station.

B These provisions shall apply to all new stations and existing stations in the Township of Unity who have not yet installed fire suppression systems.

**§253-27 - No Smoking Areas.**

At all gasoline filling stations, at all locations where propane is stored, in any areas of piers, wharves, warehouses, stores, industrial plants, health-care occupancies, laboratories, places of assembly, schools, school buses and in open spaces where flammable, combustible or hazardous materials are manufactured, stored or handled, or where other conditions exist to the extent smoking would present an increased risk of fire or explosion, The Township is empowered and authorized to order the owner or occupant to post "No Smoking" signs in each building, structure, room, area or place in which smoking is to be prohibited. The Township shall designate the specific safe locations in any building, structure, area or place in which smoking is to be permitted.

**VI - PREMISES IDENTIFICATION**

**§253-28 Address numbers.** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Number shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.5 inches (12.7 mm).

**§253-29 Street or road signs.** Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and maintained until replaced by permanent signs.

**VII - FIRE PROTECTION WATER SUPPLIES**

**§253-30 Required water supply.** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed, or moved into, within the Township.

**§253-31 Type of water supply.** A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the require fire flow.

**A. Private fire service mains.** Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

**B. Water tanks.** Water tanks for private fire protection shall be installed in accordance with NFPA 22.

**§253-32 Fire flow.** Fire flow requirements for buildings and facilities, or portions of buildings and facilities, shall be determined by an approved method.

**§253-33 Water supply test.** The fire code official shall be notified prior to the water supply test. Water supply tests shall either be witnessed by the fire code official, or approved



documentation of the test shall be provided to the fire code official, prior to final approval of the water supply system.

**§253-34 Fire hydrant systems.** Fire hydrant systems shall be installed consistent with the provisions of the Uniform Construction in effect and administered within the Township at the time a building permit application is submitted. All fire hydrant systems shall be subject to review and approval by the fire code official.

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- A. Inspection, testing and maintenance.** Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where they are, or become, defective. Additions, repairs, alterations and servicing shall comply with approved standards.
- B. Private fire service mains and water tanks.** Private fire service mains and water tanks shall be periodically inspected, tested and maintained at the discretion of the fire code official.
- C. Obstruction.** Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.
- D. Clear space around hydrants.** A 3 foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

#### **VIII - FIRE DEPARTMENT ACCESS TO EQUIPMENT**

**§253-35 Identification.** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

#### **IX - ELECTRICAL EQUIPMENT, WIRING AND HAZARDS**

**§253-36 Abatement of electrical hazards.** Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the code official responsible for enforcement of *the National Electrical Code*. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

**§253-37 Illumination.** Illumination shall be provided for service equipment areas, motor control centers and electrical panelboards.

**5253-38 Working space and clearance.** A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space, except where:

- A. Other dimensions are required or allowed by the ICC *Electrical Code*; or
- B. Access openings into attics or under-floor areas provide a minimum clear opening of 22 inches (559 mm) by 30 inches (762 mm).

**5253-39 Labeling.** Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.

**5253-40 Multiplug adapters.** Multiplying adapters, such as cube adapters, unfused plug strips or any other device not complying with the *National Electrical Code* shall be prohibited.

- A. **Power tap design.** Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363.
- B. **Power supply.** Relocatable power taps shall be directly connected to a permanently installed receptacle.
- C. **Installation.** Relocatable power tap cords shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage.

**5253-41 Extension cords.** Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.

- A. **Power supply.** Extension cords shall be plugged directly into an approved receptacle, power or tap or multiplug adapter and, except for approved multiplug extension cords, shall serve only one portable appliance.
- B. **Ampacity.** The ampacity of the extension cords shall not be less than the rated capacity of the portable appliance supplied by the cord.
- C. **Maintenance.** Extension cords shall be maintained in good condition without splices, deterioration or damage.

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**D. Grounding.** Extension cords shall be grounded when serving grounded portable appliances.

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**5253-42 Unapproved conditions.** Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

**5253-43 Appliances.** Electrical appliances and fixtures shall be tested and listed in published reports of inspected electrical equipment by an approved agency and installed and maintained in accordance with all instructions included as part of such listing.

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**5253-44 Electrical motors.** Electrical motors shall be maintained free from excessive accumulations of oil, dirt, waste and debris.

**5253-45 Temporary wiring.** Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. Temporary wiring methods shall meet the applicable provisions of the *National Electrical Code*. Provided, however, that:

- A. Temporary wiring for electrical power and lighting installations is allowed during periods of construction, remodeling, repair or demolition of buildings, structures, equipment or similar activities and
- B. Temporary wiring attached to a structure shall be attached in a manner approved by the fire code official.

**5253-46. Portable, electric space heaters.** Portable electric space heaters shall comply with Sections A through D hereafter.

- A. **Listed and labeled.** Only listed and labeled portable, electric space heaters shall be used.
- B. **Power supply.** Portable, electric space heaters shall be plugged directly into an approved receptacle.
- C. **Extension cords.** Portable, electric space heaters shall not be plugged into extension cords.
- D. **Prohibited areas.** Portable, electric space heaters shall not be operated within 3 feet (914 mm) of any combustible materials. Portable, electric space heaters shall be operated only in locations for which they are listed.

**X - FIRE PROTECTION SYSTEMS  
GENERAL**

**5253-47 Scope.** The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance



of all fire protection systems. All new fire protection systems or modifications to existing fire protection systems shall be approved by the Township.

**5253-48 Construction documents.** The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation.

**5253-49 Statement of compliance.** Before requesting final approval of the installation, where required by the fire code official, the installing contractor shall furnish a written statement to the fire code official that the subject fire protection system has been installed in accordance with approved plans and has been tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement.

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**5253-50 Permits and approvals.** All fire protection systems shall be installed consistent with the terms of the Uniform Construction Code in effect in the Township at the time a building permit application is made and shall be approved by the fire code official. No new fire protection system shall be installed, and no existing system shall be modified or replaced, without a permit from the fire code official.

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**5253-51 Installation.** Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

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**A. Required fire protection systems.** Fire protection systems required by this code or the *International Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code.

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**B. Nonrequired fire protection systems.** Any fire protection system or portion thereof not required by this code or the *International Building Code* shall be allowed to be furnished for partial or complete protection provided such installed system meets the requirements of this code and the *International Building Code*.

**C. Additional fire protection systems.** In occupancies of a hazardous nature, where special hazards exist in addition to the normal hazards of the occupancy, or where the fire code official determines that access for fire apparatus is unduly difficult, the fire code official shall have the authority to require additional safeguards. Such safeguards include, but shall not be limited to, the following: automatic fire detection systems, fire alarm systems, automatic fire-extinguishing systems, standpipe systems, or portable or fixed extinguishers. Fire protection equipment required under this section shall be installed in accordance with this code and the applicable referenced standards.

**D. Appearance of equipment.** Any device that has the physical appearance of life safety or fire protection equipment but that does not perform that life safety or fire protection function, shall be prohibited.

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**§253-5253. Installation acceptance testing.** Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before any required acceptance testing.

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**§253-53. Occupancy.** It shall be unlawful to occupy any portion of a building or structure until the required fire detection, alarm and suppression systems have been tested and approved.

**§253-54 Inspection, testing and maintenance.** Fire detection, alarm and extinguishing systems shall be maintained in an operative condition, at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed.

**§253-55. Standards.** Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in the Table of Fire Protection System Maintenance Standards set forth in Section A below:

**A. TABLE OF FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

System	Standard
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

**B. Records.** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the fire code official upon request.

**C. Records information.** Initial records shall include the name of the installation contractor, type of components installed, manufacturer of the components, location and number of components installed per floor. Records shall also include the manufacturers' operation and maintenance instruction manuals. Such records shall be maintained on the premises.

**§253-56 Systems out of service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been



returned to service. Where required and/or utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

- A. Impairment coordinator.** The building owner shall assign an impairment coordinator to comply with the requirements of this section. In the absence of a specific designee, the owner shall be considered the impairment coordinator.
- B. Tag required.** A tag shall be used to indicate that a system, or portion thereof, has been removed from service.
- C. Placement of tag.** The tag shall be posted at each fire department connection, system control valve, fire alarm control unit, fire alarm annunciator and fire command center, indicating which system, or part thereof, has been removed from service. The fire code official shall specify where the tag is to be placed.
- D. Preplanned impairment programs.** Preplanned impairments shall be authorized by the impairment coordinator. Before authorization is given, a designated individual shall be responsible for verifying that all of the following procedures have been implemented.
  - 1. The extent and expected duration of the impairment have been determined.
  - 2. The areas or buildings involved have been inspected and the increased risks determined.
  - 3. Recommendations have been submitted to management or building owner/manager.
  - 4. The fire department has been notified.
  - 5. The insurance carrier, the alarm company, building owner/manager, and other authorities have jurisdiction have been notified.
  - 6. The supervisors in the area to be affected have been notified.
  - 7. A tag impairment system has been implemented.
  - 8. Necessary tools and materials have been assembled on the impairment site.
- E. Emergency impairments.** When unplanned impairments occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 5253-56.4.

**F. Restoring systems to service.** When impaired equipment is restored to normal working order, the impairment coordinator shall verify that all of the following procedures have been implemented:

1. Necessary inspections and tests have been conducted to verify that affected systems are operational.
2. Supervisors have been advised that protection is restored.
3. The fire department has been advised that protection is restored.
4. The building owner/manager, insurance carrier, alarm company and other involved parties have been advised that protection is restored.
5. The impairment tag has been removed.

**5253-57 Removal of or tampering with equipment.** It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system, or other fire appliance required by this code except for the purpose of extinguishing fire, training purposes, recharging or making necessary repairs, or when approved by the fire code official.

**A. Removal of or tampering with appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags or seals which have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed, tampered with or otherwise vandalized in any manner.

**5253-58 Recall of fire protection components.** Any fire protection system component regulated by this code that is the subject of a voluntary or mandatory recall under federal law shall be replaced with approved, listed components in compliance with the referenced standards of this code. The fire code official shall be notified in writing by the building owner when the recalled component parts have been replaced.

**5253-59 Hose threads.** Fire hose threads and fittings used in connection with automatic sprinkler systems shall be as prescribed by the fire code official.

**5253-60 Fire department connections.** The location of fire department connections shall be approved by the fire code official.

**5253.61 Location of Class I standpipe hose connections.** Class I standpipe hose connections shall be provided in all of the following locations:

- A. In every required stairway, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at an intermediate floor level landing between floors, unless otherwise approved by the fire code official.

- B. On each side of the wall adjacent to the exit opening of a horizontal exit. Provided, however, that where floor areas adjacent to a horizontal exit are reachable from exit stairway hose connections by a 30-foot (9144mm) hose stream from a nozzle attached to 100 feet (30480mm) of hose, a hose connection shall not be required at the horizontal exit.
- C. In every exit passageway, at the entrance from the exit passageway to other areas of a building.
- D. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall.
- E. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a hose connection located either on the roof or at the highest landing of a stairway with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.
- F. Where the most remote portion of a non-sprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960mm) from a hose connection, the fire code official is authorized to require that additional hose connections be provided in approved locations.

**§253-62 Protection.** Risers and laterals of Class I standpipe systems not located within an enclosed stairway or pressurized enclosure shall be protected by a degree of fire resistance equal to that required for vertical enclosures in the building in which they are located. Provided, however, that in buildings equipped throughout with an approved automatic sprinkler system, laterals that are not located within an enclosed stairway or pressurized enclosure are not required to be enclosed within fire-resistance-rated construction.

**§253-63 Interconnection.** In buildings where more than one standpipe is provided, the standpipes shall be interconnected in accordance with NFPA 14.

#### **SECTION XIV - Fire Loss Insurance Proceeds**

**§253-64 Purpose**

The purpose of this Section is to implement, and continue in operation, the provisions set forth in 40 P.S. 638, relating to the duties and obligations of insurers for the disposition of fire loss proceeds and the payment over of portions of same to the Township.

**§253-65 Municipal certificate required prior to payment of fire loss claims.**

- A. No insurance company, association or exchange doing business in this Commonwealth shall pay a claim of a named insured for fire damage to a structure located within the

Township where the amount recoverable for the fire loss to the structure under all policies exceeds Seven Thousand Five Hundred Dollars (\$7,500), unless (1) the insurance company, association or exchange is furnished with a certificate pursuant to subsection "B" of this section and (2) there is compliance with the procedures set forth in subsections "C" and "D" of this section.

- B, (1) The Township Treasurer shall - upon receipt of a written request of the named insured or insurer, containing (a) the tax description of the property (b) the name and address of the insurance company, association or exchange, and (c) the date agreed upon by the insurance company, association or exchange and the named insured as the date of the receipt of a loss report of the claim - furnish the insurance company, association or exchange either of the certificates, where applicable, within fourteen (14) working days of the Treasurer's receipt of the request:
- (i) A certificate confirming that, as of the date specified in the request, there are no delinquent taxes, assessments, penalties or user charges against the property and that, as of the date of the Treasurer's certificate, the Township has not incurred any costs for the removal, repair or securing of a building or other structure on the property; or
  - (ii) A certificate and bill showing the amount of delinquent taxes, assessments, penalties and user charges against the property as of the date specified in the request that have not been paid as of the date of the certificate and/or the amount of the costs, if any, that have been incurred by the Township for the removal, repair or securing of a building or other structure on the property. For the purposes of this subsection, the Township shall certify to the Treasurer the total amount, if any, of such costs. Also for purposes of this subsection, a tax, assessment, penalty or user charge becomes delinquent at the time and on the date a lien could otherwise have been filed against the property by the municipality under applicable law.
- (2) (i) Upon the receipt of a certificate pursuant to B(1)(i) of this subsection, the insurance company, association or exchange shall pay the claim of the named insured in accordance with the policy terms, unless the loss agreed to between the named insured and the company, association or exchange equals or exceeds sixty per cent (60%) of the aggregate limits of liability on all fire policies covering the building or other structure. In the case of such a loss, the insurance company, association or exchange, the insured property owner and the Township shall follow the procedures set forth in subsections (c) and (d) of this section.
- (ii) Upon the receipt of a certificate and bill pursuant to B(1)(ii) of this subsection, the insurance company, association or exchange shall return the bill to the Treasurer and transfer to the Treasurer an amount from the insurance proceeds necessary to pay the taxes, assessments, penalties, charges and costs as shown on the bill. The Township



shall receive the amount and apply or credit it to payment of the items shown in the bill.

- C. When the loss agreed to between the named insured and the company, association or exchange equals or exceeds sixty per centum (60%) of the aggregate limits of liability on all fire policies covering the building or other structure, the insurance company, association or exchange shall transfer from the insurance proceeds to the Township Treasurer a sum in the aggregate equal to two thousand dollars (\$2,000) for each fifteen thousand dollars (\$15,000), and each fraction of that amount, of the claim. Provided, however, that if at the time of a loss report the named insured has submitted a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure in an amount less than the amount calculated under the foregoing transfer formula, the insurance company, association or exchange shall transfer from the insurance proceeds the amount specified in the contractor's signed estimate. The transfer of proceeds shall be made on a pro rata basis by all companies, associations or exchanges insuring the building or other structure. Policy proceeds remaining after the transfer to the Township shall be disbursed in accordance with the policy terms. The named insured may submit a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure after the transfer, and the Township Treasurer shall return the amount of the fund in excess of the estimate to the named insured if the Township has not commenced to remove, repair or secure the building or other structure.
- D. Upon receipt of those proceeds as authorized by this section, the Township Treasurer shall place the proceeds in a separate fund to be used solely as security against the total costs incurred by the Township of removing, repairing or securing any building or property, including, without limitation, any engineering, legal or administrative costs or fees incurred by the Township in connection with same. When transferring the funds as required in subsection "C" of this section, an insurance company, association or exchange shall provide the Township with the name and address of the named insured, whereupon the Township shall contact the named insured, certify that the proceeds have been received by the Township and notify the named insured that the procedures under this subsection will be followed. The funds held by the Township shall be returned to the named insured after repairs, removal or securing of the property, building or other structure have been completed and the Township has not incurred any costs for repairs, removal or securing the building or other structure as set forth above. If the Township has incurred costs for repairs, removal or securing of the building or other structure as set forth above, the costs shall be paid from the fund, and, if excess funds remain, the municipality shall transfer the remaining funds to the named insured. Nothing in this section shall be construed to limit the ability of a municipality to recover any deficiency. Further, nothing in this subsection shall be construed to prohibit the municipality and the named insured from entering into an agreement that permits the transfer of funds to the named insured, or their designee, if some other reasonable disposition of the damaged property has been negotiated and approved by the Township.



- E. Proof of payment by the insurance company, association or exchange of proceeds under a policy in accordance with subsection "C" of this section is conclusive evidence of the discharge of its obligation to the insured under the policy to the extent of the payment and of compliance by the company, association or exchange with subsection "C" of this section.
- F. Nothing in this section shall be construed to make an insurance company, association or exchange liable for any amount in excess of proceeds payable under its insurance policy, or for any other act performed pursuant to this section, or to make a municipality or public official an insured under a policy of insurance or to create an obligation to pay delinquent property taxes or unpaid liens or expenses other than as provided in this section.
- G. An insurance company, association or exchange making payments of policy proceeds under this section for delinquent taxes or structure removal liens or removal expenses incurred by a municipality shall have a full benefit of such payment, including all rights of subrogation and of assignment.
- H. A copy of this Section, and any modification or amendment thereof, together with the name and contact information of the Township Treasurer, shall be sent to the Commonwealth of Pennsylvania Department of Community and Economic Development to provide notice of the implementation of this Section subject to its terms consistent with the provisions of 40 P.S. 638.

**§5253-66 Applications.** The Secretary of the Board of Supervisors of Unity Township shall prepare and make available appropriate applications to be completed by the property owner and/or insurer setting forth all property identification information required for the issuance of the certificate referenced herein.

**§5253-67 Fees.** The municipal certificate required under the terms hereof shall be provided to the applicant, upon payment of a fee in an amount as shall be determined from time to time by resolution of the Unity Township Supervisors.

**SECTION XII – FIRE EXTINGUISHERS**

**53-68 Where required.** Portable fire extinguishers shall be required and installed in the following locations.

- A. In new and existing Uniform Construction Code Use Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies. Provided, however, that in new and existing Group A, B and E occupancies that are equipped throughout with quick-response sprinklers, portable fire extinguishers shall be required only in locations specified in Paragraphs B through F below:
- B. Within 30 feet of commercial cooking equipment.
- C. In areas where flammable or combustible liquids are stored, used or dispensed.

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D. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1 of the International Fire Code.

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E. Where required consistent with Table 53-68.1 attached hereto as Addendum A.

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F. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

**53-69 General requirements.** Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and the provisions of the NFPA 10, provided, however, that:

A. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

B. Thirty (30) day inspections shall not be required, and maintenance shall be authorized at a rate of once every three (3) years, for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided all of the following conditions are met:

1. Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed; and
2. Loss of power or circuit continuity to the electronic monitoring device initiates a troublesignal; and
3. The extinguishers are installed inside of a building or cabinet in a noncorrosive environment; and
4. Electronic monitoring devices and supervisory circuits are being tested every three (3) years when extinguisher maintenance is performed; and
5. A written log of required hydrostatic test dates for extinguishers is maintained by the owner to ensure that hydrostatic tests are conducted at the frequency required by the NFPA 10.

**53-70 Size and distribution.** For occupancies that involve primarily Use Class A fire hazards, the minimum sizes and distribution of fire extinguishers must comply with Table 53-70.1 attached to this Ordinance as Exhibit "B". Fire extinguishers for occupancies involving flammable or combustible liquids with depths of less than or equal to 0.25-inches shall be selected and placed in accordance with Table 53-70.2 attached to this Ordinance as Addendum "C". Fire extinguishers for occupancies involving flammable or combustible liquids with a depth of greater than 0.25-inch (6.35 mm) or involving combustible metals shall be selected and placed in accordance with the NFPA 10. Extinguishers for Class C fire hazards shall be selected and placed on the basis of the anticipated Class A or Class B hazard.



**53-71 Cooking grease fires.** Fire extinguishers provided for the protection of cooking grease fires shall be of a type approved by the Fire Code Official and be compatible with the automatic fire-extinguishing system agent for that extinguisher.

**53-72 Conspicuous location.** Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the Fire Code Official determines that the hazard posed indicates the need for placement away from normal paths of travel.

**53-73 Unobstructed and unobscured.** Portable fire extinguishers shall not be obstructed or obscured from view. In rooms or areas where visual obstruction cannot be completely avoided, appropriate signage shall be provided to identify the locations of extinguishers.

**53-74 Hangers and brackets.** Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on hangers or brackets appropriate for same. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.

**53-75 Cabinets.** Cabinets used to house portable fire extinguishers shall not be locked. Provided, however, that:

- A. Where portable fire extinguishers subject to malicious use or damage are provided with some other approved means of ready access; and
- B. In Group I-3 occupancies and in mental health areas in Group I-2 occupancies, access to portable fire extinguishers may be locked or located in staff locations provided the staff has keys to open same.

**53-76 Height above floor level.** Portable fire extinguishers having a gross weight less than 40 pounds shall be installed so that its top is not more than five (5) feet above the floor. Hand-held portable fire extinguishers having a gross weight exceeding 40 pounds shall be installed so that its top is not more than 3.5 feet above the floor. The clearance between the floor and the bottom of installed hand-held extinguishers shall not be less than 4 inches.

**53-77 Wheeled units.** Wheeled fire extinguishers shall be conspicuously located in a designated location.

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## SECTION XIII 14 - VIOLATIONS AND PENALTIES

### §53.768 VIOLATIONS

The failure of any person to comply with the provisions of any Section of this Chapter, or to comply with any directive or notice given by the Township or the Township's Fire Code Official, including, but not limited to a notice to correct a violation or stop work order, shall be a violation of this Chapter and subject the violator to those penalties set forth above and hereafter.

**§5253.769 PENALTIES**

Any person who violates the provisions of this Section shall be charged with a summary offense and, upon conviction thereof by a court of competent jurisdiction, be subject to a penalty of not less than FIVE HUNDRED and 00/100 (\$500.00) DOLLARS nor more than ONE THOUSAND and 00/100 (\$1,000.00) Dollars. In such proceedings, the Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required under the applicable Pennsylvania Rules of Criminal Procedure (relating to trial in summary cases). The failure to pay any fine imposed shall result in the violator's imprisonment to the extent allowed by law for the punishment of summary offenses. All court costs, cost of prosecution, including the Township's attorney's fees and expenses, incurred in such prosecution, shall be assessable in addition to any fine imposed. Each day that the condition giving rise to the violation continues to exist five (5) days after the date of conviction shall constitute a separate offense and be subject to those separate penalties, costs and expenses referenced herein for each separate offense without the necessity of a new filing.

**§5253.870. Other enforcement remedies.** In addition to those penalties contained herein, the Township may, at its discretion, initiate an action in equity to compel any person, corporation, entity or firm to comply with the requirements of this Chapter. In the event such proceedings are initiated, all court costs, expert witness fees, and all other costs of litigation, including the Township's attorney's fees, costs and expenses, incurred in such litigation, shall be assessable against the violating party, and paid by the violating party, in addition to any judgment, award or verdict entered.

