

**CHAPTER 7**

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# FIRE PREVENTION AND FIRE PROTECTION

## PART 1

### DISPLAY OF FIREWORKS

#### §101. General Provisions.

##### A. Prohibitions:

1. The manufacture of fireworks is prohibited within the Borough of Wyomissing.
2. The use or ignition of Consumer Fireworks is prohibited within the Borough of Wyomissing.

##### B. Permitted Displays: The display of fireworks shall comply with the requirements of this Part. A written permit shall be obtained from the Fire Commissioner for the public display of Display Fireworks.<sup>1</sup>

##### C. Definitions.

1. "Consumer Fireworks." Any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, as further defined by Act 43 of 2017. The term does not include devices as "ground and hand-held sparkling devices," "novelties" or "toy caps" as described in such APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth.
2. "Display Fireworks." Large fireworks to be used solely by professional pyrotechnicians and designed primarily to produce visible or audible effects by combustion, deflagration or detonation. See Act 43 of 2017.
3. "Fire Official." The Fire Official is anyone appointed by the Council of the Borough of Wyomissing to enforce Fire Prevention and Fire Protection regulations, and includes but is not limited to the Fire Commissioner, the Fire Official and the Codes Officer.

(Ord. 271, 10/17/1929; as revised by Ord. 1185, 5/13/1997; as amended by Ord. 1374, 12/8/2015, §2; as amended by Ord. 1392, 5/8/2018, §2)

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<sup>1</sup> The use of Consumer Fireworks is already prohibited within 150 feet of occupied structures pursuant to the Pennsylvania Fireworks Law, Act 43 of 2017. Since substantially all of the Borough of Wyomissing is located within 150 feet of an occupied structure, under the authority of the Pennsylvania Borough Code, the prohibition is extended to the entire Borough of Wyomissing in order to protect the health, safety and property of the residents and tax payers of the Borough of Wyomissing.

**§102. Fireworks Displays.**

- A. General. It shall be a violation of this Part for any person to store, or use or explode, any fireworks, except as provided in the rules and regulations issued by the Fire Official for the granting of permits for supervised public displays of Display Fireworks by the Borough of Wyomissing, fair associations, amusement parks and other organizations. Every such display shall be handled by a competent operator approved by the Fire Commissioner in writing as permitted by such rules and regulations required by the Fire Commissioner and in compliance with Act 43 of 2017. The fireworks shall be arranged, located, discharged or fired in a manner that, in the opinion of the Fire Commissioner, will not be a hazard to property or endanger any person.
- B. Bond for Display. The applicant shall furnish a bond in an amount deemed adequate by the Borough Council but not less than \$50,000; conditioned for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the applicant, the applicant's agents, employees or subcontractors.
- C. Disposal of Unfired Fireworks. Unfired fireworks and trash that remain after the display is concluded shall be immediately disposed of in a safe manner approved by the Fire Official at the expense of the applicant.
- D. Seizure of Fireworks. The Fire Official shall seize, take, remove or cause to be removed at the expense of the owner, all stocks of Display Fireworks offered or exposed for display, stored or held in violation of this Part.

(Ord. 271, 10/17/1929; as amended by Ord. 1185, 5/13/1997; repealed by Ord. 1284, 8/12/2008, §2; as amended by Ord. 1374, 12/8/2015, §3; as amended by Ord. 1392, 5/8/2018, §3)

**§103. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part commits a summary offense and, upon conviction thereof, shall be sentenced to pay a fine of not more than One Hundred Dollars (\$100.00) plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Every day that a violation of this Part continues shall constitute a separate offense.

(Ord. 271, 10/17/1929; as revised by Ord. 1185, 5/13/1997; repealed by Ord. 1284, 8/12/2008, §2; as amended by Ord. 1392, 5/8/2018, §4)

**§104. Enforcement.**

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It shall be the duty and responsibility of the Police Officers of the Borough of Wyomissing, the Fire Commissioner, Fire Officials, and other Borough designated enforcement officers to enforce the provisions of this Part.

(Ord. 1392, 5/8/2018, §5)

## PART 2

### FIRE PREVENTION CODE

#### **§201. Adoption of the Fire Prevention Code.**

That a certain document, three copies of which are on file and available for public use, inspection and examination in the office of the Secretary for the Borough of Wyomissing, being marked and designated as the International Fire Code, 2009 edition, including the Appendixes, as published by the International Code Council is hereby adopted and incorporated herein by reference as amended as the Borough of Wyomissing Fire Prevention Code pursuant to the authority granted the Borough under Section 1202(22) of the Borough Code, 53 P.S. §46202(22), regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Secretary of the Borough of Wyomissing are hereby referred to, adopted, and made a part hereof, as if fully set out in this Part, with the additions, insertions, deletions and changes, if any, prescribed in §7-206 of this Part.

#### **§202. State Law and Regulations.**

In all matters that are regulated by the law of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, or other ordinances of the Borough of Wyomissing, Pennsylvania, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this Part.

#### **§203. Provisions to Be Continuation of Existing Regulations.**

That nothing in this Part or in the Fire Code hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance as repealed by this Part; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Part.

#### **§204. Title.**

This Part shall be known as the “Borough of Wyomissing Fire Prevention Code.”

#### **§205. Enforcement.**

- A. It shall be the duty and responsibility of the Commissioner and Fire Code Official and other official authorized by the Borough of Wyomissing Council to enforce the provisions of this Code. Any designated enforcement officer of this Code is herein referred to as the Fire Code Official.

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- B. Authorization is hereby granted to the Fire Code Official to create regulations, rules, policies and procedures in accordance herewith for the enforcement thereof and inspection purposes.<sup>2</sup>

(Ord. 1335, 4/10/2012, § 2; as amended by Ord. 1374, 12/8/2015, §4)

### §206. Adoption and Amendments.

The International Fire Code is modified and amended in the following respects, and the following amendments, modifications and additions so made are hereby adopted to the same intent and effect as if originally incorporated in that Code. Any Chapter not referenced herein is deleted in its entirety.

- A. **CHAPTER 1, SCOPE AND ADMINISTRATION.** The following Sections and Subsections of Chapter 1 are hereby adopted as amended, if any, all other sections and subsection of Chapter 1 are deleted in their entirety.

1. **SECTION 101, SCOPE AND GENERAL REQUIREMENTS,** is adopted in its entirety and amended as follows:

- a. **101.1 Title** shall read in its entirety as follows:

These regulations shall be known as the *Fire Prevention Code* of the Borough of Wyomissing, hereinafter referred to as "this code."

2. **SECTION 102, APPLICABILITY,** the following Subsections of Section 102 are hereby adopted as amended, if any, all other subsections of Section 102 are deleted in their entirety:

- a. **102.1 Construction and design provisions is amended to read in its entirety as follows:**

The provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when required in Chapter 46.
4. Existing structures, facilities and conditions which, in the opinion of the *fire code official*, constitute a distinct hazard to life or property.

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<sup>2</sup> Editor's note: codification of §205(B) is pursuant to the context of Ordinance 1335, §2.

5. Maintenance of existing systems, facilities and structures,
  - b. **102.2 Administrative, operational and maintenance provisions** is adopted in its entirety.
  - c. **102.3 through 102.5** are deleted in their entirety.
  - d. **102.6 through 102.12** are adopted in their entirety without amendment.
3. **SECTION 103 DEPARTMENT OF FIRE PREVENTION** is hereby adopted in its entirety as amended:
  - a. **103.2 Appointment**, is amended to read in its entirety as follows:

The fire code official shall be appointed in accordance with the Code of Wyomissing Borough and all applicable statutes, laws, ordinances and regulations.
4. **SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES** is hereby adopted in its entirety as amended:
  - a. **104.2 Applications and Permits** is amended to read in its entirety as follows:

The fire code official is authorized to receive applications, review documents and issue permits for operations regulated by this code, inspect the premises for which such permits have been issued, perform inspections and enforce compliance with the provisions of this code.
  - b. **104.7 Approved materials and equipment.** All materials, equipment and devices approved by the fire code official shall be installed in accordance with such approval.
5. **SECTION 105 PERMITS** The following Subsections of Section 105 are hereby adopted as amended, if any, all other subsections of Section 105 are deleted in their entirety:
  - a. **105.1 and parts thereof** are adopted in their entirety except as otherwise stated:
    1. **105.1.2.2, Construction Permits** shall be Deleted in its entirety.
  - b. **105.2 Application** is hereby adopted in its entirety and amended as follows
    1. **105.2.3 Time limitation of application.** An application for an operational permit shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the fire code official is authorized to grant one or more extensions of time for additional periods not exceeding

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90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

2. **105.2.4 Action on application.** The fire code official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the documents do not conform to the requirements of pertinent laws, the fire code official shall reject such application in writing, stating the reasons therefor. If the fire code official is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the fire code official shall issue a permit therefor as soon as practicable.
- c. **105.3 Conditions of a permit** is hereby adopted in its entirety and amended as follows:

A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; in accordance with the provisions of this code where a permit is required by Section 105.6. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

1. **105.3.1 Expiration.** An operational permit shall remain in effect until re-issued, renewed, or revoked or for such a period of time as specified in the permit. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.
2. **105.3.2 Extensions and 105.3.3 Occupancy prohibited before approval** are Deleted in their entirety.
3. **105.3.4 Conditional permits.** Where permits are required and upon the request of a permit applicant, the fire code official is authorized to issue a conditional permit to operate the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full operations without endangering life or public welfare. The fire code official shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the utilization of the entire premises, equipment or operations will be granted.
4. **105.3.6 Compliance with code.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on documents and other data shall not prevent

the fire code official from requiring the correction of errors in the documents and other data. Any addition to or alteration of approved documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit.

5. **105.3.8 Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinances of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on operational documents and other data shall not prevent the fire code official from requiring correction of errors in the documents or other data.
- d. **105.4 Construction documents** is deleted in its entirety.
  - e. **105.5 Revocation.** The *fire code official* is authorized to revoke a permit issued under the provisions of this code when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or *documents* on which the permit or approval was based including, but not limited to, any one of the following:
    1. The permit is used for a location or establishment other than that for which it was issued.
    2. The permit is used for a condition or activity other than that listed in the permit.
    3. Conditions and limitations set forth in the permit have been violated.
    4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
    5. The permit is used by a different *person* or firm than the name for which it was issued.
    6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
    7. The permit was issued in error or in violation of an ordinance, regulation or this code.
  - f. **105.6 Required operational permits** is adopted in its entirety.
  - g. **105.7 Required construction permits** is Deleted in its entirety.

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6. **SECTION 106 INSPECTIONS and subsections** thereof are adopted in their entirety and amended as follows:
  - a. **106.1 Inspection authority** is adopted in its entirety.
  - b. **106.2 Inspections** is adopted in its entirety and amended as follows:
    1. **106.2.1 and 106.2.2** are amended to read in their entirety as follows:
      - a. **106.2.1 Notice.** Notices scheduling inspections shall be mailed via regular mail to the owner at the address of record. Owners receiving notices shall notify tenants of the inspection without delay. If the tenant objects to the inspection, the tenant shall advise the owner who shall so inform the fire code official. Nothing in this section shall preclude inspection without notice. It shall be the duty of the owner to provide access to and means for inspections.
      - b. **106.2.2 Failure to appear for inspection.** Owner or their representatives who cannot be available at the proposed time and date, shall no less than 24 hours prior to the scheduled inspection provide the Borough of Wyomissing written notice of their unavailability. Failure to appear or provide 24 written notice of unavailability will result in the assessment of a Failure to Appear or Reinspection Fee as listed in the fee schedule.
  - c. **106.4 Approvals** is adopted in its entirety.
7. **SECTION 107 MAINTENANCE and Subsections** thereof are hereby adopted in their entirety.
8. **SECTION 108 BOARD OF APPEALS and Subsections** thereof are hereby adopted in their entirety as amended, if any, all other subsections of Section 108 are deleted in their entirety as follows:
  - a. **108.1 Board of Appeals Established** is amended to read in its entirety as follows:

In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be a board of appeals. The board of appeals shall be the Infrastructure Committee of the Borough of Wyomissing. The fire code official shall be an ex officio member of the said board but shall have no vote on any matter before the board. The board 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.
  - b. **108.2 Limitations** on authority is adopted in its entirety.

- c. **108.3 Qualifications** is Deleted in its Entirety.
9. **SECTION 109 VIOLATIONS and subsections** thereof are hereby adopted in their entirety and as amended as follows:
- a. **109.3 Violation Penalties** is amended to read in its entirety as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of this Ordinance, or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Summary Offense, punishable by a fine of not more than \$1000 dollars, plus costs and restitution or in default of payment may be sentenced to imprisonment for a term not to exceed ninety (90) days. Each section of this Code is violated shall constitute a separate offense punishable by a separate fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense punishable by a separate fine as set forth herein.
10. **SECTION 110 UNSAFE BUILDINGS and Subsections** thereof are hereby adopted in their entirety and amended as follows:
- a. **Add Subsections 110.5 Placard and 110.5.1 Placard Removal** to read as follows:
    - 1. **110.5 Placard.** The fire code official is authorized to post structures and premises ordered evacuated in accordance with Section 110.2 with a placard prohibiting entry or occupancy.
    - 2. **110.5.1 Placard removal.** The fire official shall remove the placard when the unsafe condition or conditions are remedied or have been eliminated. Any person who conceals, covers, hides, removes, or causes to be removed, or defaces a placard without the approval without the approval of the fire official shall be guilty of a summary offense.
11. **SECTION 111 STOP WORK ORDER and Subsections** thereof are hereby Deleted in their Entirety.
12. **SECTION 112 SERVICE UTILITIES and Subsections** thereof are hereby adopted in their entirety.
13. **SECTION 113 FEES and Subsections** thereof are hereby adopted in their entirety and as amended as follows:
- a. **113.1 Fees** is amended to read in its entirety as follows: Fees required by this ordinance for inspections, permits and other items shall be established by resolution of the Borough Council of Wyomissing and as amended from time to time.

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- b. **113.2** is renamed to **Permits and Inspections** and is amended to read in its entirety as follows:

**113.2.1 Permits.** A permit shall not be issued until the fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**113.2.2 Inspections.** Fees for inspections shall be due and payable up on issuance of an inspection report.

- B. **CHAPTER 2 DEFINITIONS and Sections** thereof are hereby adopted in their entirety without amendment.

- C. **CHAPTER 3 GENERAL PRECAUTIONS AGAINST FIRE and Sections and Subsections** thereof are hereby adopted in their entirety without amendment.

- D. **CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS and Sections and Subsections** thereof are hereby adopted in their entirety without amendment.

- E. **CHAPTER 5 FIRE SERVICE FEATURES** The following Sections and Subsections of Chapter 5 are hereby adopted as amended, if any, all other sections and subsection of Chapter 5 are deleted in their entirety.

- 1. **SECTION 501 GENERAL** is hereby adopted and amended as follows, all other subsections of 501 are deleted in their entirety:

- a. **501.1 Scope** Fire service features for buildings, structures and premises shall comply with this chapter.

- b. **501.2 Permits.** A permit shall be required as set forth in Sections 105.6.

- 2. **SECTION 502 DEFINITIONS** is adopted in its entirety.

- 3. **SECTION 503 FIRE APPARATUS ACCESS ROADS** is hereby adopted and amended to read in its entirety as follows:

- a. **503.1 Where required.** Fire apparatus access roads shall be maintained.

- b. **503.2 Specifications** is Deleted in its Entirety.

- c. **503.3 Marking.** The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

- d. **503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times.

- e. **503.5 Required gates or barricades** is amended to read in its entirety as follows:

Gates or other approved barricades across fire apparatus access roads, trails or other accessways shall be maintained.

**503.5.1 Secured gates or barricades.** When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed or obstructed through approval, shall not be trespassed on or used unless authorized by the owner and the fire code official except to public officers acting within the scope of their duty.

- f. **503.6 Security gates.** Security gates and the emergency operation shall be maintained operational at all times.

- 4. **SECTION 504 ACCESS TO BUILDING OPENINGS AND ROOFS** is hereby adopted and amended to read in its entirety as follows:

- a. **504.1 Required access.** Exterior doors and openings shall be maintained readily accessible for emergency access by the fire department.

- b. **504.2 Maintenance of exterior doors and openings.** Exterior doors and their function shall not be eliminated without prior approval. Exterior doors that have been rendered nonfunctional and that retain a functional door exterior appearance shall have a sign affixed to the exterior side of the door with the words THIS DOOR BLOCKED. The sign shall consist of letters having a principal stroke of not less than  $\frac{3}{4}$  inch (19.1 mm) wide and at least 6 inches (152 mm) high on a contrasting background. Required fire department access doors shall not be obstructed or eliminated.

- c. **504.3 Stairway access to roof** is Deleted in its Entirety.

- 5. **SECTION 505 PREMISES IDENTIFICATION** is hereby adopted and amended to read in its entirety as follows:

- a. **505.1 Address identification.** All buildings shall have address numbers, building numbers or building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

- b. **505.2 Street or road signs** is Deleted in its Entirety.

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6. **SECTION 506 KEY BOXES** is hereby adopted and amended to read in its entirety as follows:
  - a. **506.1 Where required** is Deleted in its Entirety. (See Borough of Wyomissing Code of Ordinances Chapter 7 Part 3 Key Safes.)
  - b. **506.2 Key box maintenance.** The operator of the building shall immediately notify the *fire code official* and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.
7. **SECTION 507 FIRE PROTECTION WATER SUPPLIES and Subsections** thereof is hereby adopted and amended to read in its entirety as follows:
  - a. **507.5.2 Inspection, testing and maintenance.** Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with the applicable law and ordinances.
  - b. **507.5.3 Private fire service mains and water tanks** is hereby adopted in its entirety.
  - c. **507.5.4 Obstruction** is hereby adopted in its entirety.
  - d. **507.5.5 Clear space around hydrants** is hereby adopted in its entirety.
  - e. **507.5.6 Physical protection.** Where fire hydrants are subject to impact by a motor vehicle and guard posts or other approved means to protect the hydrants have been required, such posts or other means shall be maintained.
8. **SECTION 508 FIRE COMMAND CENTER and Subsections thereof are hereby Deleted in their Entirety.**
9. **SECTION 509 FIRE PROTECTION EQUIPMENT IDENTIFICATION AND ACCESS** is hereby adopted and amended to read in its entirety as follows:
  - a. **509.1 Identification.** Identification of fire protection equipment, including but not limited to rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements for the use of the fire department shall be maintained in an identifiable manner. The identification shall be constructed of durable materials, permanently installed and readily visible.
  - b. **509.2 Equipment access.** Access shall be maintained for all fire protection equipment to permit immediate safe operation and maintenance of such equipment. Storage, trash and other materials or objects shall not be placed or kept in such a manner that would prevent such equipment from being readily accessible.

10. **SECTION 510 EMERGENCY RESPONDER RADIO COVERAGE** is hereby adopted and amended to read in its entirety as follows:

- a. **510.3 Emergency Responder Radio Coverage in Existing Buildings** is hereby adopted in its entirety.

F. **CHAPTER 6, BUILDING SERVICES AND SYSTEMS.** The following Sections and Subsections of Chapter 6 are hereby adopted as amended, if any, all other sections and subsections of Chapter 6 are deleted in their entirety.

1. **SECTION 601 GENERAL** is hereby adopted as amended as follows:

- a. **601.1 Scope.** The provisions of this chapter shall apply to the operation and maintenance of fuel-fired appliances and heating systems, emergency and standby power systems, electrical systems and equipment, mechanical refrigeration systems, elevator recall, stationary storage battery systems and commercial kitchen hoods.
- b. **601.2 Permits.** Permits shall be obtained for refrigeration systems and battery systems as set forth in Sections 105.6.

2. **SECTION 602 DEFINITIONS** is hereby adopted where applicable hereto.

3. **SECTION 604 EMERGENCY AND STANDBY POWER SYSTEMS, Subsections 604.3 through 604.5** are hereby adopted in their entirety as relates to inspection, testing and maintenance of such systems.

4. **SECTION 605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS and Subsections 605.1 through 605.10** are hereby adopted in their entirety.

5. **SECTION 608 STATIONARY STORAGE BATTERY SYSTEMS and Subsections 608.1 through 608.8** are hereby adopted in their entirety.

6. **SECTION 608 STATIONARY STORAGE BATTERY SYSTEMS, Subsection 608.9 Smoke Detection** is hereby adopted and amended to read in its entirety as follows:

*An approved* automatic smoke detection system shall be maintained in rooms containing stationary battery systems.

7. **SECTION 609 COMMERCIAL KITCHEN HOODS, Subsection 609.3 and subparts thereof and Subsection 609.4** are hereby adopted in their entirety.

G. **CHAPTER 9 FIRE PROTECTION SYSTEMS.** The following Sections and Subsections of Chapter 9 are hereby adopted as amended, if any; all other sections and subsections of Chapter 9 are deleted in their entirety.

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1. **SECTION 901 GENERAL** is hereby adopted and amended as follows:
  - a. **901.1 Scope.** The provisions of this chapter shall specify where fire protection systems are required and shall apply to the inspection, operation, testing and maintenance of all fire protection systems.
  - b. **901.6 Inspection, testing and maintenance and Subsections** thereof are hereby adopted in their entirety and amended as follows:
    - i. **901.6.2 Records.** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be provided by the Fire Protection Company performing the inspection, testing and maintenance directly to any company contracted by the Borough to maintain records regarding fire protection system inspections, through the third party reporting system for retrieval by the Fire Marshal's Office at a fee to be established and amended from time to time by Resolution of Borough Council. The Borough is further authorized to adopt Rules and Regulation for submission of the records.
  - c. **Subsections 901.7 through 901.9** are hereby adopted in their entirety.

[Ord. 1354]

2. **SECTION 902 DEFINITIONS** is hereby adopted in its entirety as applicable hereto.
3. **SECTION 903 GENERAL** is hereby adopted and amended as follows:
  - a. **903.2** is hereby adopted in its entirety. [Ord. 1362 and Ord. 1382]
  - b. **903.5** is hereby adopted in its entirety.
  - c. **903.6** is hereby adopted in its entirety.
4. **SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS** is hereby adopted and amended as follows:
  - a. **904.1 General.** Automatic fire-extinguishing systems, other than *automatic sprinkler systems*, shall be inspected, tested and maintained in accordance with the provisions of this section and the applicable referenced standards.
  - b. **Subsection 904.4 through 904.11 and subparts thereof** are hereby adopted to the extent they require inspection, testing and maintenance of the systems referenced therein and their compliance with the applicable NFPA sections.
5. **SECTION 905 STANDPIPE SYSTEMS** is hereby adopted and amended as follows:

- a. **905.7 Cabinets** is hereby adopted in its entirety.
- b. **905.11 Existing buildings** is hereby adopted in its entirety.
6. **SECTION 906 PORTABLE FIRE EXTINGUISHERS** is hereby adopted and amended as follows:
  - a. **906.2 General requirements.** Portable fire extinguishers shall be maintained in accordance with NFPA 10.
  - b. **Subsections 906.5, 906.6, 906.8 and 906.10** are hereby adopted in their entirety.
7. **SECTION 907 FIRE ALARM AND DETECTION SYSTEMS** is hereby adopted and amended as follows:
  - a. **907.1 General.** This section covers the performance and maintenance of fire alarm systems and their components in existing buildings and structures. The requirements of Section 907.3 are applicable to existing buildings and structures.
  - b. **907.3 Where required in existing buildings and structures** is hereby adopted in its entirety.
  - c. **907.7.4 Access and 907.7.5 Monitoring and subsections** thereof are hereby adopted in their entirety.
  - d. **907.9 Inspection, testing and maintenance and the Subsections** thereof are hereby adopted in their entirety.
8. **SECTION 909 SMOKE CONTROL SYSTEMS** is hereby adopted and amended as follows:
  - a. **909.1 Scope and purpose.** This section covers the maintenance of smoke control systems
  - b. **909.20 Maintenance** is hereby adopted in its entirety.
9. **SECTION 912 FIRE DEPARTMENT CONNECTIONS** is hereby adopted and amended as follows:
  - a. **912.2.2 Existing Buildings** is hereby adopted in its entirety.
  - b. **912.3 Access.** Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object, unless otherwise approved by the fire code official.

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- c. **912.3.1 Locking fire department connection caps** is hereby adopted in its entirety.
- d. **912.3.2 Clear space around connections** is hereby adopted in its entirety.
- e. **912.4 Signs** is hereby adopted in its entirety and the following sentence shall be added to the end:

All signs so required shall be maintained.

- f. **912.6 Inspection, testing and maintenance** is hereby adopted in its entirety.

10. **SECTION 913 FIRE PUMPS and subsections thereof** are hereby adopted and amended as follows:

- a. **913.3 Temperature of Pump Room** is hereby adopted in its entirety.
- b. **913.5 Testing and maintenance** is hereby adopted in its entirety.

H. **CHAPTER 10 MEANS OF EGRESS.** The following Sections and Subsections of Chapter 10 are hereby adopted as amended, if any, all other sections and subsections of Chapter 10 are deleted in their entirety.

- 1. **SECTION 1001.1 GENERAL.** Required means of egress in buildings or portions thereof shall be maintained. Section 1030 shall apply to existing buildings.
  - a. **1001.2 Minimum requirements** is hereby adopted in its entirety.
- 2. **SECTION 1002 DEFINITIONS** is hereby adopted in its entirety where applicable hereto.
- 3. **SECTION 1030 MAINTENANCE OF THE MEANS OF EGRESS and subsections thereof** are hereby adopted in their entirety.

I. **CHAPTER 11 AVIATION FACILITIES.** All Sections of Chapter 11, 1101 through 1107, and their Subsections are hereby adopted in their entirety.

J. **CHAPTER 12 DRY CLEANING.** All Sections of Chapter 12, 1201 through 1208, and their Subsections are hereby adopted in their entirety.

K. **CHAPTER 16 FRUIT AND CROP RIPENING.** All Sections of Chapter 16, 1601 through 1607, and their Subsections are hereby adopted in their entirety.

L. **CHAPTER 17 FUMIGATION AND THERMAL INSECTICIDAL FOGGING.** All Sections of Chapter 17, 1701 through 1703, and their Subsections are hereby adopted in their entirety.

M. **CHAPTER 19 LUMBER YARDS AND WOODWORKING FACILITIES.** The following Sections and Subsections of Chapter 19 are hereby adopted as amended, if any, all other sections and subsections of Chapter 24 are deleted in their entirety.

1. **Sections 1901 through 1903 and Sections 1905 through 1909 and subsections thereof** are hereby adopted in their entirety.

N. **CHAPTER 21 INDUSTRIAL OVENS.** All Sections of Chapter 21, 2101 through 2107, and their Subsections are hereby adopted in their entirety.

O. **CHAPTER 24 TENTS AND OTHER MEMBRANE STRUCTURES.** The following Sections and Subsections of Chapter 24 are hereby adopted as amended, if any, all other sections and subsections of Chapter 24 are deleted in their entirety.

1. **SECTION 2401 GENERAL, Subsection 2401.1 Scope** is hereby amended and adopted to read in its entirety as follows:

Tents and membrane structures shall comply with this chapter. The provisions of this section are applicable only to temporary tents and membrane structures.

2. **SECTION 2402 DEFINITIONS** is hereby adopted in its entirety where applicable hereto.
3. **SECTION 2403 TEMPORARY TENTS AND MEMBRANE STRUCTURES** is hereby adopted in its entirety.
4. **SECTION 2404 TEMPORARY AND PERMANENT TENTS AND MEMBRANE STRUCTURES.** The following Sections and Subsections of Chapter 24 are hereby adopted as amended, if any, all other sections and subsections of Chapter 24 are deleted in their entirety.
  - a. **2404.2 through 2404.11** are hereby adopted in their entirety.
  - b. **2404.13 through 2404.15** are hereby adopted in their entirety.
  - c. **2404.17 through 2404.22** are hereby adopted in their entirety.

P. **CHAPTER 25 TIRE REBUILDING AND TIRE STORAGE.** The following Sections and Subsections of Chapter 25 are hereby adopted as amended, if any, all other sections and subsections of Chapter 25 are deleted in their entirety.

1. **SECTION 2501 GENERAL and SECTION 2502 DEFINITIONS** are hereby adopted in their entirety.
2. **SECTION 2503 TIRE REBUILDING, Subsections 2503.3 and 2503.4** are hereby adopted in their entirety and all other subsections of Section 2503 are deleted in their entirety.

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3. **SECTIONS 2504 SECTION 2504 PRECAUTIONS AGAINST FIRE and SECTION 2505 OUTDOOR STORAGE** and the subsections thereof are hereby adopted in their entirety.
  4. **SECTION 2506 FIRE DEPARTMENT ACCESS** is hereby amended and adopted to read in its entirety as follows:
    - a. **2506.1 Required access.** Existing tire storage yards shall be provided with fire apparatus access roads where required in Chapter 46.
    - b. **2506.2 Location** is adopted in its entirety.
  5. **SECTION 2507 FENCING, SECTION 2508 FIRE PROTECTION and SECTION 2509 INDOOR STORAGE ARRANGEMENT** and the subsections thereof are hereby adopted in their entirety.
- Q. **CHAPTER 26 WELDING AND OTHER HOT WORK.** All Sections of Chapter 26, Sections 2601 through 2609, and their Subsections are hereby adopted in their entirety.
- R. **CHAPTER 28 AEROSOLS.** The following Sections and Subsections of Chapter 28 are hereby adopted as amended, if any, all other sections and subsections of Chapter 28 are deleted in their entirety.
1. **SECTION 2801 GENERAL, SECTION 2802 DEFINITIONS, SECTION 2803 CLASSIFICATION OF AEROSOL PRODUCTS, SECTION 2804 INSIDE STORAGE OF AEROSOL PRODUCTS, SECTION 2805 OUTSIDE STORAGE and SECTION 2806 RETAIL DISPLAY** the subsections thereof are hereby adopted in their entirety as they apply to Level 1 Aerosols.
  2. **SECTION 2807 MANUFACTURING FACILITIES** is hereby adopted in its entirety.
- S. **CHAPTER 46 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS.** All Sections of Chapter 46, Sections 4601 through 4605, and their Subsections are hereby adopted in their entirety and amended as follows:
1. **SECTION 4603 FIRE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS Subsection 4603.4 Sprinkler Systems** is amended to add the following:

**4603.4.3 Alterations and Additions to Existing Structures.** All altered or additions to structures shall be installed with an automatic fire suppression system, supervised by a remote central station. The system shall be designed, installed and maintained in accordance with the NFPA requirements. This includes use groups A, B, E, F, H, I, M, R, S and U. The automatic fire suppression system is only required in an altered structure when the value of the improvements is twenty percent (20%) or greater of the property value. Unless otherwise required by law, this section does not apply to: (1) single family detached, two family sem-

id detached and townhouse residences; (2) in areas of buildings where electrical power distribution equipment is housed; and (3) in areas of buildings where water reactive chemicals are stored.

- T. APPENDIXES. Appendixes E Hazard Categories, Appendix F Hazard Ranking, Appendix G Cryogenic Fluids, Weight and Volume Equivalent, Appendix H Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions, Appendix I Fire Protection Systems – Non Compliant Conditions and Appendix J Emergency Responder Radio Coverage and the subsections thereof, if any, are hereby adopted in their entirety.**

(Ord. 1335, 4/10/2012, § 1; as amended by Ord. 1354, 8/13/2013, §1; and as amended by Ord. 1362, 6/10/2015, §4; as amended by Ord. 1382, 1/10/2017, §3)

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**PART 3**

**KEY SAFES**

**§301. Repealed.** (Ord. 1284, 8/12/2008, §5)

**§302. Repealed.** (Ord. 1284, 8/12/2008, §5)

**§303. Application.**

This Part shall apply to:

- A. Structures regardless of use or occupancy containing six (6) or more occupancies within the same structure which use a common external exit access.
- B. All occupancies having or required to have a fire alarm or fire sprinkler suppression system.
- C. **Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.

(Ord. 1181, 8/13/1996, §3; as amended by Ord. 1284, 8/12/2008, §7)

**§§304-306. Repealed.** (Ord. 1284, 8/12/2008, §5)

**PART 4**

**FIRE DEPARTMENT SERVICE FEES**

**§401. Short Title.**

This Part shall be known and may be cited as the “Borough of Wyomissing Fire Department Service Fee Ordinance”.

(Ord. 1258, 5/10/05, §1; as amended by Ord. 1335, 4/10/12, §4)

**§402. Purpose.**

Due to the increase in maintenance and/or replacement cost for equipment, along with personnel costs associated with emergency responses, it has become necessary to provide a means for recovering certain costs associated with Fire Department emergency responses to save or protect insured property from a loss.

(Ord. 1258, 5/10/05, §1; as amended by Ord. 1335, 4/10/12, §4)

**§403. Definitions.**

As used in this Part, the terms listed below shall have the following meanings:

**FIRE DEPARTMENT EMERGENCY RESPONSE** – the deployment by the Wyomissing Fire Department of any fire equipment and/or personnel from a central or remote location to a specific location within the Borough of Wyomissing, where the equipment and/or personnel provide fire protection or other emergency response services.

**HAZARDOUS MATERIALS INCIDENT** – an incident involving hazardous materials as defined in the International Fire Code and the Pennsylvania Department of Transportation Emergency Response Guidebook, as they may be amended from time to time.

**STRUCTURE FIRE** – any fire in, on or about a commercial structure or residential structure, which threatens to or actually damages or destroys the structure.

**VEHICLE FIRE** – any fire in, on or about a motor vehicle which threatens to or actually damages or destroys the motor vehicle.

**WATER EVACUATION** – the removal or pumping of water from the basements of structures.

(Ord. 1258, 5/10/05, §1; as amended by Ord. 1335, 4/10/12, §4)

## FIRE PREVENTION AND FIRE PROTECTION

### **§404. Fire Prevention Services Fee.**

In the event that there is a Fire Department Emergency Response for (i) a structure fire; (ii) a vehicle fire; (iii) a water evacuation; and/or (iv) a hazardous materials incident, and the owner of the effected property or other insured party, has insurance coverage for the payment of such fees under an insurance policy, said owner or other party shall pay to the Borough of Wyomissing a fee not to exceed the insurance policy limits for such fees.

(Ord. 1258, 5/10/05, §1; as amended by Ord. 1335, 4/10/12, §4)