

CHAPTER 7

FIRE PREVENTION AND FIRE PROTECTION

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Part 1

Open Burning

§101. Definition of Terms. Interpretation of words and phrases when used in this Part shall, for the purpose of this Part, have meanings as indicated below except in those instances where the context clearly indicates a different meaning:

OPEN BURNING - a fire, the air contaminants from which are emitted directly into the outdoor atmosphere and not directed thereto through a flue.

OPEN-FLAME COOKING DEVICE - a manufactured cooking device, such as a barbecue grill, outside fireplace, or other outdoor appliance, solely intended for the cooking of food.

(Ord. 451, 9/21/2005)

§102. Unlawful Acts.

1. Except as specifically authorized under this Part or permitted by the Borough Fire Marshall in writing, no person shall cause, allow, permit or maintain an outdoor bonfire or open burning on a public or private street or right of way or on public or private property.

2. All burning, or open burning of the following is specifically prohibited:

A. Garbage.

B. Household, business, or industrial trash or similar waste products of every kind or nature.

C. Loose leaves or yard trimmings (brush, grass and similar organic matter) on a street or on public or private property, whether in connection with any building operation, in an open dump or otherwise, except as otherwise permitted by this Part.

D. Burning or open burning that results in unreasonable quantities of dense smoke, noxious fumes, gas, soot, or cinders.

E. Open burning that violates the provisions of the International Fire Code (IFC), as adopted by Hatfield Borough.

F. Burning of material, which is required to be recycled under Pennsylvania law.

(Ord. 451, 9/21/2005)

§103. Exceptions. The following instances are exceptions to the prohibition of open burning.

A. The open burning of yard trimmings, not including loose

leaves, shall be permitted on residential premises only, consisting of one- and two-family dwellings only, at a distance not less than fifty (50) feet from any structure and so placed as to prevent the spread of fire to within fifty (50) feet of any structure, vehicle or fuel tank and the fire shall be set not closer than twenty-five (25) feet from any property line nor shall it be set within the right-of-way of any street, subject to the following restrictions:

(1) The burning of yard trimmings, not including loose leaves, is permitted only during the months of April and November of each year but these time periods may be extended if, in the opinion of the Borough Council, inclement weather during the permitted months has resulted in an inadequate opportunity for yard clean-up.

(2) No such burning shall be permitted prior to 8:00 a.m. of any day, and all fire shall be completely extinguished, including smoldering embers, prior to dusk on the same day during which it was ignited.

(3) Such burning shall be constantly attended by a responsible person. During such burning, a water hose attached to a operable water faucet or equipment capable of covering the fire with earth must be in immediate readiness for use in extinguishing the fire. A water hose, if used, must be of sufficient length to extend at least 15 feet beyond the site of the burning.

(4) Burning shall not be permitted during periods of high winds, drought or weather inversion (i.e., hazardous air quality conditions) or during or in any other situation deemed hazardous by the Fire Marshal or his duly authorized representatives.

B. The outdoor cooking of food shall be permitted in or on an Underwriters Laboratory (UL) approved open-flame cooking device, solely intended for the cooking of food, and in strict adherence with the manufacturer's use guidelines. Permitted open-flame cooking devices are limited to those specifically designed for cooking with the burning of charcoal, liquid petroleum (LP) gas, propane gas, or wood. Upon the completion of cooking, the flame must be extinguished.

(Ord. 451, 9/21/2005)

§104. Variances. The Fire Marshal or his duly authorized representatives shall have authority to grant a variance from the provisions of this Part for reasons including but not limited to the following:

- A. To prevent or abate a fire hazard.
- B. For the purpose of instructing personnel in firefighting.
- C. For the prevention and control of disease and pests.
- D. For fires set solely for ceremonial purposes.

(Ord. 451, 9/21/2005)

§105. Violations and Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding six hundred dollars (\$600.00) and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 451, 9/21/2005)

§106. Inconsistency with Borough Fire Code. To the extent the provisions of this Part are inconsistent with the provisions of the Borough Fire Code this Part shall be controlling. (Ord. 451, 9/21/2005)

§107. Inconsistency with State Law or Regulation. Nothing herein is intended to abrogate State law or Statewide applicable regulations dealing with open burning. To the extent that any provision of this Part is found to be in violation of any State law or regulation which is controlling, that provision is severed and the remainder of this Part shall continue in full force and effect. (Ord. 451, 9/21/2005)

Part 2

Truss Construction

§201. Identification Emblems on Certain Properties, Buildings or Structures Containing Truss Construction Required for Certain Truss Construction Buildings.

A. Definitions. The following definitions shall apply for the Section:

TRUSS CONSTRUCTION - a combination of members, such as beams, bars and ties, usually arranged in triangular units to form a rigid framework for supporting loads over a span of structural members that connect together to span the space between the walls of the building to support a vertical load.

TRUSS EMBLEM - a sign consisting of an isosceles triangle not less than twelve (12) inches horizontally by six (6) inches vertically made of reflective material with white as the background and red lettering containing the following: "F" to signify a building or structure having a floor with truss construction; "R" to signify a building or structure having a roof with truss construction; or "FR" to signify a building or structure having both a floor and roof with truss construction.

B. Identification of Truss Construction.

(1) Except as provided in paragraph .C below, the owner of a building or a structure containing truss construction in any form or manner shall install and maintain a visible truss emblem to the left of the main entrance and at a height of not less than five (5) feet above the floor level or at such other place as the Fire Marshal may determine.

(2) The owner, developer and/or homeowner's association of a residential subdivision, residential condominium, or apartment complex shall install and maintain a truss emblem within the public right-of-way or upon the common element/area (in the case of a private street or condominium) at each entrance to such subdivision or condominium, or at such other location as the Fire Marshal may determine.

(3) Exemption. The owner of any single-family dwelling unit or semidetached dwelling containing not more than two dwelling units shall also be exempt from installing and maintaining a truss emblem.

(4) Fire Marshal Approval. The owner and/or developer of any building or structure required to have a truss emblem under this Section shall include in their land development plan for such truss emblem as to design and location for written approval by the Borough Fire Marshal.

(5) Retroactive Compliance Required. The provisions of this Section shall apply to the owners of existing buildings or structures having truss construction, but such owners shall have one (1) year from the effective date of this Section to comply.

(Ord. 447, 3/16/2005)

§202. Violation and Penalties. Any person, firm, corporation or association that shall violate any provision of this Part shall, upon conviction, be sentenced to pay a fine not exceeding one thousand dollars (\$1,000.00). Each day that the violation continues shall be considered a separate offense. (Ord. 447, 3/16/2005)s