

CHAPTER 10

FIRE PREVENTION

BOROUGH OF WYALUSING
ORDINANCE NO. 10

AN ORDINANCE CHAPTER NO. 10, FIRE PREVENTION, OF THE CODE OF THE BOROUGH OF WYALUSING, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

The Borough of Wyalusing hereby ordains and enacts as follows:

ARTICLE I
Fire Control Measures and Regulations

§ 1. TITLE.

There is hereby adopted by the Borough of Wyalusing the fire control measures and regulations as herein set forth for the purposes of controlling conditions, which could impede or interfere with fire suppression forces. This article shall be known and may be cited as the "Fire Control Ordinance."

§ 2. AUTHORITIES AT FIRES AND OTHER EMERGENCIES.

The Fire Official, or his duly authorized representatives as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of his duty. The Fire Official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department. The Fire Official may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not reenter the area until authorized to do so by the Fire Official.

§ 3. INTERFERENCE WITH OPERATIONS.

It shall be unlawful to interfere with, attempt or conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any Fire Department emergency vehicle in any way or to interfere with, attempt or conspire to interfere with, obstruct or hamper any Fire Department operation.

§ 4. COMPLIANCE WITH ORDERS REQUIRED.

A person shall not willfully fail or refuse to comply with any lawful order or direction of the Fire Official or interfere with the compliance attempts of another individual.

§ 5. CROSSING OF FIRE HOSE BY VEHICLES.

A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alleyway, private drive or any other vehicular roadway without the consent of the Fire Official in command of said operation.

§ 6. DEFINITIONS.

As used in this article, the following terms shall have the meanings indicated:
AUTHORIZED EMERGENCY VEHICLES -- Restricted to those which are defined and authorized under the laws of the Commonwealth of Pennsylvania.

§ 7. OPERATION OF VEHICLES UPON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

Upon the approach of any authorized emergency vehicle giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by the Fire Official or a police officer.

§ 8. VEHICLES FOLLOWING FIRE APPARATUS.

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than 500 feet to any fire apparatus traveling in response to a fire alarm or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

§ 9. TAMPERING WITH EMERGENCY EQUIPMENT.

A person shall not, without proper authorization from the Fire Official in charge of said Fire Department emergency equipment, cling to, attach himself to, climb upon or

into, board or swing upon any Fire Department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon or manipulate or tamper with or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on or a part of any Fire Department emergency vehicle.

§10. INJURY TO EQUIPMENT OR PERSONNEL.

It shall be unlawful for any person to damage or deface or attempt or conspire to damage or deface any Fire Department emergency vehicle at any time or to injure or attempt to injure or conspire to injure Fire Department personnel while performing departmental duties.

§11. OPERATION OF EMERGENCY VEHICLES.

The driver of any emergency vehicle, as defined in § 6 of this article, shall comply with all laws of the Pennsylvania Motor Vehicle Code pertaining to the operation of such vehicle.

§12. BLOCKING FIRE HYDRANTS AND CONNECTIONS.

A. It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any Fire Department connection for the pressurization of fire suppression systems, including fire hydrants and Fire Department connections that are located on public or private streets and access lanes or on private property.

B. If, upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the Fire Official shall proceed to remove the same. Cost incurred in the performance of necessary work shall be paid from the municipal treasury on certificate of the Fire Official and with the approval of the chief administrative official. The legal authority of the municipality shall institute appropriate action for the recovery of such costs.

§ 13. USE OF FIRE HYDRANTS RESTRICTED.

A person shall not use or operate any fire hydrant intended for the use of the Fire Department for fire suppression purposes, unless such person first secures a permit for such use from the Fire Official and the water company having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by and authorized to make such use by the water company having jurisdiction.

§14. PLACEMENT AND REMOVAL OF FIRE HYDRANTS.

The Fire Official shall recommend to the chief administrative official of the municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the Fire Official.

§15. PLACEMENT OF HYDRANTS FOR HIGH-HAZARD USES.

All new and existing shipyards, oil-storage plants, lumberyards, amusement or exhibition parks and educational or institutional complexes and similar occupancies and uses involving high fire or life hazards and which are located more than 150 feet from a public street or which require quantities of water beyond the capabilities of the public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the Fire Official and shall be connected to a water system in accordance with accepted engineering practices. The Fire Official shall designate and approve the number and location of fire hydrants. The Fire Official may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the Fire Official.

§ 16. DISTURBANCE OR REMOVAL OF FIRE APPLIANCES.

A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code, except for the purpose of extinguishing a fire, training or testing purposes, recharging or making necessary repairs or when permitted by the Fire Official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and nonapproved fire appliances or equipment shall be replaced or repaired as directed by the Fire Official.

§17. SALE OF DEFECTIVE OR UNAPPROVED FIRE EXTINGUISHERS.

A person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the Fire Official or which is not in proper working order or the contents of which do not meet the requirements of the Fire Official. The requirements of this section shall not apply to the sale, trade or

exchange of obsolete or damaged equipment for junk when said units are permanently disfigured or marked with permanent signs identifying the units as junk.

§ 18. STREET OBSTRUCTIONS.

A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street within the boundaries of the municipality. The word "street," as used in this article, shall mean any roadway accessible to the public for vehicular traffic, including but not limited to private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality.

§ 19. VIOLATIONS AND PENALTIES.

Unless provided otherwise by statute, any person, firm or corporation who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs of prosecution and, in default of payment thereof, to undergo imprisonment for a term not exceeding 30 days.

ARTICLE II Adoption of Standards

§ 20. ADOPTION OF STANDARDS.

A certain document, three copies of which are on file in the office of the Borough Secretary of the Borough of Wyalusing, being marked and designated as the "International Fire Code," including Appendix Chapters A, B, C, D, E, F, 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 code of the Borough of Wyalusing for 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 in the Borough of Wyalusing and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such International Fire Code, 2000 Edition, published by the International Code Council, on file in the office of the Borough Secretary are hereby referred to, adopted and made a part hereof as if fully set out in this article.

§ 21. MODIFICATION OF STANDARDS.

The following sections are hereby revised:

- A. In Section 101.1 insert: "Wyalusing."
- B. In Section 109.3. insert: "Violation of Ordinance"; "\$1,000"; "30 days ."
- C. In Section 111.4. insert: "\$500"; "\$1,000."

§ 22. ESTABLISHMENT OF LIMITS.

The limits referred to in certain sections of the 2003 International Fire Code are hereby established as follows:

- A. Section 3204.3.1.1 (limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited in the entire Borough except the Agricultural District).
- B. Section 3404.2.9.5.2 (limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited in the entire Borough except the Agricultural District).
- C. Section 3406.2.4.4 (limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited in the entire Borough except the Agricultural District).
- D. Section 3804.2 (limits in which the storage of liquified petroleum gas is restricted for the protection of heavily populated or congested areas in the entire Borough except the Agricultural District).

§ 23. REPEALER.

Ordinance No. 1990-9 of the Borough of Wyalusing, entitled "Fire Prevention - BOCA National Fire Prevention Code, 1993" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

§24. PUBLICATION.

The Borough Secretary is hereby ordered and directed to cause this article to be published.

THIS ORDINANCE shall take effect immediately upon adoption.