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Part 1

Outdoor Fires

Section 101. Outdoor Fires Restricted. No person shall set or maintain any fire upon any of the streets, sidewalks, alleys or public grounds in the Township of Spring, or burn or cause to be burned thereon any boxes, rubbish, leaves or other material or substance of any kind. Nor shall any person set or maintain any fire, or burn or cause to be burned any substance or material of any kind, out of doors, other than for the purpose of cooking edible foods, anywhere within the fire limits of the said Township, as now or hereafter may be constituted, such fire limits now being comprised of the following villages within the said Township: Colony Park, Cornwall Terrace, Midvale Manor, Lincoln Park, Springmont, West Wyomissing, Wilshire and Whitfield. Provided: "Person" shall include any natural person, firm, corporation, association or partnership; the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and neuter. (Ordinance 48, September 10, 1962, Section 1; Amended by Ordinance No. 115, August 25, 1975, Section 1)

Section 102. Outdoor Fires on Private Property Outside Fire Limits Regulated. Out-of-door fires shall be permitted upon private property in those parts of the said Township outside the fire limits as now or hereafter, as the case may be, constituted, provided that the following regulations and restrictions are adhered to:

- (A) Every such out-of-door fire shall be personally attended by a competent individual unless said fire is built in and confined to a noncombustible container, covered with a screen of one-half-inch (1/2") or smaller mesh or with other suitable noncombustible container;
- (B) No such fire shall be closer than fifteen feet (15') from any building or from any property line; and
- (C) no such fire shall be allowed to burn upon any day, except between the hours of nine o'clock A.M. and seven o'clock P.M.

(Ordinance No. 48, September 10, 1962, Section 2)

Section 103. Burning of Designated Recyclables and Yard Waste is Prohibited. The burning of designated recyclables and yard waste, as determined from time to time by the Board of Supervisors as directed by the Garbage and Recycling Ordinances of the Township, is hereby prohibited at all times within the Township of Spring. Ordinance No. 361, September 8, 2008, Section 1)

Section 104. Penalty for Violation. Any person violating any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty

dollars (\$50.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than ten (10) days. Provided: each violation of this Part, and each day the same is continued, shall be deemed a separate offense. (Ordinance No. 48, September 10, 1962, Section 3; Amended by Ordinance No. 115, August 25, 1975, Section 2)

## Part 2

## Fire Lanes

Section 201. Establishment of Fire Lanes. The Fire Marshall of the Township of Spring, within his/her respective fire district, as established by the Board of Supervisors of the Township of Spring shall have the authority to designate and mark such fire lanes as may be reasonable and necessary on private property devoted to public use. The Board of Supervisors of the Township of Spring shall adopt a resolution approving these areas so designated by the Enforcement Officer as "fire lanes" within the said Township. Such fire lanes shall be those areas immediately adjacent to a building or buildings for a distance of twenty-four (24) feet from said building or buildings on such property such as shopping centers, apartment complexes, bowling alleys, theaters, hospitals, schools, churches and similar locations as may be deemed necessary by the Enforcement Officer to insure proper ingress and egress of fire department and emergency vehicles for the protection of persons and property herein described in accordance with Section F 311.0 of "The BOCA National Fire Prevention Code/1987," as from time to time hereafter amended. Parking in such fire lanes shall be prohibited and such fire lanes shall be posted "No Parking Fire Lane." (Ordinance No. 214, May 14, 1990, Section 1)

Section 202. Posting of Signs. Whenever any Fire Marshall of the Township of Spring, within his/her respective fire district, as established by the Supervisors of the Township of Spring, shall determine that parking of motor vehicles upon any public or private street, lane, alley or private parking lot is liable to interfere with the operations of the fire or police departments, or hamper egress of occupants from buildings in case of fire or emergency, parking in such areas shall be prohibited and said areas shall be posted "No Parking Fire Lane." (Ordinance No. 214, May 14, 1990, Section 2)

Section 203. Private Property. On private property which is devoted to public use, there shall be maintained one (1) or more unobstructed lanes to provide for the ingress and egress of fire department vehicles, equipment and personnel, said lanes to be a minimum of twelve feet (12') in width each and laid out for convenient access from the public thoroughfares and water supplied to the building or buildings. The marking of said lanes shall be performed and maintained by and at the expense of the property owner or occupier. (Ordinance No. 214, May 14, 1990, Section 3)

Section 204. Blockage of Fire Lane Prohibited. It shall be unlawful for any person, firm or corporation to barricade, stop a vehicle, park or otherwise block, any of the passage, entrance or exit ways to, in, about or out of any public building or any place occupied for public use or accommodations whether upon public or private property, so as to interfere with or obstruct the free and unimpeded passage of persons and fire equipment around the said building, nor shall any person park a motor vehicle

or trailer in disregard of any sign erected pursuant to the provisions of this Part. (Ordinance No. 214, May 14, 1990, Section 4)

Section 205. Definitions. For the purpose of this Part the term "building" shall mean the exterior surface of the vertical wall of the structure, excluding any marquee, portico, mansard roof or similar appendages. (Ordinance No. 214, May 14, 1990, Section 5)

Section 206. Notice of Violation. Notice of violation of Section 204 of this Part shall be effectuated by the placing of a parking ticket upon the vehicle parked or stopped in the fire lane in question by the Township of Spring Police Department. (Ordinance No. 214, May 14, 1990, Section 6)

Section 207. Penalty for Violation of Section 203. Any person, firm, corporation, etc., or its agent, servant, employees, etc., violating Section 203 of this Part, upon conviction thereof, before a District Justice, shall be fined not more than one thousand (\$1,000.00) dollars for each offense, together with costs of prosecution, and in default of payment thereof, shall be committed to the Berks County Prison for a period of not more than thirty (30) days. Each day or portion thereof during which such violation shall continue shall be deemed a separate offense and punishable as such. (Ordinance No. 214, Mar 14, 1990, Section 7)

Section 208. Penalty for Violation of Section 204. Any person, firm, corporation, etc., or its agents, servants, employees, etc., violating Section 204 of this Part, upon conviction thereof, before a District Justice, shall be fined fifteen (\$15.00) dollars for each offense, together with costs of prosecution and in default of payment thereof, shall be committed to the Berks County Prison for a period of not more than two (2) days. Each day or portion thereof during which such violation shall continue shall be deemed a separate offense and punishable as such. (Ordinance No. 214, May 14, 1990, Section 8)

Section 209. Severability. If any section, clause, phrase or portion of this Part is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision, and such holding shall not affect the validity of the remaining portions hereof. (Ordinance No. 214, May 14, 1990, Section 9)

Section 210. Declaration. It is declared that enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of the Township of Spring and the general public. (Ordinance No. 214, May 14, 1990, Section 11)



## Part 3

## Recognition of the Township of Spring Fire Rescue Service

Section 301. Purpose. The purpose of this Part is to establish and recognize the Township of Spring Fire Rescue Service (the "Fire Rescue Service"), comprised of the Township of Spring Firefighters, Inc. and the Volunteer Firefighters Relief Association of the Township of Spring Volunteer Fire Department as the official fire rescue service of the Township, created by the merger of the Lincoln Park Fire Company, Community Fire Co. of Vinemont, West Wyomissing Fire Department Firefighters, Inc. and West Lawn Fire Company No. 1; to provide for the governance and command structure of the Fire Rescue Service, to set forth authorized activities of the Fire Rescue Service and its members and employees and to provide for appropriations to the Fire Rescue Service. (Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Section 302. Creation of Township of Spring Fire Rescue Service. The Township hereby creates the Township of Spring Fire Rescue Service, having an address at 2301 Monroe Avenue, West Lawn, Pennsylvania 19609. Attention: Fire Commissioner, and establishes the same as the officially recognized provider of firefighting, rescue, Emergency Medical Services quick response and fire protection services in the Township following a Chain of Command as specified in the Fire Rescue Standard Operating Procedures. No other organization(s) dedicated to the fighting of fires, rescue services and/or the provisions of fire protection services are authorized to operate in the Township, except for those operating under a mutual aid agreement or other similar agreements for the provision of said services or otherwise authorized by state or federal law. (Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Section 303. Recognition. The following former fire companies are recognized as the Legacy and Charter members of the Fire Rescue Service:

Lincoln Park Fire Company

Community Fire Co. of Vinemont

West Wyomissing Fire Department Firefighters, Inc.

West Lawn Fire Company No. 1

Each one of the above companies has served as an integral part of the consolidated firefighting entity to be now known as the "Township of Spring Fire Rescue Service".

(Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Section 304. Governance. The Fire Rescue Service shall be governed by a command structure as set forth in the "Township of Spring Fire Rescue Service Standard Operating Procedures", as hereafter amended from time to time:

(A) Fire Rescue Service shall be managed, directed and supervised by the Fire Commissioner, who shall be appointed by the Township Board of Supervisors. Except for non-operational, administrative matters for which the Fire Commissioner shall report to the Township Manager, the Fire Commissioner shall report directly to the Board of Supervisors.

(B) The Fire Chief / Deputy Fire Commissioner shall be appointed by the Township Board of Supervisors, and shall perform the duties as assigned by the Fire Commissioner.

(C) Deputy Fire Chiefs shall be appointed by the Fire Commissioner for a period of one (1) calendar year. Such Deputy Fire Chiefs shall work under the command of the Fire Chief and the Fire Commissioner. The Fire Commissioner may appoint other officers as needed to assist with management of fire rescue operations.

(Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Section 305. Authorized Activities of Fire Rescue Service. The Fire Rescue Service is hereby authorized to provide:

(A) Such services to the Township as may be necessary for the protection of property and persons situate therein, which include, but are not limited to, extinguishment and prevention of personal injury and death from fire, protection of property from damage and/or destruction by fire, response to motor vehicle accidents, medical emergencies, hazardous materials incidents and other dangerous situations.

(B) Nonemergency and public service functions, including, but not limited to, water removal from properties after storms, and assistance in the removal, abatement and/or prevention of damage or injury to persons or property, whether due to natural causes or manmade situations.

(C) To conduct and participate in such training activities or drills, either within the Township or outside of the Township, as may be deemed necessary by the Fire Commissioner and his staff to maintain proficiency in providing service.

(D) The Fire Rescue Service may respond to calls and provide services to municipalities outside of the Township as set forth in applicable mutual aid agreements and/or intergovernmental cooperation agreements, contracts for providing services and/or in response to requests for emergency services.

(Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Section 306. Rules and Regulations. The rules and regulations of the Fire Rescue Service shall be those contained in the "Township of Spring Fire Rescue Service Standard Operating Procedures", as hereafter amended from time to time, the contents of which are incorporated herein by reference as though the same were set forth at length. (Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Section 307. Funds and Finances. All resources necessary for the maintenance and operation of the Fire Rescue Service in the Township shall be determined and allocated by the Township Board of Supervisors, upon recommendation of the Manager and Fire Commissioner. The foregoing provisions relating to allocation of resources for the benefit of the Fire Rescue Service shall not include monies paid by the Commonwealth of Pennsylvania to the Township and which are exclusively reserved and dedicated for the use and benefit of the Volunteer Firefighters Relief Association of the Township of Spring Volunteer Fire Department. (Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Section 308. Severability. If any sentence, clause, or section of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections of this Part. It is hereby declared as the intent of the Board of Supervisors that this Part would have been adopted had such unconstitutional, illegal or invalid sentence, clause, or section thereof not been included herein. (Ordinance No. 279, February 25, 2002, Section 10; Amended by Ordinance No. 393, June 11, 2012, Section 1)

Part 4

Insurance - Fire Loss Escrow

Section 401. Municipal Certificate Required Prior to Payment of Fire Loss Claims. No insurance company, association or exchange doing business in this Commonwealth shall pay a claim of a named insured for fire damage to a structure located within the Township where the amount recoverable for the fire loss to the structure under all policies exceeds seven thousand five hundred dollars (\$7,500.00) unless the insurance company, association or exchange is furnished with a certificate pursuant to Section 402 of this Part, and unless there is compliance with the procedures set forth in Sections 402 and 403. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 402. Request to Township Treasurer. The Treasurer of the Township shall, upon written request of the named insured specifying the tax description of the property, name and address of the insurance company, association or exchange and the date agreed upon by the insurance company, association or exchange and the named insured as the date of the receipt of a loss report of the claim, furnish the insurance company, association or exchange either of the following within fourteen (14) working days of the request:

(A) A certificate or, at the discretion of the Township, a verbal notification, which shall be confirmed in writing by the insurer to the effect that, as of the date specified in the request, there are no delinquent taxes, assessments, penalties or user charges against the property and that, as of the date of the Treasurer's certificate or verbal notification, the Township has not certified any amount as total costs incurred by the Township for the removal, repair or securing of a building or other structure on the property.

(B) A certificate and bill showing the amount of delinquent taxes, assessments, penalties and user charges against the property as of the date specified in the request that have not been paid as of the date of the certificate and also showing, as of the date of the Treasurer's certificate, the amount of the total costs, if any, certified to the Treasurer that have been incurred by Township for the removal, repair or securing of a building or other structure on the property. For the purposes of this subsection, the Township shall certify to the Treasurer the total amount, if any, of such costs. A tax assessment, penalty or user charge becomes delinquent at the time and on the date a lien could otherwise have been filed against the property by the Township under applicable law.

(Ordinance No. 244, March 27, 1995, Section 1-200)

Section 403. Receipt of Certificate. Upon the receipt of a certificate pursuant to Section 402(A), the insurance company, association or exchange shall pay the claim of the named insured in accordance with the policy terms, unless the loss agreed to between the named insured and the company, association or exchange equals or exceeds sixty (60) percent of the aggregate limits of liability on all fire policies covering the building or other structure. In the case of such a loss, the insurance company, association or exchange, the insured property owner and the Township shall follow the procedures set forth in Sections 405 and 406 of this Part. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 404. Receipt of Certificate and Bill. Upon receipt of a certificate and bill pursuant to Section 402(B), the insurance company, association or exchange shall return the bill to the Treasurer and transfer to the Treasurer an amount from the insurance proceeds necessary to pay the taxes, assessments, penalties, charges and costs as shown on the bill. Township shall receive the amount and apply or credit it to payment of the items shown on the bill. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 405. Loss in Excess of 60 Percent. When the loss agreed to between the named insured and the company, association or exchange equals or exceeds sixty (60) percent of the aggregate limits of liability on all fire policies covering the building or other structure, the insurance company, association or exchange shall transfer from the insurance proceeds to the designated officer of the Township in the aggregate of two thousand dollars (\$2,000.00) for each fifteen thousand dollars (\$15,000.00) and each fraction of that amount of a claim or, if at the time of a loss report the named insured has submitted a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure in an amount less than the amount calculated under the foregoing transfer formula, the insurance company, association or exchange shall transfer from the insurance proceeds the amount specified in the estimate. The transfer of proceeds shall be on a pro rata basis by all companies, associations or exchanges insuring the building or other structure. Policy proceeds remaining after the transfer to the Township shall be disbursed in accordance with the policy terms. The named insured may submit a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure after the transfer and the designated officer shall return the amount of the funds in excess of the estimate to the named insured if the Township has not commenced to remove, repair or secure the building or other structure. The duly appointed Treasurer of the Township is authorized to carry out the duties of this Part. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 406. Administration of Funds. Upon receipt of proceeds by the Township as authorized by this Part, the designated officer shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing or securing incurred by the Township. When transferring the funds as required in Section 405 of this Part, an insurance company, association or exchange shall provide

the Township with the name and address of the named insured, whereupon the Township shall contact the named insured, certify that the proceeds have been received by the municipality and notify the named insured that the procedures under this subsection shall be followed. The fund shall be returned to the named insured when repairs, removal or securing of the building or other structure have been completed and required proof received by the designated officer if the Township has not incurred any costs for repairs, removing or securing. If the Township has incurred costs for repairs, removal or securing of the building or other structure, the costs shall be paid from the fund and, if excess funds remain, the Township shall transfer the remaining funds to the named insured. Nothing in this Part shall be construed to limit the ability of the Township to recover any deficiency. Further, nothing in this subsection shall be construed to prohibit Township and the named insured from entering into an agreement that permits the transfer of funds to the named insured if some other reasonable disposition of the damaged property has been negotiated. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 407. Proof of Payment. Proof of payment by the insurance company, association or exchange of proceeds under a policy in accordance with Section 405 of this Part is conclusive evidence of the discharge of its obligation to the insured under the policy to the extent of the payment and of compliance by the company, association or exchange with Section 405 of this Part. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 408. Liability. Nothing in this Part shall be construed to make an insurance company, association or exchange liable for any amount in excess of proceeds payable under its insurance policy or for any other act performed pursuant to this Part or to make the Township or a public official of the Township an insured under a policy of insurance or to create an obligation to pay delinquent property taxes or unpaid removal liens or expenses other than as provided in this Part. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 409. Subrogation and Assignment. An insurance company, association or exchange making payments of policy proceeds under this Part for delinquent taxes or structure removal liens or removal expenses incurred by the Township shall have a full benefit of such payment, including all rights of subrogation and of assignment. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 410. Construction. This Part shall be liberally construed to accomplish its purpose to deter the commission of arson and related crimes, to discourage abandonment of property and to prevent blight and deterioration within the confines of the Township. (Ordinance No. 244, March 27, 1995, Section 1-200)

Section 411. Penalty. The Board of Supervisors of Township herewith prescribes fines and penalties not exceeding six hundred dollars (\$600.00) for each violation of this

Part, which fines and penalties may be collected by suit or summary proceedings brought in the name of the Township before the appropriate district justice. Proceedings for the violation of this Part may be commenced by warrant or by summons at the discretion of the district justice before whom the proceeding is begun. Upon judgment against any person, named insured or other insuring entity by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the lockup of the Township for a period not exceeding five (5) days or to Berks County Prison for a period not exceeding thirty (30) days. (Ordinance No. 244, March 27, 1995, Section 1-201)

Section 412. Severability. The provisions of this Part shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not effect the validity of any of the remaining provisions of this Part. It is hereby declared as a legislative intent that this Part would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included. (Ordinance No. 244, March 27, 1995, Section 1-202)

Part 5

Key Safe

Section 501. Key Safe Required. When rapid access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, the Fire Marshall, or a designate of the Township of Spring, may require a key safe or safes to be installed by the structure's owner or occupant at the owner's or occupant's sole cost and expense in an accessible location on the structure. The key safe or safes shall be of a type approved by the Township of Spring and shall contain keys to gain necessary access as required by the fire department. Location of the key safe shall be approved by the Fire Marshall. (Ordinance No. 255, January 27, 1997, Section 1)

Section 502. Key Safe Contents. The key safe shall contain, but not be limited to, the following items:

- (A) Keys to locked points of ingress or egress whether on the interior or exterior of the structure.
- (B) Keys to locked mechanical equipment rooms.
- (C) Keys to locked electrical rooms.
- (D) Keys to elevator controls.
- (E) Keys to fire alarm panels, devices and systems.
- (F) Keys to other areas as so directed by the Fire Marshall, or a designated alternate.

(Ordinance No. 255, January 27, 1997, Section 2)

Section 503. Application. This Part shall apply to:

- (A) A structure regardless of use or occupancy containing six (6) or more occupancies within the same structure which use a common external exit access.
- (B) All occupancies having or required to have a fire alarm or fire sprinkler suppression system.

(Ordinance No. 255, January 27, 1995, Section 3)



Section 504. Exclusions. This Part shall not apply to any single or duplex residential units; however, it does not prohibit installation of a key safe, if the owner or occupant so desires to provide a key safe for the respective residence. (Ordinance No. 255, January 27, 1997, Section 4)

Section 505. Time for Compliance. All existing structures covered by this Part shall comply within twelve (12) months of this Part's effective date. All newly constructed structures covered by this Part not yet occupied or structures currently under construction shall comply immediately. (Ordinance No. 255, January 27, 1997, Section 5)

Section 506. Penalty for Violation. Any person or firm violating any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than one thousand dollars (\$1000.00) and costs of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days. Each day that a violation continues after due notice has been served shall be deemed as a separate offense. (Ordinance No. 255, January 27, 1997, Section 6)

Section 507. Severability. If any of the provisions, section, sentences, clauses, or parts of this Part or the application of any provision, section, sentence, clause, or part of this Part shall be held invalid, this invalidity shall not effect or impair any of the remaining provisions, sections, sentences, clauses, or parts of this Part, it being the intention of the Board of Supervisors of the Township of Spring that these remaining provisions, sections, sentences, clauses, or parts shall be and continue in full force and effect. (Ordinance No. 255, January 27, 1997, Section 7)

Part 6

Fire Protection Cisterns

Section 601. Title. This Part shall be known as "The Fire Protection Cistern Ordinance of the Township of Spring." (Ordinance No. 267, July 13, 1998, Section 1-35)

Section 602. Purpose. The following regulations are promulgated for the purpose of assuring the proper construction of new fire protection cisterns within the Township of Spring, Berks County, Pennsylvania ("Township"), and to improve the development of water resources for fire protection throughout the Township, thereby creating conditions favorable to the health, safety and general welfare of the citizens of the Township. (Ordinance No. 267, July 13, 1998, Section 1-36)

Section 603. Specifications and General Requirements.

(A) The owners and/or developers of all subdivisions containing four (4) or more lots and/or land developments containing in its entirety structures totaling ten thousand four hundred (10,400) square feet or more, in area, hereafter approved or constructed within the Township, in which subdivision or land developments there is no public water supply available or the public water supply fails to meet the requirements of the Township for adequate fire protection, shall construct within such subdivisions or land developments fire protection cisterns in conformity with the provisions of this Part and with Township Drawing No. 8-3-003, or approved equal. Any further subdivision resulting in a total of four (4) or more lots, which include any lots of the original subdivision, or any further land developments resulting in structures with a total of ten thousand four hundred (10,400) square feet or more in area, shall constitute cause for the installation of fire cisterns. Said owners and/or developers shall include all such fire protection cisterns required hereunder as municipal improvements in the applicable municipal improvement agreement. All fire protection cisterns required hereunder shall be constructed and installed prior to the issuing of any building permit for other structures by the Township.

(B) Township Drawing No. 8-3-003 is attached hereto and made a part of this Part. (Drawing is on file at the Township office.)

(C) Fire protection cisterns shall be located no more than eight hundred (800) feet from the nearest lot line of the furthest lot. In addition, such cisterns shall be located at approximately one thousand six hundred (1,600) foot intervals along streets or roadways. Each such cistern shall be sited and located on the final subdivision or final land development plan approval by the Township.

(D) The design of each fire protection cistern shall be submitted to the Township for approval prior to construction or installation. A minimum of two (2) sets of design plans, sealed and signed by a professional registered engineer, shall be submitted to the Township.

(E) All construction work done pursuant to the provisions of this Part shall be inspected and approved by the Township.

(F) Contour lines and grades shall be indicated on recorded plans of subdivisions and/or land developments or other such plans as may be approved by the Township. The cost of establishing such contour lines and grades shall be borne by the subdivider or land developer.

(G) Should the Township Engineer determine that the ground condition and/or rock condition beneath a fire protection cistern area provides sufficient stability, the subbase requirements may be waived, modified or changed.

(H) All trees, roots, stumps, brush, downed timber, rotten wood, rubbish and any other objectionable material shall be removed from the site, including the removal of any obstruction interfering with the proposed cistern construction, for the full right-of-way area, or as approved by the Township.

(I) Subgrade shall be prepared to accommodate the placement of the fire protection cistern in conformity to the contour lines, grades and widths shown on the drawings and cross-sections.

(J) Subgrade shall be graded to the elevation and cross-section required with sufficient material compacted to required density.

(K) In cases where the required density or stability cannot be obtained, the material in the area shall be excavated to a depth that when replaced or recompactd at a moisture content not exceeding optimum, the subgrade shall have required stability.

(L) The subgrade shall be properly prepared to receive the subbase.

(M) The subdivider or land developer shall provide signs bearing the words "No Parking" within twenty (20) feet clear distance of structures contemplated hereunder.

(N) During construction of the subdivision or land development, and until the lots therein referred to are conveyed by the subdivider or land developer, such subdivider or land developer shall maintain the fire protection

cistern located on its land. Whenever a conveyance of a lot or lots referred to in the said subdivision or land development plan containing a fire protection cistern, the land owner(s) therein referred to shall assume the maintenance and operation of the said fire protection cistern(s). The Township shall assume no ownership interest in such fire protection cisterns.

(Ordinance No. 267, July 13, 1998, Section 1-37)

Section 604. Maintenance.

(A) All fire protection cisterns shall be cleaned and all sediment removed annually, or as deemed necessary by the Township Fire Marshall or his representative. Property owners who fail to meet maintenance requirements may be fined not less than two hundred dollars (\$200.00) per violation to cover costs and equipment for proper maintenance. The enforcement of this Part shall be by an action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.

(B) Any Township fire company or fire department, together with any fire company or fire department authorized by the Township to combat fires within the Township may, as necessary, connect to and use the fire protection cisterns for training, system maintenance or emergency use.

(C) Refill of the fire protection cisterns following maintenance or emergency use shall be the responsibility of the party that removed the water from such cistern.

(Ordinance No. 267, July 13, 1998, Section 1-38)

Section 605. Exceptions. Exceptions may be granted under the following conditions:

(A) In appropriate locations, the Township may approve a pond with a dry hydrant system in lieu of an underground fire protection cistern.

(B) In circumstances where the adjoining existing subdivision or land development contains a fire protection cistern meeting the distance requirements contained in §603(C) of this Part for the subdivision and/or land development, the Township may waive the cistern requirement.

(C) In circumstances where automatic sprinkler systems are required or chosen, the Township may waive the cistern requirement.

(Ordinance No. 267, July 13, 1998, Section 1-39)

Section 606. Changes in Fire Protection Cistern Standard Specifications. Since fire protection cistern standard specifications of the Township may, from time to time, change, the Board of Supervisors of the Township reserve the right to amend and modify, by resolution of said Board, new and/or revised standard cistern specifications. Public notice of such resolution shall be given and a written copy therefor shall be attached to and become a part of this Part. (Ordinance No. 267, July 13, 1998, Section 1-40)

Section 607. Conflicts. Notwithstanding anything herein set forth, whenever the provisions of this Part shall be inconsistent with the Subdivision and Land Development Ordinance of the Township and the provisions of said ordinance are more restrictive or contain more stringent requirements than are set forth in this Part, the provisions of said Subdivision and Land Development Ordinance shall prevail and be applicable. (Ordinance No. 267, July 13, 1998, Section 1-41)

Section 608. Severability. If any section, paragraph, sentence, clause or phrase of this Part shall be declared invalid for any reason whatsoever, such decision shall not affect remaining portions. (Ordinance No. 267, July 13, 1998, Section 3)

Part 7

Fire Prevention Code

Section 701. Adoption of The Fire Prevention Code. That a certain document, copies of which are on file and available for public use, inspection and examination in the offices of the Secretary of the Board of Supervisors of the Township of Spring ("Township"), being marked and designated as the International Fire Code, 2006 edition, in its entirety with Appendices except for revisions as noted in Section 702 of this Ordinance written by the International Code Council, be and is hereby adopted and reaffirmed as the Fire Prevention Code of the Township of Spring, in the Commonwealth of Pennsylvania regulating and governing the protection of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and device; 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 incorporating each and all of the regulations, provisions, penalties conditions and terms of said Fire Prevention Code on file in the office of the Township of Spring as if fully set forth herein, with the additions, insertions, deletions and changes, if any, prescribed in Section 702 of this Ordinance.

(Ordinance No. 388, March 26, 2012, Section 1)

Section 702. Fire Prevention Code of The Township of Spring. The 2006 International Fire Code is hereby adopted and affirmed by reference, subject to the following additions, insertions, deletions and changes:

Section 101.1 Title shall be amended and restated in its entirety as follows:

"101.1 Title. These regulations shall be known as the Fire Code of the Township of Spring, hereinafter referred to as the "Code".

Section 103.2 Appointment shall be amended and restated in its entirety as follows:

"103.2 Appointment. The fire code official shall be appointed by the Board of Supervisors of the Township of Spring."

Section 105.1.2 Types of Permits shall be amended and restated in its entirety as follows:

"105.1.2 Operational Permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for a period of one (1) year based upon a calendar year running from January 1 to December 31, without proration or until it is renewed or revoked."

Section 105.1.2.2 Construction Permits shall be DELETED in its ENTIRETY.

Section 105.4 Construction Documents shall be DELETED in its ENTIRETY.

Section 105.6 Required Operational Permits, shall be amended and restated in its entirety as follows:

"105.6. Required operational permits. The fire code official is authorized to issue annual operation permits for the operations set forth in Section 105.6.1 through 105.6.46."

Section 108 Board of Appeals shall be DELETED in its ENTIRETY.

Section 109.3 Violation Penalties, shall be amended and restated in its entirety as follows:

"109.3. Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a summary offense, punishable by a fine of not more than \$1,000.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

Section 110.1.2 Structural Hazards, shall be DELETED in its ENTIRETY.

Section 111, Stop Work Orders, shall be DELETED in its ENTIRETY.

Section 806.1.1 Restricted Occupancies shall be DELETED in its ENTIRETY.

Appendix A Board of Appeals, shall be DELETED in its ENTIRETY.

(Ordinance No. 388, March 26, 2012, Section 1)

Section 703. Fees.

(A) Annual Operational Permit Fees

1. The owner, lessee, tenant or operator of all structures in the Township used for Assembly, Business, Educational, Mercantile, Factory Industrial, Institutional, High Hazard, Residential R-1, R-2, Storage, Utility and miscellaneous purposes and defined in the International Building Codes shall pay an annual Operational Permit Fee for permits issued pursuant to and under Section 105 of the 2006 International Fire Code, with such fees being due within thirty (30) days of billing.

2. Annual Operational Permit Fees are established as follows. Future amendments or alterations to the inspection fee schedule shall be made by resolution of the Township of Spring Board of Supervisors.

<u>Relevant Section of the International Fire Code 2006 Edition</u>	<u>Annual Fee</u>
105.6.1 Aerosol Products in excess of 500 pounds	\$50.00 per year
105.6.2 Amusement Buildings	\$50.00 per year
106.6.3 Aviation Facilities	\$100.00 per year
105.6.4 Carnivals and Fairs	\$50.00 per year
105.6.5 Cellulose Nitrate Film	\$50.00 per year
105.6.6 Combustible Dust-Producing Operation	\$100.00 per year
105.6.7 Combustible Fibers in excess of 100 Cubic Feet	\$50.00 per year
105.6.8 Compressed Gases	\$50.00 per year
105.6.9 Covered Mall Buildings	\$100.00 per year
105.6.10 Cryogenic Fluids	\$50.00 per year
105.6.11 Cutting and Welding	\$50.00 per year
105.6.12 Dry Cleaning Plants	\$50.00 per year
105.6.13 Exhibits and Trade Shows	\$50.00 per year
105.6.14 Explosives	\$150.00 per year
105.6.15 Fire Hydrants or Valves	\$50.00 per year
105.6.16 Flammable and Combustible Liquids	\$50.00 per year

Underground Tanks - Install/Remove

Residential



Less than 275 Gallons	\$50.00 per year
In excess of 275 Gallons	\$75.00 per year
<u>Non-Residential</u>	
Greater than 275 Gallons and less than 500 Gallons	\$100.00 per year
Greater than 501 Gallons and less than 10,000 Gallons	\$150.00 per year
In Excess of 10,000+ Gallons	\$200.00 per year
105.6.17 Floor Finishing	\$50.00 per year
105.6.18 Fruit and Crop Ripening	\$50.00 per year
105.6.19 Fumigation and Thermal Insecticidal Fogging	\$50.00 per year
105.6.20 <u>Hazardous Materials</u>	
Combustible Liquids	\$50.00 per year
Corrosive Materials	\$50.00 per year
Explosive Materials	\$100.00 per year
Flammable Materials	\$50.00 per year
Highly Toxic Materials	\$100.00 per year
Oxidizing Materials	\$50.00 per year
Organic Peroxides	\$100.00 per year
Pyrophoric Materials	\$100.00 per year
Toxic Materials	\$50.00 per year
Unstable (Reactive) Materials	\$100.00 per year
Water Reactive Materials	\$100.00 per year
105.6.21 HPM Facilities	\$35.00 per year
105.6.22 High Piled Storage in Excess of 500 Square Feet	\$50.00 per year
105.6.23 Hot Work Operations	\$50.00 per year
105.6.24 Industrial Ovens	\$50.00 per year
105.6.25 Lumber Yards and Wood Working Plants	\$50.00 per year
105.6.26 Liquid Gas Fueled Vehicles / Equipment	\$50.00 per year
105.6.27 LP Gas	\$50.00 per year
<u>Above Ground Tanks -Installed / Remove</u>	
Less Than 2000 Gallons	\$50.00 per year
In Excess of 2000 Gallons	\$50.00 per year

105.6.28 Magnesium Greater Than 10 Pounds	\$50.00 per year
105.6.29 Combustible Storage in Excess of 2,500 Cubic Feet	\$50.00 per year
105.6.30 Open Burning	\$50.00 per year
105.6.31 Open Flame and Torches	\$50.00 per year
105.6.32 Candles / Open Flames (Assembly Occupancy)	\$50.00 per year
105.6.33 Organic Coatings Greater Than One (1) Gallon	\$50.00 per year
105.6.34 Place of Assembly	\$50.00 per year
105.6.35 Private Fire Hydrants Each Hydrant	\$50.00 per year
105.6.36 Pyrotechnic Special Effects Material	\$75.00 per year
105.6.37 Pyroxylin Plastics	\$50.00 per year
105.6.38 Refrigeration Equipment	\$50.00 per year
105.6.39 Repair Garages / Motor Fuel Dispensing Facilities	\$50.00 per year
105.6.40 Roof Top Heliports	\$100.00 per year
105.6.41 Spraying / Dipping	\$50.00 per year
105.6.42 Storage of Scrap Tires	\$50.00 per year
105.6.43 Temporary Membrane Structures (Tents and Canopies)	\$50.00 per year
105.6.44 Tire Rebuilding Plants	\$50.00 per year
105.6.45 Waste Handling	\$50.00 per year
105.6.46 Wood Products in Excess of 200 Cubic Feet	\$50.00 per year
105.7.5 Fire Pump or Pumps	\$100.00 per year
105.7.6 Flammable / Combustible Liquid Tanks (See also 105.6.16)	\$50.00 per year
105.7.7 Hazardous Materials (See also 105.6.20)	\$200.00 per year
105.7.8 Industrial Ovens (See also 105.6.24)	\$50.00 per year
105.7.9 L.P. Gas Tanks (See also 105.6.27)	\$50.00 per year
105.7.13 Temporary Tents and Canopies (See also 105.6.43)	\$50.00 per year

(B) Failure to Obtain a Permit. Should any owner or operator of a business or premises that is required to have an Annual Fire Safety Inspection performed or required to obtain an Annual Operational Permit fail to pay the within fee associated with said required inspection or permit or should any owner or operator of a business or premises fail to obtain said permit or inspection, that owner or operator shall be deemed to be in violation of this

Ordinance and subject to the violation provisions set forth in Section 109.3, and any such fees together with interest and costs of collection, including attorney's fees, shall constitute a municipal claim and may be entered as a lien against the subject property.

(Ordinance No. 388, March 26, 2012, Section 1)

Section 704. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. (Ordinance No. 388, March 26, 2012, Section 1)