

# **Chapter 10**

## **Health and Safety**

### **Part 1**

#### **Temporary Structures for Public Assembly**

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**Part 1****Temporary Structures for Public Assembly****§10-101. Application and Permission to Erect.**

It shall be unlawful for any person, firm or corporation to erect or cause to be erected any temporary structure composed wholly or partly of canvas or similar material, to be used as a place of amusement, or for any religious, educational or recreational purposes, or for any other public assemblage whatsoever within the Township of Ross without first having made application to the Office of Building and Fire Inspection and received permission to do so in accordance with the conditions and limitations, as set forth in this Section.

(*Ord. 1543, 6/9/1986, §1*)

**§10-102. Filing of Application.**

1. The applicant, for such permission, shall file application, in writing, with the Office of Building and Fire Inspection, which application shall be accompanied by a set of structural plans, indicating the design criteria, as is necessary for compliance with §107 and Chapter 31 of the International Building Code, 2006 or most recent edition [see Chapter 5, Part 1] which regulates stages and platforms, bleachers, grandstands, with folding or telescoping seats, tents, air-supported structures, or other temporary structures as they are described in the aforementioned Codes, including all of the subjects set forth in paragraphs .A through H of this subsection .1 in duplicate, drawn to scale, and shall indicate clearly: [*Ord. 2288*]

- A. The type of construction.
- B. The seating arrangements.
- C. The aisles.
- D. The structural details and calculations of the seats and supports.
- E. The location of all electrical wiring.
- F. The location of all exits.
- G. The location of all fire equipment within the structure; and the specifications of such equipment.
- H. The location, insofar as feasible, of adjacent structures and obstructions which might hinder the free egress of persons from the exits.

2. Such application shall further specify:

- A. Whether any open flame is intended to be used within the structure, and if so, what precautions are to be taken to render it safe.
- B. The names of the person, firm or corporation which will use the structure.
- C. The location of the personal place of business of such person, firm or corporation.
- D. The names and addresses of the officers of such firm or corporation.
- E. The length of time the structure is intended to be used for the purposes

applied for.

F. The hours of the day or night during which such structure is intended to be used as a place of assemblage.

G. The formula of the solution which is to be used to flameproof the structure.

H. The provisions that have been made for sanitary facilities for persons using the premises within which such structure is to be erected or is maintained.

I. Such other relevant information as the Office of Building and Fire Inspection may require.

3. The applicant shall furnish evidence that a public liability insurance policy in amounts not less than \$1,000,000 for any one person, and \$5,000,000 for any one accident, is in force and effect at the time such structure is to be occupied as a place of assemblage by the public.

4. The applicant shall deposit with the Township Manager a cash bond in the sum of \$5,000 conditioned upon saving harmless the Township of Ross and its officers, agents, servants and employees, of and from any and all liabilities or causes of action which might arise by virtue of the granting of a permit to the applicant, and conditioned further that no damage will be done to the streets, sanitary sewers, trees or adjoining property, and that no dirt, paper, litter or other debris will be permitted to remain upon the streets or upon any private property by the applicant. Such cash bond shall be returned to the applicant upon certification by the Chief of Police that all conditions of this Part have been complied with.

5. The applicant shall pay to the Office of Building and Fire Inspection a fee or fees, in amounts as established from time to time by resolution of the Board of Commissioners. [*Ord. 2288*]

6. If the Fire Marshal determines that the attendance of fire equipment at the location of the temporary structure during the use of such structure as a place of assemblage is necessary for the safety of persons and property, the Fire Marshal shall require that the applicant deposit with the Office of Building and Fire Inspection a sum equal to the reasonable value of the use of said equipment and the furnishing of the necessary personnel for such time as will be required in order to reimburse the fire company involved for such expense.

7. Such application and plan shall be submitted to the Office of Building and Fire Inspection at least 10 days prior to the date of the opening of such temporary structure, and it shall be notified at least 48 hours prior to the erection of such temporary structure, so that it may make an inspection during reasonable daylight hours.

(*Ord. 1543, 6/9/1986, §2; as amended by Ord. 1726, 10/14/1991, §10-102; and by Ord. 2288, 4/12/2010*)

### **§10-103. Provisions to Be Made by Applicant.**

The Office of Building and Fire Inspection shall determine if the applicant has made provision for:

A. Adequate aisles, seats, platforms and poles.

B. Sufficient exits, well-marked and properly lighted.

C. Lighted and unobstructed passageways to areas leading away from the

structure.

D. Removal, before the structure is to be used as a place of public assemblage, of any pole, rope or other obstruction, in any aisle or exit.

E. Inspection before the opening of each performance, by a qualified electrician, to ascertain if any defects exist in the wiring and provision made for immediate correction of any defects which may be found.

F. Sufficient first-aid fire appliances to be distributed throughout the structure and operating personnel familiar with the operation of such equipment, available and assigned during the use of such structure as a place of assemblage.

G. An employee at each entrance to require the extinguishing of all cigarettes, cigars and other similar materials.

H. Announcement, at frequent intervals, to the persons in the assembly of the fact that smoking within the structure is prohibited.

I. Proper safeguard of any use of open flames, or its use prohibited.

J. The cleaning of straw, dry grass, sawdust and any combustible trash from the structure before it is open to the public, and arrangement made to keep the areas where debris may be expected to accumulate well-serviced, especially under open seats.

K. Proper facilities for all the Township volunteer fire departments servicing the public location.

L. Such special fire equipment of the applicable volunteer fire company to attend at such structure during its use and a place of public assemblage as the Fire Marshal may decide is necessary for proper fire prevention.

M. The attendance of such special police officers and firemen as the Fire Marshal may deem necessary for the control of persons in the assembly to prevent overcrowding, obstruction of aisles and exits, and such other control as may be necessary to render the occupation of such structure by the public safe.

N. The tent and canvas parts of the structure and all combustible decorative materials including, curtains, acoustic materials, streamers, cloth, cotton batting, straw, vines, leaves, trees and moss to be rendered fireproof.

O. Satisfactory sanitary facilities on or near the premises on which the structure is maintained or is to be maintained.

*(Ord. 1543, 6/9/1986, §3)*

#### **§10-104. Issuance of Permit.**

If the Office of Building and Fire Inspection finds that the provisions of §§10-102 and 10-103 of this Part are complied with, or will be complied with by the applicant, he shall issue a permit to erect or maintain such structure, conditioned upon such reasonable limitations and requirements as he may deem necessary for the safety of persons and property.

*(Ord. 1543, 6/9/1986, §4)*

#### **§10-105. Inspection Required.**

1. Upon completion of such temporary structure, it shall not be used as a place

of assembly until the Fire Marshal and Building Code Official have inspected the entire premises upon which the temporary structure is located and have issued a temporary occupancy permit. [Ord. 2288]

2. If the Office of Building and Fire Inspection finds that all the limitations and requirements of the permit and this Part have been complied with, and that the temporary structure has been erected in accordance with the plans and specifications submitted with the application, it shall grant a permit to occupy such premises.

3. It shall be unlawful for any person to cause or permit the occupancy of such temporary structure as a place of assembly without the issuance of such permit to occupy such temporary structure, as provided herein.

4. If the Fire Marshal finds that such temporary structure, or the premises on which it is located is being maintained in violation of any of the provisions of the permit to erect or maintain, any of the provisions of this Part, or in such a manner as to constitute a fire hazard, he may revoke the permit to occupy, provided for herein.

5. Any person, firm or corporation whose permit to occupy has been revoked, as aforesaid, may, within 5 days after receipt of a notice thereof, appeal to the Board of Township Commissioners (or the Fire Appeals Board) for a hearing therein, and the decision of such body in this regard shall be final. If no appeal is taken within 10 days, as provided herein, the action of the Fire Marshal shall be final.

(Ord. 1543, 6/9/1986, §5; as amended by Ord. 2288, 4/12/2010)

#### **§10-106. Definitions.**

As used in this Part, the words "structure" and/or "temporary structure" shall mean that which is built or constructed including, but not limited to, stages, platforms, bleachers, grandstands, folding or telescoping seats, tents, air-supported structures, merry-go-rounds, amusement rides of all nature, shooting galleries and the like, including, but not limited to the erection of temporary stalls for the containment of all animals, or any other temporary type of structure which is not mounted on a permanent foundation, that might be designed to be assembled or disassembled rapidly, or transported from one place to another, including those mobile-mounted units, and including such transportation of any type of mobile device mounted on wheels that may be driven on a highway.

(Ord. 1543, 6/9/1986, §6)

#### **§10-107. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not 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 shall constitute a separate offense.

(Ord. 1543, 6/9/1986, §7; as amended by Ord. 1726, 10/14/1991, §10-107; and by Ord. 2288, 4/12/2010)

#### **§10-108. Exemption from Fee.**

Notwithstanding anything to the contrary hereinabove set forth, the Fire Marshal

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shall charge no fee, as provided for in §10-102, hereof, for any permit for any temporary structure to be used for any religious purpose. However, the applicant shall be required to comply with the provisions of this Part in all other respects.

*(Ord. 1543, 6/9/1986, §8)*

