

TOWNSHIP OF TILDEN
Berks County, Pennsylvania

ORDINANCE # 199,2009

AN ORDINANCE OF THE TOWNSHIP OF TILDEN ADOPTING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE TO SERVE AS THE TOWNSHIP OF TILDEN FIRE PREVENTION CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM THE 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 IN THE TOWNSHIP, AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES OF THE TOWNSHIP IN CONFLICT THEREWITH.

WHEREAS, the Board of Supervisors of the Township of Tilden now desire to adopt the International Fire Code to serve as the Township of Tilden Fire Prevention Code, as modified herein, in accordance with and pursuant to the authority granted by the Commonwealth of Pennsylvania to the Township by the provisions of Section 4101 et seq. as amended, of the Pennsylvania General Municipal Laws and Title 53 P.S. Section 66805.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, and it is hereby Enacted and Ordained by the authority of the same as follows;

SECTION 1. Chapter IX, entitled "Fire Prevention and Fire Protection", of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following new Part 3:

Part 3

Fire Prevention Code.

SECTION 301. Adoption of 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 Tilden ("Township"), the most current being marked and designated as the International Fire Code, 2009 edition, including all Appendices,

Section 901.6, Inspection, testing and maintenance, shall be amended and restated in its entirety as follows:

"901.6. Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected annually and hazardous uses shall be inspected semi-annually by the appointed Fire Code Official and/or Fire Marshall or their designated representative, and shall be tested and maintained or removed."

Section 3404.2.9.6.1, Locations where above-ground tanks are prohibited, shall be amended and restated in its entirety as follows:

"3404.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited as specified in Table 2206.2.3 and Chapter 34."

Section 3406.2.4.4, Locations where above-ground tanks are prohibited, shall be amended and restated in its entirety as follows:

"3406.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited within a building or as specified in Section 2206.2.6."

Section 3506.2, Limitations, shall be amended and restated in its entirety as follows:

"3506.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited as specified in Table 2206.2.3 (other tanks)."

Section 3804.2, Maximum capacity within established limits, shall be amended and restated in its entirety as follows:

"3804.2 Maximum capacity within established limits. As specified in Table 3804.3/FPN restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 galls (7570L)."

SECTION 2. REPEALER. Any and all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 3. 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.

SECTION 4. SAVINGS CLAUSE. That nothing in this Ordinance, or the Fire Prevention Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. EFFECTIVE DATE. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect five (5) days from and after the date of its final passage and adoption.

SECTION 6. CODE OF ORDINANCES. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

SECTION 7. HEALTH AND SAFETY. It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

ENACTED AND ORDAINED the 7th day of December, 2009
by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, in
a lawful session duly assembled.

BOARD OF SUPERVISORS
TOWNSHIP OF TILDEN

Attest:

Myrl A. Haus

Russell H. Werly
Judy E. Romig
Doug R. Hall