

**CHAPTER 7**

**FIRE PREVENTION AND FIRE PROTECTION**

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**Part 1**  
**Burning Regulations**

**§101. Short Title.**

This Part 1 shall be known any may be cited as the “Mohnton Borough Burning Ordinance.” (Ord. 317, 7/19/1979, §1)

**§102. Definitions.**

The following words shall have the meanings herein indicated:

BRUSH — bushes, shrubs, thickets, tree branches and limbs, and small trees, but shall not include leaves.

NON-ORGANIC MATERIAL — material derived or formed from inanimate objects, other than animal or vegetable, such as tin cans, glass, crockery, metals and similar materials.

ORGANIC MATERIAL — material derived from living organisms such as wood, paper, bedding and yard scraps.

PERSON — any natural person, partnership, firm, association or corporation.

(Ord. 316, 7/19/1979, §2)

**§103. Outside Burning Prohibited.**

1. From and after the passage of this Part 1, it shall be unlawful for any person to kindle, light or maintain any bonfire, or other fire, or permit any such fire to be kindled or maintained, for the burning of any matter whatsoever, outside of any building, within the limits of the Borough of Mohnton.
2. Burning may be conducted in an incinerator operated by chemical or thermal means, approved by the Borough Council and the Pennsylvania Department of Environmental Resources.
3. Outdoor fireplaces designed for outdoor cooking may be used for cooking purposes only, provided no obnoxious odors or dense smoke are emitted therefrom.

(Ord. 317, 9/1/1971, §3)

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### **§104. Unlawful Deposits.**

It shall be unlawful to deposit hot ashes, smoldering coals, or embers, grease or oily substances, or other matter liable to spontaneous ignition, within 10 feet of any wooden or plastered wall, partition, fence, hedge, floor, lumber, rubbish or other combustible materials, except in metallic or other non-combustible container, equipped with a cover. Such containers, unless resting on the ground outside the building, must be placed on non-combustible stands, and in every case must be kept at least two feet from any wall, partition, or other combustible material. (Ord. 317, 7/19/1979, §4)

### **§105. Removal and Storage.**

It shall be unlawful for any person making, using, storing or having charge or control of any shavings, excelsior, rubbish, sacks, bags, letter, hay, straw or other combustible trash or fragment, to fail, neglect, or refuse at the close of each day to cause all such material, which is not baled or stacked in an orderly manner, to be removed from the premises, or stored in a non-combustible container. (Ord. 317, 7/19/1979, §5)

### **§106. Fire Risks and Hazards.**

1. Any chimneys, fences, smokestacks, fire escapes, or exits broken or found defective upon inspection, shall be immediately cleared or repaired upon written notice from the Council Secretary, such notice to contain a specific statement of the danger or hazard existing and a recommendation of the change or changes to be made.
2. In order to carry out the provisions of this Part 1, the Chiefs of the Fire Companies in Mohnton Borough, members of the Police Department in Mohnton Borough, the Building Inspector of the Mohnton Borough, the Councilmen of Mohnton Borough and any other official of Mohnton Borough designated by the said Councilman shall have supervision over and examine all fire risks and exits in the Borough and upon finding any hazard, shall report same to the Borough Secretary. For that purpose, the herein mentioned officials shall have authority to enter any building and inspect the conditions existing therein insofar as they related to fire risks.

(Ord. 317, 7/19/1979, §6)

### **§107. Penalties.**

Any person violating any of the provision of this Part 1, or neglecting to comply with any order or notice issued, pursuant to a violation of any section hereof, upon summary conviction thereof before any District Justice, be sentenced to pay a fine of not less than \$10, nor more than \$300, to be recovered in the name of Mohnton Borough, and in de-

fault of the payment thereof, shall be imprisoned for a period not to exceed 90 days.  
(Ord. 317, 7/19/1971, §8; as amended by Ord. 478, 8/10/1988)



## Part 2

### Fire Alarms and Smoke Detectors

#### §201. Requirements for Multi-family Residents.

On and after the date of the passage of this Part, the following requirements for life safety in multi-family residential buildings are as follows:

- A. Requirements. It shall be the responsibility of the owner of each existing multi-family residential building to install smoke detectors in each such multi-family residential building intended to be used, or originally built or designed to be used for residential purposes, not to include any dwelling unit within any structure which has been wholly converted to a nonresidential use. Such smoke detectors shall be capable of sensing visible or invisible particles of combustion and each detection device shall cause the operation of an alarm which shall be clearly audible in all portions of the structure over background noise levels with all intervening doors closed; further, they shall be installed in the manner hereinafter provided. For the purposes of this Section, a multi-family residential building shall mean a building containing three or more dwelling units.
- B. Location. At least one smoke detector shall be installed in close proximity to the access for each sleeping area. A sleeping area is defined as the area or areas of the dwelling unit in which the bedrooms or sleeping rooms are located. Rooms habitually used for sleeping which are separated by other use areas such as kitchens or living rooms, but not bathrooms or closets shall be considered as separate sleeping areas for the purposes for this Section. In addition, a smoke detector shall be installed on each additional story of the family living unit and in all halls, corridors or stairwells of multi-family residential buildings, including basements and cellars as directed by the Fire Official.
- C. Equipment. All devices, combinations of devices and equipment required herein are to be installed in conformance with the provisions of the Building Code and this Section, and such equipment to be installed shall be approved by the Bureau of Fire Prevention.
- D. Installation. Smoke detectors may be directly hand wired to the building's power supply or operated on a plug-in outlet which is fitted with a plug restrainer device, provided that such outlet is not controlled by any switch, cord switch or extension cord on the detector. Smoke detectors may be powered by a battery provided that the battery is monitored to assure that the following conditions are met:
  - (1) All power requirements are met for at least one year's life, including weekly testing;

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- (2) A distinctive audible trouble signal is given before the battery is incapable of operating from aging, terminal corrosion, etc., the device(s) for alarm purposes;
  - (3) The unit is capable of producing an alarm signal for at least four minutes at the battery voltage at which a trouble signal is normally obtained followed by seven days of trouble signal operation;
  - (4) The audible trouble signal is produced at least once every minute for seven consecutive days.
- E. Maintenance. It shall be the responsibility of the property owner or agent to annually inspect and maintain any smoke detector device, installed in compliance with the provisions of this Section, in accordance with the manufacturer's warranty and/or suggested maintenance. In addition, the property owner shall provide any and all tenants or householders access to a copy of the maintenance schedule, operating manual and any other instructional or precautionary literature which the manufacturer shall supply with the unit. Tests and inspections, as recommended by the manufacturer, shall be made by the tenant or householder not less than once a month for other than battery-powered detectors and not less than once a week for battery-powered detectors.
- F. Certification at Change in Occupancy. At every change of occupancy or tenancy of every multi-family dwelling unit occasioned by or incidental to a sale, lease, sublease or change in tenancy, it shall be the duty of the grantor thereof to certify to the tenant, at the time of conveyance, and before occupancy, that all smoke detectors as required by this Section or other applicable laws are installed and in proper working condition.
- G. Permits and Fees. No smoke detector or alternative system shall be directly connected or permanently wired to the electrical system of the structure unless an electrical permit has first been obtained from the Electrical Inspection Association – Bureau of Code Services.
- H. Other Standards Applicable. This Section is intended to be used with and supplemented by the applicable provisions of the National Fire Protection Association Standards 71-1977, 72-A-1975, 72-E-1978 and 74-1978, which are hereby incorporated herein. However, if there shall be any conflict between this Part and any rules and regulations adopted pursuant thereto, and the referenced standards, the provisions which afford the greater degree of fire and life safety, as determined by the Fire Official, shall prevail.

(Ord. 490, 10/11/1989, §1)



**§202. Violations.**

Any person or persons or legal entities failing to comply with any provisions of this Part shall, upon conviction thereof before any District Justice, be sentenced to pay a fine of no less than \$25 or no more than \$300. (Ord. 490, 10/11/1989, §2)