

Chapter 7

Fire Prevention and Fire Protection

Part 1 Smoke Detectors

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Part 1**Smoke Detectors****§7-101. Title.**

This Part shall be known and may be cited as the “Lewisberry Borough Smoke Detector Ordinance.”

(Ord. 1998-3, 6/1/1998, §1)

§7-102. Definitions.

The following words and terms when used in this Part shall have the meaning given to them in this Section unless the context clearly indicates otherwise:

Borough - the Borough of Lewisberry, Pennsylvania.

Council - the Borough of Lewisberry, Pennsylvania, Council or its duly appointed agent or agents.

Residential unit - any building or structure used for overnight sleeping accommodations, however frequent. The term includes, but is not limited to, all residential dwellings, apartments, hotels, cabins, mobile homes, etc.

Smoke detector - a device, when operating properly, detects smoke and heat from fire and sensing visible or invisible particles of combustion, and sounds an audible alarm to alert those nearby. The smoke detector shall comply with the provisions of the National Fire Protection Association Standards. The applicable standards are on file with the Borough Secretary.

Zoning Officer - the Lewisberry Borough Zoning Officer as described and defined under the Lewisberry Borough Zoning Ordinance [Chapter 27].

(Ord. 1998-3, 6/1/1998, §2)

§7-103. Purpose, Findings and Scope.

1. Council recognizes the importance and significance of establishing a uniform smoke detector ordinance to apply to all residential units.

2. Council recognizes that under §1202, of the Borough Code, 53 P.S. §46202, relating to ordinances which affect the health, safety and general welfare of the community and in furtherance of that objective has the authority to enact an ordinance requiring smoke detectors to be installed and maintained in all residential units.

3. Council recognizes the importance and significance of adopting ordinances which will help to detect fires as early as possible in order to reduce the damage caused by fire.

4. The provisions of this Part shall apply to all residential units which are located in the Borough.

(Ord. 1998-3, 6/1/1998, §3)

§7-104. Smoke Detector Requirement.

1. Every residential unit shall be equipped with one or more smoke detectors as

follows:

A. At least one smoke detector at the top of each stairway, which can be the smoke detector for the sleep area.

B. At least one smoke detector on each floor of the residential unit, where there is at least one smoke detector for each separate sleep area. A separate sleep area is an area used for sleeping purposes which is separated by other areas not used for sleeping, such as a kitchen, dining room, living room, etc., but not a closet or bathroom.

C. For example, in a residential unit with one bedroom on the first floor and a bedroom on the second floor, two smoke detectors would be required.

2. *New Construction.* In all new residential units, requiring a zoning/use permit as of the effective date of this Part, smoke detectors shall be required in accordance with the above schedule. The smoke detectors shall be hard wired to the unit's electrical system and shall be equipped with a battery powered back-up. [Ord. 2007-2]

3. *Removal.* The removal of a smoke detector without replacing the same shall be a violation of this Part.

4. *Testing.* It shall be the responsibility of the occupant of every building or structure used for overnight accommodation to test the smoke detectors on a regular basis and to replace batteries, or perform other required maintenance, to maintain the smoke detector.

5. *Certification at Time of Change of Occupancy.* At every change of occupancy of a building or structure, it shall be the duty of the grantor or the owner or owner's agent to certify that the property is in compliance with this Part.

(Ord. 1998-3, 6/1/1998, §4; as amended by Ord. 2007-2, 12/17/2007)

§7-105. Inspection.

The Borough reserves the right to have the Zoning Officer inspect any and all residential units for compliance with this Part before issuing any permit for work to be performed or for a use certificate.

(Ord. 1998-3, 6/1/1998, §5)

§7-106. Enforcement.

1. The Zoning Officer and the Mayor shall have the express authority to enforce this Part.

2. Members of the Lewisberry Borough Fire Department shall have a duty to inform the Borough, in writing, of a known or suspected violation of this Part.

3. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [Ord. 2007-2]

(Ord. 1998-3, 6/1/1998, §6; as amended by Ord. 2007-2, 12/17/2007)