

Chapter 79
FIRE PREVENTION

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[HISTORY: Adopted by the Borough Council of the Borough of South Greensburg at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Amendments noted where applicable.]

GENERAL REFERENCES

Outdoor burning — See Ch. 64.

Fire suppression systems — See Ch. 82.

Gasoline stations See Ch. 93.

§ 79-1. Adoption/Amendments. [Amended by Ord. No. 2014-02- on 3-10-2014, effective3-10-2014.]

The 2009 Edition of the International Fire Code is hereby adopted in its entirety, with the following amendments:

- A. In § 101.1, entitled, "Title," insert: "Borough of South Greensburg."**
- B. Replace Section 108 in its entirety with this Insert as Section 108.1: "Any person shall have the right to appeal**

to the Council of the Borough of South Greensburg from the decision of the fire code official on a claim that the true intent of this code or the rules legally adopted have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better method of fire prevention is used. The fire code official if a member of the Borough Council, shall not vote on any appeal. In cases of an appeal, the Council shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official."

C. Section 109.3, Violation penalties, is deleted and replaced with this Insert:

"Penalties for violations. Any person(s) who shall violate any of the provisions of this Fire Prevention Code or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, and from which no appeal has been taken, or who shall fail to comply with an order affirmed or modified by Borough Council or by a court of competent jurisdiction, within the time frame fixed therein, shall individually and/or severally for each and every violation and noncompliance, respectively, be guilty of violation, and for every such offense upon conviction thereof, shall be sentenced to pay a fine of not less than \$100 or more than \$500 and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not less than 10 days or more than 30 days.

Provided: The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and, when not otherwise specified, each five days that prohibited conditions are maintained shall constitute a

separate offense. The application of any of the above penalties shall not prevent the enforced removal of prohibited conditions.

D. Section 806.1.1, Restricted occupancies, is amended by deleting Exceptions 1 and 2 of said section.

§ 79-2. Enforcement by the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.) [Amended by Ord. No. 2005-06 on 4-11-2005, effective 4-11-2005. Amended by Ord. No. 2014-05 on 6-9-2014, effective 2-9-2014.]

- A. The applicable Fire Code Standard of the Uniform Construction Code adopted by the Council of the Borough of South Greensburg shall be enforced by the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.)
- B. A Fire Marshal is to be appointed by the Council of the Borough of South Greensburg after the passage of this section and from year to year thereafter at the reorganizational meeting of the Council of the Borough of South Greensburg to be held pursuant to law.
- C. The Fire Marshall shall have the power of appointing two (2) Fire Prevention Bureau Inspectors to assist the Fire Marshal in all aspects of the Fire Marshal's various duties, but only with the concurrence of the Council of the Borough of South Greensburg. The Fire Marshal and the two (2) Fire Prevention Bureau Inspectors shall be entitled to compensation and shall be reimbursed for actual expenses incurred. The Fire Prevention Bureau Inspectors, when acting under the express direction of the Fire Marshal or the Council of the Borough of South Greensburg, shall have all power and the authority of the Fire Marshal. Nothing herein shall require the Borough of South Greensburg to consent to

the appointment of Fire Prevention Bureau Inspectors, or, if appointed with consent, to compensate them.

§ 79-3. Appeals. [Amended by Ord. No. 2005-06 on 4-11-2005, effective 4-11-2005.]

Whenever the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.) 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 has been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Regional Code Administrator for the Central Westmoreland Council of Government (C.W.C.O.G.) to the Council of the Borough of South Greensburg within thirty (30) day from the date of the decision appealed.

§ 79-4. New materials, processes or occupancies. [Amended by Ord. No. 2005-06 on 4-11-2005, effective 4-11-2005.]

- A. The Council of the Borough of South Greensburg and the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.) shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard and after approval by the Council of the Borough of South Greensburg, any new materials, processes or occupancies which shall require permits, in addition to those enumerated in said applicable Fire Code Standards of the Uniform Construction Code. The Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.) shall post such list in a conspicuous place in the Municipal Building of the Borough of South Greensburg and distribute copies thereof to interested persons.

- B. All other parts of the applicable Fire Code Standards of the Uniform Construction Code will remain in full force and effect.

§ 79-5. Occupancy limits in places of public assembly.
[Amended by Ord. No. 2005-06 on 4-11-2005, effective 4-11-2005.]

- A. Definitions. As used herein, the following terms shall have the meanings indicated:

FLOOR AREA IN SQUARE FEET PER OCCUPANCY, NET — The word "net" used in the table herein shall mean that in determining the number of persons for whom occupancy is to be provided, the net floor area shall be the actual occupied area, not including accessory unoccupied areas such as hallways, stairs, closets, thickness of walls and other such features.

FLOOR AREA IN SQUARE FEET PER OCCUPANT, GROSS — The word "gross" used in the table herein shall mean the floor area within the perimeter of the outside walls of the building, without deduction for hallways, stairs, closets, thickness of walls, columns or other features.

PLACE OF PUBLIC ASSEMBLY — A room or space accommodating fifty (50) or more individuals for religious, recreational, educational, political, social or amusement purposes or for the consumption of food and drink, including all connected rooms or space with a common means of egress and entrance.

- B. Permit required. All places of public assembly, as defined herein, either existing on the date of the enactment hereof, or to be constructed, converted and maintained as such places in the future, situate within the territorial limits of the Borough of South Greensburg, shall not be maintained, operated or used as such without a certificate having first been issued by the Regional Code Administrator for the

Central Westmoreland Council of Governments (C.W.C.O.G.) setting forth the maximum permitted number of occupants therein as determined hereunder, which said certificate shall be kept on the premises and be available for inspection at all times.

- C. Application for permit. Application for the Certificate as required by Subsection (B) herein shall be made at the time application is made for occupancy certificate. Said Application for certificate shall be directed to the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.) or the South Greensburg Zoning Officer on forms supplied by the Borough of South Greensburg and shall be accompanied by a fee in an amount to be established from time to time by the Council of the Borough of South Greensburg. Existing places of public assembly shall comply with the provisions hereof by submitting the required application and fee and having issued a certificate within ninety (90) days of the date of enactment hereof.

- D. Occupancy limits for enclosed areas. At a gathering in a place of public assembly, there shall not be permitted, suffered or allowed more than one (1) occupant per unit of square feet, as follows:

Use	Floor Area in Square Feet per Occupant
Assembly areas without fixed seats	
Concentrated (chairs only, not fixed)	7 net
Unconcentrated (tables and chairs)	15 net
Assembly areas with fixed seats	*
Business areas	100 gross

Courtrooms	40 net
Educational areas	
Classroom areas	20 net
Shops and other vocational room areas	50 net
Institutional areas	
Sleeping areas	80 gross
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Library	
Reading rooms	50 net
Residential	200 gross
Storage areas, mechanical equipment room	300 gross
	Floor Area in Square Feet per Occupant
Use	

Bowling alleys: allow 5 persons for each alley, 7 net including 15 feet of runway, and for additional areas

* NOTE: The occupant load for an assembly area having fixed seats shall be determined by the number of fixed seats installed.

- E. Occupancy limits for unenclosed area. At a gathering in an unenclosed outside open-air area, there shall not be permitted, allowed or suffered more than one (1) person per fifteen (15) square feet.
- F. Special or unlisted occupancies. Where data regarding the square feet per person per occupancy is not listed in Subsection D hereof, the occupant load shall be established by the architect or engineer, subject to the approval of the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.).
- G. Signs required. In each place of public assembly and in each room or area thereof, there shall be conspicuously displayed, in full view of the entrance, a sign with red lettering on a white background and boldfaced letters one (1) inch high and three eighths ($\frac{3}{8}$) inch wide stating the lawful occupancy of the room or area.
- H. Access to exits. All owners, lessees, sponsors or persons in charge shall be responsible to provide and maintain clear unimpeded access to all exits and to ensure that all exits are operable at all times and not locked, so as to prevent egress from said room or area, or chained shut.
- I. Overcrowding prohibited. No owner, lessee, sponsor or person in charge of a place of assembly shall permit overcrowding or admittance of any person beyond the approved number of occupants; nor shall any owner, lessee, sponsor or person in charge of a place of assembly allow any person or persons to block, impede access to or prevent access to exits, whether they are emergency exits or another type of exit, or allow any exit to become inoperable in any way or locked, so as to prevent egress from said room or area, or chained shut; nor shall any owner, lessee, sponsor or person in charge permit the use of a facility as a place of public assembly, as defined herein, until there is first issued a certificate as required herein or it is posted as required by Subsection G.
- J. Enforcement.
 - (1) This section may be enforced by the South Greensburg Borough Zoning Officer or the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.) either summarily, when a violation occurs in his presence or by complaint based upon his own knowledge or upon information received.
 - (2) If a violation of this section occurs in the presence of the South Greensburg Borough Zoning Officer or the Regional Code Administrator for the Central Westmoreland Council of Governments (C.W.C.O.G.), such official shall, upon finding overcrowded conditions or obstructions in aisles, passageways or other means of egress or upon finding any condition which constitutes a serious menace to life and safety, cause the performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected.

§ 79-6. Violations and penalties.

- A. Any person who shall violate the provisions of this chapter or any section of the code adopted hereby or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specification or plans submitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Council of the Borough of South Greensburg or by a court of competent jurisdiction within the time fixed therein shall, severally for each and every such violation and noncompliance respectively, be punishable by a fine of not more than one thousand dollars (\$1,000.), together with costs of prosecution, or in default of payment thereof, by imprisonment for not more than thirty

(30) days. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

- B. Notwithstanding the foregoing, South Greensburg Borough may, if it deems it appropriate, proceed in an action in equity to cause an injunction to issue, either preliminarily or otherwise, or to have a court of competent jurisdiction issue a restraining order against any person, firm, partnership, corporation, joint venture or any other type of legal entity from a violation or violations of the within chapter.