

Chapter 52

FIRE PREVENTION

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| § 52-1. Establishment of Bureau of Fire Prevention. | § 52-5. Licenses; permits. |
| § 52-2. Scope and purpose of the Bureau of Fire Prevention. | § 52-6. Inspection. |
| § 52-3. Duties of the Fire Chief. | § 52-7. Records and reports. |
| § 52-4. Investigation of fires. | § 52-8. Access lanes. |
| | § 52-9. Unlawful acts. |
| | § 52-10. Violations and penalties. |

[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg 7-19-1983 by Ord. No. 368, approved 7-9-1983. Amendments noted where applicable.]

GENERAL REFERENCES

Alarms — See Ch. 33.

Vehicles and traffic — See Ch. 108.

Fire insurance claims — See Ch. 61, Art. I.

§ 52-1. Establishment of Bureau of Fire Prevention.

A Bureau of Fire Prevention in the Borough of Heidelberg is hereby established and it shall operate under the direct supervision of the Fire Chief of the Heidelberg Volunteer Fire Department. The Bureau shall in his absence be directed and operated by the Assistant Fire Chief of the Heidelberg Volunteer Fire Department.

§ 52-2. Scope and purpose of the Bureau of Fire Prevention.

It shall be the duty of the officers of the Bureau of Fire Prevention under the supervision of the Fire Chief to enforce all laws and ordinances of the Borough of Heidelberg, relating to the following:

- A. The prevention of fires.
- B. The storage and use of explosives and flammables.
- C. The installation and maintenance of fire alarm systems and fire-extinguishing equipment.
- D. The maintenance and regulation of fire escapes.
- E. The means and adequacy of exit in case of fire from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheatres, and all other places in which numbers of persons work, live, or congregate from time to time for any purpose.
- F. The investigation of the cause, origin, and circumstances of fires.

§ 52-3. Duties of the Fire Chief.

- A. It shall be the duty of the Fire Chief to investigate and recommend to the Heidelberg Borough Council such additional ordinances, or amendments to existing ordinances, as he may deem necessary for safeguarding life and property against fire.
- B. Delegate authority to Assistant Fire Chief from time to time as he sees fit.
- C. Conduct such inspections and investigations as required.
- D. Prepare instructions for the Assistant Chief.
- E. Keep public records of all fires.
- F. Supervise fire drills in the local educational institutions.
- G. All other duties as required.

§ 52-4. Investigation of fires.

The Bureau of Fire Prevention shall investigate the cause, origin and circumstances of every fire occurring in the Borough of Heidelberg by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire is the result of carelessness or design, and investigations shall begin immediately upon the occurrence of such a fire by the Fire Chief and, if it appears to be of suspicious origin, the Chief shall notify the proper authorities designated by law to pursue the investigation of such matters and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case. Every fire shall be reported in writing within two days after the occurrence of the same in the Fire Company records. Such report shall contain a statement of all facts relating to the cause, origin and circumstances of such fire, the extent of the damage thereof, and the insurance upon such property, and such other information as may be required. The Fire Chief shall submit an annual report to Borough Council of all fires that have occurred in the Borough during the calendar year.

§ 52-5. Licenses; permits.

- A. Where combustible materials or any fuels, chemicals, explosives or other dangerous liquids or gases are used in any business, commercial place or manufacturing establishment, such storage and containers or equipment shall be in accordance with a permit to be issued by the Heidelberg Borough with the consultation of the Fire Chief in which specifications, terms and conditions shall define the method of storage and use.
- B. In the event that a business, commercial place or manufacturing establishment closes its business for a period of six months, all fuel tanks will be removed from said premises or face fine and/or penalties as in § 52-10.

§ 52-6. Inspection.

- A. Before licenses may be issued for the keeping, storage, use, manufacture, sale, handling, transportation or other disposition of highly flammable materials and rubbish, crude petroleum or any of its products, gun or blasting powder, dynamite, or explosives of any kind, including fireworks, fire crackers, and signaling explosives, the Chief or his Assistant Chief shall inspect and approve the receptacles, vehicles, buildings or storage places to be used for any such purposes, including radioactive or any radiation material.
- B. The Chief or his Assistant Chief shall inspect as often as may be necessary all specially hazardous manufacturing processes, storages, or installations of acetylene or other gases, chemicals, oils, explosives and flammable materials, all interior fire alarms and automatic sprinkler systems, and such other hazards or appliances as the Chief shall designate, and shall issue orders as may be necessary for the enforcement of the laws and ordinances governing the same and for safeguarding of life and property from fire.
- C. It shall be the duty of the Chief or his Assistant Chief to inspect as often as may be necessary all buildings, premises and public thoroughfares, except the interiors of private dwellings in said Borough, for the purpose of ascertaining and recommending to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of any ordinance of the Borough of Heidelberg affecting the fire hazard.
- (1) Whenever any Chief or his Assistant Chief shall find in any building, or upon any premises or other place, combustible or explosive matter or dangerous accumulations of rubbish or unnecessary accumulation of wastepaper, boxes, shavings, or any highly flammable materials especially liable to fire, and which is so situated as to endanger property; or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows liable to interfere with the operations of the Volunteer Fire Department or egress of occupants in case of fire, he shall issue a written order requiring the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within 24 hours to the Chief, as provided in Subsection D of this section.
 - (2) Any owner or occupant failing to comply with such order within 15 days after service of the said order shall be liable to a penalty as hereinafter provided.
 - (3) The service of any such order may be made upon the occupant of the premises to whom it is directed, either by delivering a copy of the same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises or, in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises. Whenever it may be necessary to serve such an order upon the owner of premises, such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the Chief making the order, by mailing such copy to the owner's last known post office address.

- D. The Chief or his Assistant Chief, upon the complaint of any person or whenever he or they shall deem it necessary, shall inspect all buildings and premises within his jurisdiction after prior 24 hours' notice duly given.
- (1) Whenever any of said officers shall find any building or other structure which, for want of repairs, lack of or insufficient fire escapes, automatic or other fire alarm apparatus or fire-extinguishing equipment or by reason of age or dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property or the occupants thereof, and whenever such officer shall find in any building combustible or explosive matter or flammable conditions dangerous to the safety of such building or the occupants thereof, he or they shall order such dangerous conditions or materials to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises of buildings.
 - (2) If such order is made by the Chief or his Assistant Chief, such owner or occupant may, within 24 hours, appeal to the Chief, who shall within five days review such order and file his written decision thereon and, unless by his authority the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in said order or decision of the Chief. Provided, however, that any such owner or occupant may timely file his appeal of said order to a competent Court having jurisdiction therein, and said appeal shall be properly served on the Fire Prevention Bureau.
- E. The Chief or his Assistant Chief, after prior 24 hours' notice duly given, may during hours from 9:00 a.m. to 8:00 p.m. enter any building or premises within his jurisdiction for the purpose of making any inspection or investigation which under the provision of this chapter he or they may deem necessary to be made.

§ 52-7. Records and reports.

- A. The Fire Chief shall keep a record of all fires and of all the facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance and, if so, in what amount. All such records shall be public.
- B. An annual report shall be submitted by the Chief to the Heidelberg Borough Council. It shall contain all proceedings under this chapter, with such statistics as the Chief may wish to include therein. The Chief shall also recommend any amendments to the chapter which, in his judgment, shall be desirable.

§ 52-8. Access lanes.

When a building or other structure is used commercially or industrially, or where such building or structure is used as an apartment house, or any combination of buildings or structures comprising four or more units for family or individual residences, or where such building or structure shall be used as a place of assembly, the owners and/or developers and/or their rental agents, officers and employees or any other persons connected with such

buildings in some managerial capacity shall provide, mark off and restrict certain parking area or areas used by vehicles so as to provide the highest possible public safety regarding the passage of fire vehicles, police cars and other vehicles used in fighting or preventing fires or other disaster, and the said owners and/or developers, rental agents, officers and employees or any other persons connected with such buildings in some managerial capacity shall restrict parking in those areas so designated and shall maintain such areas so designated so as to be clear of obstruction to the passage by any fire vehicles or police vehicles or other emergency vehicles. Further, the same shall be so protected as to provide the highest possible public safety conforming to approved rules and regulations of the National Fire Protection Association.

§ 52-9. Unlawful acts.

- A. No building or structure within the Borough of Heidelberg may be maintained in such a manner as to permit the accumulation of wastepaper, boxes, shavings, straw, excelsior, packing materials or other easily ignitable or combustible materials which may cause or contribute to fires and resulting in smoke and fumes.
- B. It shall be unlawful to store or keep any fuels, chemicals, explosives and other dangerous liquids or gases which may explode, causing combustion or suffocation of human beings or animals; provided, however, that where such quantities are kept in such small amounts, they shall then be maintained in metal shelves, compartments or storage places as shall be approved by the Fire Chief.
- C. No building or structure for the use of human beings shall be maintained so as to permit promiscuous handling of dangerous or combustible materials or to obstruct passageways, halls, stairs, doors, windows, fire escapes or exits from the premises.
- D. It shall be unlawful to build, construct, alter or set up any buildings or structures in such a manner as to prevent the proper exit or escape from such a building or structure of any human being in the event of disaster, fire or other hazards which may cause injury or harm to human beings.
- E. It shall be unlawful to build, construct, alter or set up any buildings or structures in such a manner as to prevent the proper exit or escape from such a building or structure of any human being in the event of a disaster, fire or other hazards, which may cause injury or harm to human beings, nor shall any high-rise-type apartment be hereafter erected or constructed, altered or improved unless the plans for such construction, alteration or improvement provides for the installation of a sprinkler system on all floors of the said structure, which system shall meet specifications adopted by the Bureau of Fire Prevention from time to time; the storage of inflammable materials as defined by the Bureau of Fire Prevention is prohibited in any such high-rise apartment within the Borough of Heidelberg.

§ 52-10. Violations and penalties.

Any person or persons, firm or corporation violating any of the provisions of this chapter, in neglecting to comply with any order issued pursuant to any section thereof, shall, upon

conviction thereof, be punishable by a fine of not more than \$300 and the cost of prosecution or, upon default in payment of the fine and costs, by imprisonment in the county jail for a period not exceeding 30 days. Additionally, where the person or persons, firm or corporation convicted of a violation of this chapter shall refuse to make any such correction or removal, Borough Council may authorize the Fire Chief or any person to remove the violation and charge the cost thereof to the owner or occupant, or both, said cost to be liened where allowed by law and to be collected as are other debts by the Borough of Heidelberg.