

CITY OF SHARON, PENNSYLVANIA

BILL NO. 21-22

ORDINANCE NO. 21-22

Introduced by, Mr. James

Passed finally,

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SHARON, COUNTY OF MERCER, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODIFIED ORDINANCES OF THE CITY OF SHARON, PART SIXTEEN "FIRE PREVENTION CODE," CHAPTER 1602, "INTERNATIONAL FIRE CODE" SECTION .01 - SECTION .11," TO REPLACE ALL PRIOR EDITIONS AND ADOPT THE 2021 EDITION

BE IT ORDAINED AND ENACTED by the Council of the City of Sharon and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. AMENDMENT: The Codified Ordinances of the City of Sharon, Part Sixteen "Fire Prevention Code," Chapter 1602, "International Fire Code" Section .01- Section .11", is amended to adopt the 2021 edition of the International Fire Code replacing all prior editions thereof is amended to read as follows:

**1602.01 Adoption of Fire Prevention and Inspection Code.**

A certain document, being marked and designated as the International Fire Code 2021 (hereinafter "IFC"), including all appendices Chapters A through M, as published by the International Code Council, copies of which are on file in the office of the City Clerk of the City of Sharon, Pennsylvania is hereby adopted as the Fire Prevention and Inspection Code of the City of Sharon, Mercer County, in the State of Pennsylvania, for the purpose of regulating and governing the standards by which all structures, buildings, and/or property within the City of Sharon shall be maintained to ensure that said properties are safe from the risk of fire and other hazards while protecting all inhabitants, licensees, and invitees from unreasonable threat of bodily injury or death in the event of a fire or other hazard and to protect their property and neighboring property; providing for the general health safety and welfare of all persons in the City; further providing for safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, construction features, and from conditions hazardous, including acts of violence, to any life including emergency responders or hazardous to property in the occupancy of buildings and premises as herein provided; further allowing for actions to be taken for pre-planned and emergency impairments of fire protection systems; providing for inspections; allowing for the issuance of permits and collection of fees therefore; providing for the enforcement, penalties and appeal rights for violations thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Prevention and Inspection Code on file in the office of the City of Sharon are hereby referred to, adopted, and made a part hereof, as if set forth fully at length in this chapter, with any amendments, modifications, changes and deletions, if any, prescribed in this section.

**1602.02 Amendment of the Fire Code.**

The City Council shall be authorized as provided herein to amend the Fire Prevention and Inspection Code from time to time and to provide for the adoption of the more recent version of the triennial IFC.

**1602.03 Intent.**

This article shall be construed to secure its expressed intent, which is to ensure health, safety, and welfare of the public and emergency responders insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

**1602.04 Revisions.**

The following revisions, modifications, and/or changes to the IFC shall apply:

- A) Section 101.1 of the IFC shall insert “the City of Sharon.”
- B) Section 307 of the IFC, pertaining to open burning, recreational fires, and portable outdoor fireplaces, shall be amended, modified, or changed as follows:
  - a. General requirements and restrictions for all outdoor burning fires:
    - i. Outdoor burning is prohibited when atmospheric conditions or local circumstances make such fires hazardous.
    - ii. Outdoor burning is prohibited within fifteen feet of any structure or property line.
    - iii. All open flames and smoldering fires shall be attended at all times by the property owner and/or their representative.
  - b. Household debris fires are permitted with the following conditions:
    - i. The burning of household debris is permitted only between the hours of 6:00 a.m. and 8:00 a.m. Monday through Saturday. No household debris fires shall be permitted on Sundays or national holidays.
    - ii. The material to be burned is limited to ordinary household class A debris such as paper, cloth, and related materials. Burning of construction materials, tires, leaves, grass, tree stumps, shrubbery, household garbage, or burning that creates noxious odors and/or heavy smoke is prohibited.
    - iii. All burning shall be done in a container or enclosure approved by the Department of Fire-Rescue, with a five-foot radius around the container free of combustible debris.

- c. Fires set solely for recreational, cooking, or ceremonial purposes are permitted with the following conditions:
  - i. The size of the fire may not exceed three feet in length, width, or height.
  - ii. The fire may burn no longer than three hours.
  - iii. The Department of Fire-Rescue is notified in advance.
  - iv. Fuel for recreational fires can only be "firewood." ("Firewood" shall be defined as any kindling, logs, timber, or other portions of a tree of any species three (3) feet or less in length, cut or split into a form and size appropriate for use as fuel for fires in open pit, grill, fireplace, stove, or other wood burning furnaces or devices. "Firewood" shall not include kiln-dried, green, or pressure treated dimensional lumber, sawdust, plywood, particle board, pressboard, or oriented strand board.)
  
- d. All outdoor burning not specifically provided for in this section is prohibited without first obtaining a special permit from the Department of Fire-Rescue. All applications for a special burning permit shall be made no less than ten days before said burning and shall be subject to an inspection by the Fire Chief or his designee. The special permit may only be granted if, in the judgment of the Fire Chief or his designee, the following conditions are met:
  - i. The fire complies with all State and local laws and regulations, including the types of materials that legally are permitted to be burned.
  - ii. The fire can be conducted in a manner that provides for the safety of all persons and property.
  - iii. The fire can be conducted in a manner that does not interfere with the ability of others to enjoy and use their property and the fire would not create a nuisance.
  
- e. Any special permit can be revoked at the discretion of the Fire Chief or his designee in the event a permitted fire should fail to adhere to these conditions or the reasonable conditions of the Fire Chief or his designee.
  
- f. A special permit shall be valid for no longer than fourteen days.

C) Section 506.1.3 – The following structures shall be equipped with a Key Lock Box of a type and size and at a location approved by the Fire Chief or his designee:

- a. All new commercial buildings shall be equipped with a Key Lock Box prior to the issuance of the certificate of occupancy.

- b. All existing commercial buildings constructing additions, major renovations, or changes of use that require City Zoning or Planning Board approval, shall be equipped with a Key Lock Box prior to the issuance of any necessary permits.
  - c. All existing commercial buildings with new occupancies by tenants shall be equipped with a Key Lock Box prior to the issuance of a Certificate of Continued Occupancy.
- D) Section 506.3 – The type of Key Lock Boxes to be implemented within the City of Sharon shall be a Knox-Box® brand system or such other rapid entry system of comparable quality which has been specifically authorized in writing by the Fire Chief or his designee as being an acceptable substitution for the Knox-Box® brand system.
- E) Section 507.5.2 of the IFC, pertaining to the inspection, testing, and maintenance of hydrants, shall be revised by adding the following sentence: “Public and private fire hydrants that are temporarily out of service shall be covered with a temporary black cover that is properly secured to the fire hydrant.”
- F) Section 507.5.3 item 1 of the IFC, pertaining to private fire hydrants, shall be revised by adding the following sentence: “Private fire hydrants shall be color coded with a red barrel, and additionally, the caps and bonnets shall be color coded to comply with NFPA 291.”
- G) Section 903.4.2 of the IFC, pertaining to exterior sprinkler alarms, shall be revised by adding the following sentence: “This exterior sprinkler alarm device shall be the Potter Signal® SASH (strobe/horn/sign) with the horn sound set to “bell” at the highest decibel setting.

**1602.05 Enforcement.**

The enforcement of the provisions provided within the Fire Prevention and Inspection Code shall be carried out by persons granted the authority to enforce the provisions of the Fire Prevention and Inspection Code. Those persons are the City Fire Chief, City Deputy Fire Chief, City Fire Captains, City Fire Inspector, Sharon Code Enforcement Officer, any qualified person as designated and authorized in writing by the Fire Chief or Deputy Fire Chief, and any third party appointed by the City for inspection of properties pursuant to the IFC. The duties of these authorized persons are the enforcement, inspection, interpretation, and other duties related to fire and life safety in the City of Sharon as provided within the IFC.

**1602.06 Applicability.**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this article and the referenced standards, the provisions of this article shall apply. Where, in a

specific case, different sections of this article specify different requirements, the most restrictive shall govern.

**1602.07 Application of other ordinances.**

New construction and repairs, additions, or alterations to a structure shall be done in accordance with the procedures and provisions of the Uniform Construction Code of Pennsylvania. A copy of architectural drawings, project specifications, and shop drawings of fire protection systems for all UCC projects shall be provided to the City Fire Chief or his designee for a fire code review in collaboration with the City's UCC Inspector prior to the issuance of a Building Permit. A representative from the Department of Fire-Rescue shall participate in final inspections of UCC Construction Projects and be present to witness acceptance tests of all fire protection systems.

A Change of Use or Occupancy of an existing building shall be done in accordance with this Chapter and within the provisions of the Uniform Construction Code of Pennsylvania.

**1602.08 Continuation of existing regulations.**

The provisions of this article shall not affect any act done, or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of the ordinances in place prior to the adoption of this article.

**1602.09 Appeal.**

All persons shall have the right to appeal any notice of violations or other written enforcement action issued by the City of Sharon within 15 days of its postmark or actual service upon the appellant. All appeals shall be heard by the Sharon Board of Appeals.

**1602.10 Fees.**

Fees may be assessed by the City of Sharon for the administration and enforcement undertaken pursuant to this section and shall be established by resolution of the City Council of the City of Sharon from time to time.

**1602.11 Penalty.**

A) Any person who shall violate any provision of this Code shall be, upon conviction, sentenced to a fine of not more than one thousand (\$1,000) plus costs, to a term of imprisonment not to exceed thirty days or both. Each day that a violation continues after due notice has been served shall be deemed a separate and continuing offense. Original jurisdiction for this proceeding shall be with the Magisterial District Court.

B) Nothing in this section shall be construed in any way to limit any other action of law or equity to enforce the Sharon Fire Prevention and Inspection Code or abate any violations thereof.

SECTION 2. SEVERABILITY. The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.

SECTION 3. REPEALER. All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective ten (10) days after final passage .

ORDAINED AND ENACTED finally into law by the Council of the City of Sharon, this 21st day of December, 2022.

  
PRESIDENT OF COUNCIL

ATTEST:

  
CITY CLERK