

ORDINANCE 2010 - 06

AN ORDINANCE OF THE TOWNSHIP OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA REPEALING CHAPTER 166 (FIRE PREVENTION) OF THE CODE OF THE TOWNSHIP OF RADNOR, AND ADOPTING A NEW CHAPTER 166 (FIRE PREVENTION) UPDATING STANDARDS TO THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE, WITH CERTAIN ADDITIONS, DELETIONS, AND AMENDMENTS.

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN:

§ 166-1. Adoption of code by reference.

Certain documents on file in the office of the Secretary of the Township of Radnor, being marked and designated as the "2009 INTERNATIONAL FIRE CODE," as published by the International Code Council, Inc., are hereby adopted as the Fire Code of Radnor Township, Delaware County, in the Commonwealth of Pennsylvania, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, conditions and terms of said 2009 INTERNATIONAL FIRE CODE are hereby referred to, adopted and made a part hereof as if fully set out in this chapter, with additions, deletions, insertions and changes as herein prescribed.

§ 166-2. Additions, insertions, deletions and changes to code.

The following sections and subsections of the aforementioned 2009 INTERNATIONAL FIRE CODE, are hereby added, amended, changed, deleted and clarified as set forth below:

A. Chapter 1, ADMINISTRATION

1. Section 101, General.

(a) In Subsection 101.1, Title, the "Township of Radnor" shall be inserted as the name of the jurisdiction.

(b) Add Subsection 101.6 Terms, to read as follows:

101.6 Terms: Whenever in said Fire Code a municipality or jurisdiction is mentioned and no name is given therefor, said municipality or jurisdiction shall be construed to mean the Township of Radnor, or where a state is mentioned, the same shall mean the Commonwealth of Pennsylvania.

2. Section 103, Department of Fire Prevention

(a) Delete subsection 103.1 through 103.3 and substitute with the following:

103.1 General. The Director of Community Development or any authorized agent or employee thereof shall be designated as the Fire code official for the purposes of this code.

103.2 Appointment. The Fire code official and employees of the Department of Community Development shall be appointed in accordance with the personnel procedures and policies of the Township of Radnor.

3. Section 105 Permits

- (a) Add to subsection 105.1.1 Permits required: Permits shall be issued upon payment of fees as required under Chapter 162, Fees, of the Township Code.
- (b) Add to subsection 105.1.2 Types of permits. # 3 The fire code official shall determine when an operational permit or a construction permit is required.
- (c) subsection 105.3.1 Expiration. Delete all language following the word "obtained" on line nine(9).
- (d) subsection 105.6.30 Open Burning. Delete exception: Recreational fires.

4. Section 108 Board of Appeals.

- (a) Delete this entire section and substitute the following:

Section 108 Means of Appeal

108.1 Appeals: Any person aggrieved by a decision or interpretation by the code official made under provisions of this code may, in person or through his duly authorized agent or attorney, file an appeal within 10 days after such decision with the Code Appeals Board. Such appeal shall be in writing, state the decision of the code official and the reasons for the exception taken thereto and shall be filed with the Township Secretary. The Code Appeals Board shall, within 30 days from the date of filing, fix a date, time and location to consider the appeal, and to allow the person to be heard if he states his desire to do so in the written appeal. A prompt decision shall be rendered by the Code Appeals Board and duly recorded, with such decision being final.

5. Section 109 Violations

- (a) subsection 109.2.3 Prosecution of violations. Delete the words on the third line "to request the legal counsel of the jurisdiction."
- (b) Subsection 109.3 Violation penalties. Delete this subsection and substitute with the following:
- (c) 109.3 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with the requirements or directives of the fire code official or of a permit issued under this code shall, upon conviction, be punishable by a fine of not more than one thousand (1000) dollars. Each day that a violation continues shall be deemed a separate offense.

6. Section 111 Stop Work Order

- (a) subsection 111.4 Failure to comply. Insert in the first blank twenty-five (25) and in the second blank insert one thousand (1000)

B. Chapter 2, DEFINITIONS

1. Section 202 General Definitions

- (a) Amend the definition of " fire code official" to read as follows:

FIRE CODE OFFICIAL: The Director of Community Development charged with the administration and enforcement of this code, or his duly authorized representative.

- (b) Add the definition of "Department" to read as follows:

DEPARTMENT: The Department of Community Development of Radnor Township or any authorized agent or employee thereof.

- (c) Add the definition of "township" to read as follows:

TOWNSHIP: The Township of Radnor in the Commonwealth of Pennsylvania.

C. Chapter 3, GENERAL PRECAUTIONS AGAINST FIRE

1. Section 307 Open Burning and Recreational Fires

- (a) Delete subsection 307.1 through 307.5 and substitute with the following:

307.1 Outdoor fires: Outdoor fires shall be subject to the following regulations, and no person shall kindle or maintain any outdoor fire or authorize any such fire to be kindled or maintained unless the following conditions are met:

1. The location of the fire is not less than 60 feet from any building or structure and not less than 60 feet from any property line or street line.
2. Burning of dry tree limbs and brush and leaves shall be prohibited by this code. (Amended 8-18-08 by Ordinance 2008-4)
3. No burning may occur before 8:00 a.m., and the fire must be completely extinguished, including smoldering, before 4:00 p.m.
4. The fire must be attended constantly by the property owner or by a designee competent to comply with these regulations. A charged water hose attached to an operable water faucet, capable of extending 15 feet beyond the site of the fire, shall be maintained at all times.

5. Burning shall not take place during periods of high winds or drought or in periods of weather inversion or any other situation deemed hazardous by the code official.

6. Burning shall be permitted only during the months of November through April. Burning shall be prohibited during all other months of the year.

307.2 Public bonfires: Public bonfires are prohibited unless a permit is first obtained from the code official. Permit fees shall be charged as set forth in Chapter 162, Fees, of the Township Code. Permits will be issued only to schools, churches or public service organizations. Permits will be issued only if the following conditions are met:

1. The location is approved by the code official and is not less than 150 feet from any structure.

2. Fire apparatus or equipment of the proper type and size shall be made available at the site of the bonfire.

3. Adequate provisions are made to keep spectators at a safe distance from the bonfire.

4. Fuel for bonfires shall consist of seasoned dry wood only and shall be ignited with a small quantity of paper. Bonfires shall not contain any rubbish, garbage, trash or any material made or coated with rubber, plastic, leather or petroleum-based materials and shall not contain any flammable or combustible liquids. The allowable quantity of wood to be burned shall be determined by the code official and shall be based upon the fire requirements of the situation and the desirable duration of burn. (Amended 8-18-08 by Ordinance 2008-4)

307.3 Burning prohibited: The outdoor burning of any rubbish, garbage or trash shall be strictly prohibited by this code. (Amended 8-18-08 by Ordinance 2008-4)

D. Chapter 4, EMERGENCY PLANNING AND PREPAREDNESS

1. Section 401 General

(a) subsection 401.2 Approval – Add the words “and the fire code official “ after the word “code” on line one.

E. Chapter 5, FIRE SERVICE FEATURES

1. Section 501 General

(a) subsection 501.3 Construction documents. Delete the word “department” on line four, and substitute with “code official”.

2. Section 503 Fire Apparatus Access Roads

- (a) subsection 503.6 Security gates – Delete the word “chief” on line two, and substitute with the words “code official”.

F. Chapter 9, FIRE PROTECTION SYSTEMS

1. Section 903 Automatic Sprinkler Systems

- (a) subsection 903.2 Where required – Amend as follows:
- (b) Delete subsections 903.2.1 through 903.2.9.1 and substitute with the following:
- (c) 903.2.1 Use Groups A, B, E, M, S, and U – In all buildings or structures exceeding one thousand(1000) square feet in gross floor area.

Exception: S-2 Open Parking Garages

- (d) 903.2.2 Use Groups R, F, H, I – In all buildings or structures or portions thereof.

G. Chapter 24 TENTS, CANOPIES AND OTHER MEMBRANE STRUCTURES

1. Section 2403 Temporary Tents, Canopies and Membrane Structures

- (a) Delete subsection 2403.2 Approval required and substitute with the following:
 - (b) 2403.2 Approval Required – Tents or air-supported structures shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official. Approval shall not be required for tents utilized exclusively for recreational camping purposes
 - (c) Delete subsection 2403.6 Construction documents and substitute with the following:
 - (d) 2403.6 Construction documents: A detailed site plan and tent or air-supported structure floor plan shall be provided with each application for approval when required by the fire code official. When required, the tent or air-supported structure floor plan shall indicate details of the means of egress facilities, seating capacity, arrangement of the seating and location and type of heating and electrical equipment.

H. Chapter 33 EXPLOSIVES AND FIREWORKS

1. Section 3301 General

- (a) subsection 3301.2.4 Financial responsibility – Replace \$100,000 on line four(4) with \$1,000,000.
- (b) Delete subsection 3301.2.4.1 Blasting and replace with the following:
- (c) 3301.2.4.1 Blasting: Before any permit to do blasting is issued, the applicant or said permit shall file a bond in such form, amount and coverage as determined by the legal counsel of the jurisdiction against any damages arising from the permitted blasting. In no case, however, shall the bond be less than \$1,000,000.
- (d) Delete subsection 3301.2.4.2 Fireworks display and replace with the following:
- (e) 3301.2.4.2 Fireworks display: Before a permit to display or discharge fireworks is issued, the applicant for said permit shall file a bond in the form, amount and coverage as determined by the legal counsel for the jurisdiction against any damages arising from the permitted fireworks. In no case, however, shall the bond be for an amount not less than \$1,000,000.

2. Section 3307 Blasting

- (a) Delete subsection 3307.4 Restricted hours and replace with the following:
- (b) 3307.4 Restricted time: Blasting operations shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. No blasting shall be permitted on Saturday, Sunday, Christmas Day, Thanksgiving Day, Yom Kippur or the first day of Passover.


I. Chapter 38 LIQUEFIED PETROLEUM GASES

1. Section 3801 General

- (a) Add new subsection 3801.4 – PA Uniform Construction Code Exclusion. The Uniform Construction Code of PA does not regulate the following: Installation of tubing, piping, propane gas burning appliances, equipment or fixtures related to liquefied petroleum gas under the Propane and Liquefied Petroleum Gas Act (35 P.S.* 1329.1–1329.19).

ENACTED and ORDAINED this 22nd day of February, 2010

TOWNSHIP OF Radnor


By: John Nagle, President
Board of Commissioners

Attest:


Matthew S. Baumann, Secretary