

CODIFIED ORDINANCES OF TITUSVILLE
PART FIFTEEN - FIRE PREVENTION CODE

Art. 1505. National Code Adopted.

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ARTICLE 1505
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CROSS REFERENCES

Power to adopt by reference - see 3rd Class Charter Law §608(a)
(53 P.S. §41608(a))

Tampering with fire alarm system; false fire alarms - see GEN. OFF. 709.02

Zoning fire protection performance standards - see ZON. 1309.05(a)

1505.01 PURPOSE AND ADOPTION.

There is hereby adopted by the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the BOCA National Fire Prevention Code of 1999, Eleventh Edition, including all amendments and supplements thereto, as the same shall from time to time be made, save and except such portions as are hereinafter deleted, modified or amended of which code not less than ten copies have been, and now are, filed in the office of the City Clerk. The same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this article shall take effect, the provisions thereof shall be controlling within the City.

(Ord. 1693 §1. Passed 3-29-68; Ord. 3041. Passed 3-12-01.)

1505.02 ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

(a) The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City, which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

(b) The Chief in charge of the Bureau of Fire Prevention shall be appointed by the City Manager on the basis of examination to determine his qualifications.

(c) The Chief of the Fire Department may detail such members of the Fire Department as inspectors, as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the City Manager the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause.

(d) A report of the Bureau of Fire Prevention shall be made annually and transmitted to the City Manager. It shall contain all proceedings under this Code, with such statistics as the Chief of the Fire Department may wish to include therein. The Chief of Fire Department shall also recommend any amendments to the Code which, in his judgment, shall be desirable. (Ord. 1693 §2. Passed 3-29-68.)

1505.03 DEFINITIONS.

(a) "Municipality", in the Fire Prevention Code, means the City of Titusville.

(b) "Corporation Counsel", in the Fire Prevention Code, means the City Solicitor. (Ord. 1693 §3. Passed 3-29-68.)

1505.04 PROHIBITED STORAGE OF EXPLOSIVES AND BLASTING AGENTS.

The limits referred to in Section 12.5b of the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited, are hereby established and defined as the fire limits particularly described in Section 1709.08 of the Building Code. (Ord. 1693 §4. Passed 3-29-68.)

1505.05 PROHIBITED STORAGE OF FLAMMABLE LIQUIDS.

The limits referred to in Section 16.22a and Section 16.51 of the Fire Prevention Code, prohibiting storage of flammable liquids in outside aboveground tanks and in bulk plants, are hereby established and defined as the fire limits particularly described in Section 1709.08 of the Building Code. (Ord. 1693 §5. Passed 3-29-68.)

1505.06 RESTRICTED STORAGE OF GAS AND EXPLOSIVES.

The limits referred to in Section 21.6a and 21.6b of the Fire Prevention Code, restricting bulk storage of liquefied petroleum gas and explosives, are hereby established and defined as the fire limits particularly described in Section 1709.08 of the Building Code. (Ord. 1693 §6. Passed 3-29-68.)

1505.07 MODIFICATIONS OF CODE.

The Chief of the Bureau of Fire Prevention shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner, lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the structures of the Code, provided that the spirit of the Code shall be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Chief of the Bureau of Fire Prevention thereon shall be entered upon the records of the Fire Department and a signed copy shall be furnished the applicant. (Ord. 1693 §7. Passed 3-29-68.)

1505.08 APPEALS.

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal to Council, within thirty days from the date of the decision appealed. (Ord. 1693 §8. Passed 3-29-68.)

1505.09 COMMITTEE TO REVIEW NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

The City Manager, the Chief of the Fire Department and the Chief of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in the Code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons. (Ord. 1693 §9. Passed 3-29-68.)

1505.10 VALIDITY.

Council hereby declares that should any section, paragraph, sentence or word of this article or of the Code hereby adopted, be declared for any reason to be invalid, it is the intent of Council that it would have passed all other portions of this article independent of the elimination herefrom of any such portion as may be declared invalid. (Ord. 1693 §12. Passed 3-29-68.)

1505.11 CODE AMENDMENTS FOR OUTDOOR FIRES.

(a) No person, partnership, corporation or other firm or entity, shall burn or cause to be burned any combustible material on private property within the City, except for wood, shrub cuttings, and paper products, which may be burned only between the hours of 8 a.m. and 5 p.m., local prevailing time on Saturdays throughout the year.

Any person, partnership, corporation or other firm or entity which desires to burn the materials permitted above on a day other than a Saturday may apply to the Titusville Fire Chief for a permit to burn. The Fire Chief may grant or deny such permit at his discretion, based on his determination that there is a need for burning outside permitted days and that such burning will be carried on in a safe manner.

A person setting any fire, pursuant to this subsection, shall continuously be present and tend such fire until the same is extinguished. (Ord. 2044. Passed 11-7-94; Ord. 3044. Passed 5-29-01; Ord. 3101. Passed 5-27-03.)

(b) Recreational burning shall be permitted, to include the use of gas and charcoal grills, wood camp fires, and outdoor fireplaces. All wood camp fires shall be contained by a metal or stone fire ring.

(c) The periods and times of permissible burning, set forth in subsection (a) hereof, shall be subject to change through duly adopted resolutions of Council, which shall be appended hereto and deemed to be incorporated herein by reference.

(d) No person, partnership, corporation or other firm or entity shall burn or cause to be burned any material whatsoever on public streets or alleys or any other public property owned, leased or otherwise subject to the control of the City.

(e) No business, industrial or commercial enterprise shall burn or cause to be burned on any private property within the City, those materials permitted to be burned in subsection (a) hereof, without first making application and securing a permit for such activity from the Fire Department, which permits shall be issued at no cost to the applicant.

(f) The Chief of the Fire Department may, in his discretion, based upon an assessment of danger to the public, issue temporary band against burning for such periods of time as he shall deem appropriate.
(Ord. 2017 §1. Passed 5-10-93.)

1505.12 SERVICE CHARGE FOR RESPONSE TO FIRES AND FALSE ALARMS.

(a) In all instances where the Fire Department of the City of Titusville shall, in response to a call or alarm, dispatch a truck or trucks and personnel to save or protect property endangered by fire, a service charge shall be imposed against the owner of the property in accordance with the schedule provided in Article 191.

(b) The above charges shall be imposed upon the owner of the property involved in the call or alarm even though it may be a false alarm. Such a charge will not be imposed if it is demonstrated to the satisfaction of the Fire Chief that the alarm or call was made by a person who is not an owner, tenant or occupant of the property involved.

(c) In every case where the Fire Department's service charge is indemnified by insurance coverage of the effected property owner, the Fire Chief may elect to accept reimbursement from such insurance company in lieu of payment from the owner of the property even though the amount of insurance coverage is less than the service charges imposed herein.

(d) Notwithstanding the charges imposed by this section, those owners of property whose income falls below 80% of the median income for a single person or families as established by the most current statistics for persons residing in Crawford County shall be exempt from these charges. The entitlement to an exemption shall be secured by submitting an application for that purpose, on forms supplied by the City, to the office of the City Manager, who shall have the authority to approve or reject such application, based on the income standards set forth herein.

For purposes of this subsection, the combined income of the owner and dependents residing with the owner in the subject property shall be considered in establishing the right to an exemption. The term "income" shall include income from all sources.
(Ord. 2059. Passed 11-11-96.)

1505.99 PENALTY.

(a) Any person, partnership, corporation or other firm or entity who or which commits a violation of any provision of Article 1505 - Fire Prevention Code or any of the sections thereunder, shall, upon conviction, be guilty of a summary offense and shall thereupon be subject to a fine of not more than three hundred dollars (\$300.00), and in default of payment thereof shall be imprisoned for a period not to exceed thirty days.

(b) In addition to the fine and period of imprisonment set forth in subsection (a) hereof, an offender shall reimburse the City all costs and expenses incurred by it in extinguishing fires set or caused to be set by the offender, along with all other costs of enforcing Section 1505.11. (Ord. 2017 §2. Passed 5-10-93; Ord. 3041. Passed 3-12-01.)