

CODIFIED ORDINANCES OF THE CITY OF FRANKLIN

PART FIFTEEN - FIRE PREVENTION CODE

TITLE ONE - Fire Prevention Code

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ARTICLE 1501
Fire Prevention Code

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CROSS REFERENCES

Department of Public Safety: Art. 119

1501.01 TITLE

This Article shall be known as the "Franklin Fire Prevention Code" and may be so cited and is hereinafter sometimes referred to as "this Code" and/or "these regulations". (Ord. 14 of 1978, Sect. 1, Passed 9-25-78; Ord. 5 of 1982, Sect. 1, Passed 2-22-82)

1501.02 ADOPTION OF INTERNATIONAL FIRE CODE, 2003 EDITION

That certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Franklin, being marked and designated as the International Fire Code, 2003 edition, as amended and updated (to include any annual, biannual or triennial editions), including Appendix Chapters B through G, (see International Fire Code Section 101.2.1, 2003 edition), as published by the International Code Council, be and is hereby adopted as the Franklin Fire Prevention Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City

Clerk of the City of Franklin are hereby referred to, adopted, and made a part hereof, as it fully set forth in this ordinance, with the additions, insertions, deletions and changes, if any prescribed in Section 1501.04 of this Ordinance. (Ord. No. 2 of 2007, Section 1, Passed 3-5-07)

1501.02.01 DEFINITIONS

Unless the context clearly indicates otherwise, any and all references in this Code to:

- a.) The 'state' shall mean the Commonwealth of Pennsylvania;
- b.) The 'municipality' or the 'jurisdiction' shall mean the City of Franklin;
- c.) The 'fire official' shall mean the Chief of the Fire Department; (Ord. 6 of 1986, Sect. 2, Passed 8-18-86; Ord. 7 of 1993, Sect. 2, Passed 6-7-93)
- d.) The 'mechanical code' or 'the mechanical code listed in Appendix A' shall mean and refer to the Franklin Mechanical Code;
- e.) The 'plumbing code' or 'the plumbing code listed in Appendix A' shall mean and include the Franklin Plumbing Code;
- f.) The 'property maintenance code' or 'the property maintenance code listed in Appendix A' shall mean and include the Franklin Property Maintenance Code;
- g.) The 'building code' or 'the building code listed in Appendix A' shall mean and include the Franklin Building Code.

(Ord. 5 of 1982, Sect. 3, Passed 2-2-82; Ord. 7 of 1993, Sect. 2, Passed 6-7-93)

1501.03 REGULATIONS OF COMMONWEALTH

It is hereby declared to be the legislative intent that this Code and the Fire Prevention Code which it adopts shall be of no effect as to the regulation and government of conditions hazardous to life and property from fire or explosion where such regulation and government have been pre-empted by the Commonwealth of Pennsylvania by being included in the Regulations for Protection from Fire and Panic of the Pennsylvania Department of Labor and Industry or in the Regulations of the Bureau of Fire Protection of the Pennsylvania State Police. (Ord. 2 of 1964, Sect. 15, Passed 6-1-64; Ord. 14 of 1978, Sect. 6, Passed 9-25-78)

1501.04 AMENDMENTS TO THE INTERNATIONAL FIRE CODE, 2003

The International Fire Code, 2003 Edition, is hereby amended as follows:

- (a) Section 101.1 'Title' is amended to read as follows:

These regulations shall be known as the Franklin Fire Prevention Code, hereinafter referred to as 'this code.'

- (b) Section 103.1 'General' is amended to read as follows:

The Department of Fire Prevention is established within the jurisdiction of the City of Franklin, which shall be the City of Franklin Fire Department, and shall be under the direction of the Fire Chief, hereinafter referred to as 'the fire code official.' The function of the department, in part, shall be the implementation, administration and enforcement of the provisions of this code. The fire code official shall work in conjunction with the code official authorized or contracted to implement, administer and enforce the Uniform Construction Code with the City of Franklin, hereinafter referred to as 'the building code official,' and the building code official shall consult with the fire code official and obtain the fire code official's written approval of all construction plans prior to the building code official's issuance of permits that involve any operation or construction governed by this code.

- (c) Section 103.2 'Appointment' is deleted in its entirety.

- (d) Section 103.3 'Deputies' is amended to read as follows:

The fire code official shall have the authority to appoint one (1) or more deputy fire code officials, other related technical officers, inspectors and other employees, to assist the fire code official in the implementation, administration and enforcement of the provisions of this code.

- (e) Section 104.11 'Authority at fires or other emergencies' is amended to add the following provisions:

This section shall also be enforced by the City of Franklin Police Department by the issuance of a citation for a violation of said section and by effecting the removal and impounding of any vehicle parked in violation of this section, in any way obstructing any marked fire lane in the City of Franklin, whether on private or public property. The owner of any vehicle so removed and impounded shall pay cash for all towing and storage charges before a vehicle so removed and impounded may be released by the operator of a storage facility. Payment shall be made at the City of Franklin Police Department, and the owner must exhibit an owner's card issued by the Commonwealth of Pennsylvania for a licensed vehicle or other evidence sufficient to establish

ownership for a vehicle licensed in some state other than the Commonwealth of Pennsylvania, and the City of Franklin Police Department may then advise the storage facility to release the vehicle to said owner.

- (f) Section 105.6.31 'Open burning' is amended to read as follows:

An operational permit is required for the kindling or maintaining of an open fire or a fire in a public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. All bonfires and open burning shall require a permit for each burning event. All recreational fires shall require an annual permit.

- (g) Section 108.1 'Board of appeals established' is amended to read as follows:

In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to application and interpretation of this code, there shall be, and is hereby created a board of appeals, which shall consist of the majority of the members of the Council of the City of Franklin. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

- (h) Section 108.3 'Qualifications' is amended to read as follows:

In rendering its decisions, the board of appeals shall have the power to hear testimony of any witnesses, whether called by the appellant or the appellee or the board of appeals, that are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems.

- (i) Section 109.3 'Violation penalties' is amended to read as follows:

Persons who violate a provision of this code, or fail to comply with any of the requirements of this code, or erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or in violation of a permit or certificate used under provisions of this code, and any person aiding, abetting or assisting in any such violation, shall be guilty of a summary offense, punishable by a fine of not less than \$100.00 or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (j) Section 111.4 'Failure to Comply' is amended as follows:

Any person who continues 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 liable to a fine of not less than \$500.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (k) The geographic limits referred to in Sections 3204.3.1.1 (in which the storage of flammable cryogenic fluids in stationary containers is prohibited), 3404.2.9.5.1 (in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited), 3406.2.4.4 (in which the storage of Class I and Class II liquids in above-ground tanks is prohibited), and 3804.2 (in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas) of the International Fire Code, 2003 edition, shall be within those areas of the City of Franklin zoned as industrial and in all other zones by special exception only. (Ord. No. 2 of 2007, Section 2, Passed 3-5-07)

1501.05 Permit Fees

In all instances in the International Fire Code, 2003 edition, where no fee is specifically provided for a permit, the permit fee to be paid shall be established in accordance with a rate schedule duly adopted by the Council of the City of Franklin, by resolution from time to time. (Ord. No. 2 of 2007, Section 3, Passed 3-5-07)