

OFFICIAL

CECIL TOWNSHIP

ORDINANCE NO. 1a - 2016

AN ORDINANCE OF CECIL TOWNSHIP, COUNTY OF WASHINGTON, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE PROVISIONS OF THE 2015 INTERNATIONAL FIRE CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS THE CECIL TOWNSHIP FIRE CODE

WHEREAS, certain portions of the 2015 International Fire Code, as published by the International Code Council, were incorporated into Pennsylvania's Uniform Construction Code (contained in 34 Pa. Code, Chapters 401-405, and as amended thereafter from time to time) by the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103; and

WHEREAS, the Pennsylvania Uniform Construction Code only adopts the 2009 International Fire Code only to the extent referenced in the 2009 International Building Code.

WHEREAS, the Board of Supervisors of Cecil Township, after consultation with its fire departments deems it to be in the best interests of the health, safety, and welfare of the Township's residents and citizens to amend the Cecil Township Code to adopt the provisions of the 2015 International Fire Code and to repeal all inconsistent regulations.

NOW THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Board of Supervisors of the Cecil Township, Washington County, Pennsylvania, as follows:

SECTION 1. ADOPTION OF INTERNATIONAL FIRE CODE, 2015 EDITION.

That a certain document, three (3) copies of which are on file in the office of the Township Manager of Cecil Township, being marked and designated as the International Fire Code, 2015 edition, including Appendix Chapters B, D, E, F, H and I as published by the International Code Council be and is hereby adopted as the Fire Code of Cecil Township, in the Commonwealth of Pennsylvania 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 therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of Cecil Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. AMENDMENTS TO THE FIRE CODE.

- A. The Fire Code hereby amends and changes the 2015 International Fire Code in the following specific respects:
1. Section 101.1 ("Title."): Insert "Cecil Township"
 2. Section 109.4 ("Violation penalties."): Insert "summary offense," "One Thousand Dollars (\$1,000.00)" and "thirty (30) days," respectively.
 3. Section 111.4 ("Failure to comply."): Insert "Three Hundred Dollars (\$300.00)" and "One Thousand Dollars (\$1,000.00)," respectively.
 4. Section 1103.5.3. Insert: 180 days from date of adoption.

- B. The Fire Code deletes and replaces the following provisions of the 2015 International Fire Code:
1. Section 108 of the Code, including all subsections, is deleted and replaced with the following:

The Building Code Board of Appeals shall serve as the Fire Code of Cecil Township Board of Appeals. Appeals shall follow the adopted rules of procedure for conduction its business of the Building Code Board of Appeals, and the Building Code Board of Appeals shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

SECTION 3. GEOGRAPHIC LIMITS.

- A. The geographic limits referred to in various sections of the 2015 International Fire Code are hereby established as follows:
1. Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited:

“Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited within any zoning district depicted on the Zoning Map of Cecil Township except the C-2,C-3 I-1, I-2, SD (Industrial Land Use Category), BDP Districts.”
 2. Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited):

“Storage of Class I and Class II liquids in above-ground tanks is prohibited within any zoning district depicted on the Zoning Map of Cecil Township except the C-2,C-3 I-1, I-2, SD (Industrial Land Use Category), BDP Districts.”
 3. Section 5806.2 (geographic limits in which the storage of flammable cryogenic liquids in stationary containers is prohibited):

“Storage of flammable cryogenic liquids in stationary containers is prohibited within any zoning district depicted on the Zoning Map of Cecil Township except the C-2,C-3 I-1, I-2, SD (Industrial Land Use Category), BDP Districts.”

4. Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas):

“The geographic limits in which the aggregate capacity of any one installation of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7570 L) for the protection of heavily populated or congested areas cannot be established by Cecil Township because the Propane and Liquefied Petroleum Gas Act (35 P.S. §§ 1329.1 through 1329.19) does not permit municipalities to prohibit or regulate storage of these materials.”

The Board may amend these geographic limits via Resolution of the Board.

SECTION 4. APPLICABILITY.

The Fire Code of Cecil Township shall apply to all real property and construction activity within Cecil Township from the effective date forward establishing the minimum regulations governing the conditions, maintenance, operations and other physical things of all existing property, existing buildings and structures, and existing building systems, except to the extent that the Fire Code is inconsistent with the International Building Code, 2009 Edition or successor regulations as adopted by the Pennsylvania Uniform Construction Code (“UCC”).

SECTION 5. REPEALER.

As of the effective date of this Ordinance, all ordinances currently in existence are repealed to the extent that such ordinances are inconsistent with the provisions of this Ordinance; provided however, that such ordinances shall remain in full force and effect to the extent that they are not inconsistent with the provisions of this Ordinance.

SECTION 5. REPEALER.

As of the effective date of this Ordinance, all ordinances currently in existence are repealed to the extent that such ordinances are inconsistent with the provisions of this Ordinance; provided however, that such ordinances shall remain in full force and effect to the extent that they are not inconsistent with the provisions of this Ordinance.

SECTION 6. SEVERABILITY.

If a final decision of a court of competent jurisdiction holds any provision of this Ordinance, or the application of any provision to any circumstances, to be illegal or unconstitutional, the other provisions of this Ordinance, or the application of such provisions to other circumstances, shall remain in full force and effect. The intention of the Township is that the provisions of this Ordinance shall be severable and that this Ordinance would have been adopted if any such illegal or unconstitutional provisions had not been included.

SECTION 7. EFFECTIVE DATE.

The provisions of this Ordinance shall become effective five (5) days after adoption by the Board of Supervisors.

BE IT ORDAINED AND ENACTED, this 3RD day of October, 2016, by

the Board of Supervisors of Cecil Township at its regular scheduled meeting.

ATTEST:

CECIL TOWNSHIP


Township Manager/Secretary


Chairman, Board of Supervisors

