

NOTICE TO THE RESIDENTS OF THE BOROUGH OF WYOMISSING

The Borough Council of Wyomissing, Berks County, Pennsylvania on Tuesday, November 10, 2020 beginning at 6:30 p.m. via Zoom shall convene a hearing and at the regular meeting to be held immediately thereafter consider enactment of the Ordinance summarized below. The complete title and summary of the proposed Ordinance are as follows:

AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 4 ENTITLED "BUILDINGS", PART 5 ENTITLED "CONSTRUCTION CODE", SECTION 502(C) ENTITLED "AMENDMENTS" TO UPDATE TO THE 2015 VERSION OF THE INTERNATIONAL FIRE CODE AND REQUIRE AN AUTOMATIC WET STANDPIPE SYSTEM WHERE A WET STANDPIPE SYSTEM IS REQUIRED AND A SAFETY FACTOR OF FIVE POUNDS PER SQUARE INCH (5 PSI) OR TEN PERCENT (10%) OF REQUIRED RESIDUAL SYSTEM PRESSURE, WHICHEVER IS GREATER OF SPRINKLER SYSTEMS DESIGN AND INSTALLATION WHERE A SPRINKLER SYSTEM IS REQUIRED

Section 1 amends the Code of the Borough of Wyomissing Chapter 4 entitled "Buildings" Part 5 entitled "Construction Code" Section 502(C) entitled "Amendments" Subsection 2 to adopt Chapter 5 of the 2015 International Fire Code in its entirety. Section 2 amends Chapter 4 Part 5 Section 502(C) to add new numbers 4 through 6. Section 3 amends Chapter 4 Part 5 Section 502(C) to set forth new number 4 in its entirety. Section 4 amends Chapter 4 Part 5 Section 502(C) to set forth new number 5 in its entirety. Section 5 amends Chapter 4 Part 5 Section 502(C) to set forth new number 6 in its entirety. Section 6 states that any other modification to the UCC that equals or exceeds the UCC requirements for buildings adopted on or before July 1, 1999 shall remain in full force and effect. Section 7 provides for repeal of inconsistent ordinances. Section 8 states that the provisions of this ordinance shall be severable. Section 9 provides an effective date. Section 10 states that this Ordinance shall become part of the Code of Ordinances and all remaining sections of the Code shall remain unchanged and in full force and effect.

A complete copy of the proposed Ordinance is on file with this publication and the Berks County Law Library. A copy of the Ordinance is also available on the Borough's website at <https://wyomissingboro.org>. A complete copy of the proposed Ordinance is also available electronically without charge and for copying at a charge not greater than the cost thereof at the Borough Hall during regular office hours. Borough Hall is currently closed to the public due to COVID-19. Please call the Borough at 610-376-7481 or email mmiller@wyomissingboro.org to arrange for receipt of a copy of the proposed Ordinance electronically or to make arrangements for a hard copy to be provided to you.

The public is invited to participate and testify at the hearing and meeting. The information to access the hearing and meeting can be found on the Borough's website under the Zoom Meetings menu option at <https://wyomissingboro.org/zoom-meetings/>. All public comments must be submitted by email to mmiller@wyomissingboro.org no later than 24 hours in advance of the scheduled meeting time. The Borough has also provided a copy of the virtual meeting public participation policy on the website as well as the meeting agenda.

BOROUGH OF WYOMISSING,
BERKS COUNTY, PENNSYLVANIA
Melissa Miller, Assistant Borough Secretary

Christopher J. Hartman, Esquire, Solicitor

To be published in the Reading Eagle on October 22, 2020.

BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 1410-2020

AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 4 ENTITLED "BUILDINGS", PART 5 ENTITLED "CONSTRUCTION CODE", SECTION 502(C) ENTITLED "AMENDMENTS" TO UPDATE TO THE 2015 VERSION OF THE INTERNATIONAL FIRE CODE AND REQUIRE AN AUTOMATIC WET STANDPIPE SYSTEM WHERE A WET STANDPIPE SYSTEM IS REQUIRED AND A SAFETY FACTOR OF FIVE POUNDS PER SQUARE INCH (5 PSI) OR TEN PERCENT (10%) OF REQUIRED RESIDUAL SYSTEM PRESSURE, WHICHEVER IS GREATER OF SPRINKLER SYSTEMS DESIGN AND INSTALLATION WHERE A SPRINKLER SYSTEM IS REQUIRED

WHEREAS, by enacting Ordinance Number 1247 on June 8, 2004 the Borough of Wyomissing elected to be an opt-in municipality in the Commonwealth of Pennsylvania selecting to enforce the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101-7210.1103, as amended (“Act”) and the Uniform Construction Code, 34 Pa. Code, Chapters 401-405, as amended (“Code”) through the means set forth therein; and

WHEREAS, Ordinance Number 1247 was codified as in the Code of the Borough of Wyomissing as Chapter 4 entitled "Buildings", Part 5 entitled "Construction Code"; and

WHEREAS, pursuant to the process set forth in Section 503(c) of the Act, 35 P.S. §7210.503, the Borough of Wyomissing amended its construction code through enactment of Ordinance Number 1301, on March 9, 2010 to add Chapter 5 of the 2009 International Fire Code entitled “Fire Service Features” in their entirety as part of the Borough of Wyomissing Construction Codes; and

WHEREAS, the Borough’s adoption of Chapter 5 of the 2009 International Fire Code entitled “Fire Service Features were codified as Chapter 4 entitled “Buildings”, Part 5 entitled “Construction Code” Section 502(C) entitled “Amendments”, Subsection 2; and

WHEREAS, effective October 1, 2018 the Commonwealth of Pennsylvania has elected to enforce the 2015 versions of the International Codes as part of the Uniform Construction Code including the International Building and Fire Codes; and

WHEREAS, Council for the Borough of Wyomissing desires to update its adoption of Chapter 5 of the International Fire Code to be current with the version adopted under the Act and Code; and

WHEREAS, Council for the Borough of Wyomissing desires to further amend Chapter 4 entitled “Buildings”, Part 5 entitled “Construction Code” Section 502(C) entitled “Amendments” to add new numbers 4 and 5 to require an automatic wet standpipe system where a wet standpipe system is required to be constructed under the Act and Code; and

WHEREAS, to require an automatic wet standpipe system where a wet standpipe system is required to be constructed under the Act and Code, Council for the Borough desires to remove the definition of manual wet standpipe system from Section 902 entitled "Definitions", Subsection 902.1 entitled "Definitions" of the International Building Code and amend Section 905.2 of the International Building Code entitled "Installation Standard" to add an exception that wherever a wet standpipe system is required it shall be an automatic wet standpipe system; and

WHEREAS, Council for the Borough of Wyomissing desires to further amend Chapter 4 entitled "Buildings", Part 5 entitled "Construction Code" Section 502(C) entitled "Amendments" to add a new number 6 to require a safety factor of five pounds per square inch (5 PSI) or ten percent (10%) of required residual system pressure, whichever is greater of sprinkler systems where a sprinkler system is required under the Act and Code; and

WHEREAS, to require a safety factor of five pounds per square inch (5 PSI) or ten percent (10%) of required residual system pressure, whichever is greater of sprinkler systems where a sprinkler system is required under the Act and Code, Council for the Borough desires to amend Chapters 9 entitled "Fire Protection Systems", Sections 903 entitled "Automatic Sprinkler Systems", Subsection 903.2 entitled "Where Required" to add a new Subsection 903.2.A to be entitled "Safety Factor", Subsection 903.3 entitled "Installation Requirements", Subsection 903.3.1 entitled "Standards", Subsection 903.3.1 entitled "NFPA 13 Sprinkler System" shall be amended to add Subsection 903.3.1.A to be entitled "Safety Factor" and Subsection 903.3.5 entitled "Water Supplies", to add a new Subsection 903.3.5.A to be entitled "Safety Factor" to add the requirement for the safety factor for sprinklers where a sprinkler is required;

WHEREAS, Section 503(c) of the Act, 35 P.S. §7210.503, allows opt in municipalities to enact an ordinance to equal or exceed the minimum requirements of the Code upon compliance with the procedures set forth in Section 503(d) through (i) of the Act, 35 P.S. §7210.503(d)-(i); and

WHEREAS, a Borough is further authorized to enact an ordinance equaling or exceeding the minimum requirements of the Code by Section 32A02 of the Commonwealth of Pennsylvania Borough Code; 8 Pa.C.S. §32A02.

NOW THEREFORE BE IT ENACTED and ORDAINED by the Council of the Borough of Wyomissing, Berks County, Pennsylvania by the authority of the same as follows:

SECTION 1. The Code of the Borough of Wyomissing Chapter 4 entitled "Buildings", Part 5 entitled "Construction Code", Section 502(C) entitled "Amendments", Subsection 2 shall be amended to read as follows:

Chapter 5 of the 2015 International Fire Code entitled "Fire Service Features" is hereby adopted in its entirety as amended herein.

SECTION 2. The Code of the Borough of Wyomissing Chapter 4 entitled "Buildings", Part 5 entitled "Construction Code", Section 502(C) entitled "Amendments", shall be amended to add new numbers 4 through 6.

SECTION 3. The Code of the Borough of Wyomissing Chapter 4 entitled “Buildings”, Part 5 entitled “Construction Code”, Section 502(C) entitled “Amendments”, Number 4 shall read in its entirety as follows:

The International Building Code as adopted by the Commonwealth of Pennsylvania and the Borough of Wyomissing, Chapters 9 entitled "Fire Protection Systems", Sections 902 entitled "Definitions", Subsection 902.1 entitled "Definitions" of the International Building Code shall be amended to delete the definition of manual wet standpipe.

SECTION 4. The Code of the Borough of Wyomissing Chapter 4 entitled “Buildings”, Part 5 entitled “Construction Code”, Section 502(C) entitled “Amendments”, Number 5 shall read in its entirety as follows:

The International Building Code as adopted by the Commonwealth of Pennsylvania and Borough of Wyomissing, Chapters 9 entitled "Fire Protection Systems", Sections 905 entitled "Standpipe Systems", Subsections 905.2 entitled "Installation Standard" shall be amended to read in its entirety as follows:

Installation Standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Fire department connections for standpipe systems shall be in accordance with Section 912.

Exception

All standpipe systems shall be designed, maintained, tested and operated as an automatic wet standpipe systems. Automatic standpipe systems shall be attached to an approved water supply capable of supplying water flow rate at a minimum residual pressure of 100 PSI at the outlet of the hydraulically most remote 2 ½ inch hose connected and 65 PSI at the outlet of the hydraulically most remote 1 ½ inch hose connection independent of any fire department connection. An auxiliary water supply consisting of high level water storage with additional pumping equipment, fire pump or other means acceptable to the authority having jurisdiction, shall be provided.

SECTION 5. The Code of the Borough of Wyomissing Chapter 4 entitled “Buildings”, Part 5 entitled “Construction Code”, Section 502(C) entitled “Amendments”, Number 6 shall read in its entirety as follows:

The International Building Code as adopted by the Commonwealth of Pennsylvania and Borough of Wyomissing, Chapters 9 entitled "Fire Protection Systems", Sections 903 entitled "Automatic Sprinkler Systems", Subsection 903.2 entitled "Where Required" to add a new Subsection 903.2.A to be entitled "Safety Factor" Subsection 903.3 entitled "Installation Requirements", Subsection 903.3.1 entitled "Standards", Subsection 903.3.1 entitled "NFPA 13 Sprinkler System" shall be amended to add Subsection 903.3.1.A to be entitled "Safety Factor" and Subsection 903.3.5 entitled "Water Supplies", to add a new Subsection 903.3.5.A to be entitled "Safety Factor" which shall read in their entirety as follows:

903.2.A Safety Factor

Where an automatic sprinkler system is required it shall be designed and installed to meet the applicable minimum system demand performance residual pressure provided for in the Code and NFPA plus a safety factor of five pounds per square inch (5 PSI) or ten percent (10%) whichever is greater above the minimum system demand performance requirements of the Code at the design area.

903.3.1.A Safety Factor

Where an automatic sprinkler system is required it shall be designed and installed to meet the applicable minimum system demand performance residual pressure provided for in the Code and NFPA plus a safety factor of five pounds per square inch (5 PSI) or ten percent (10%) whichever is greater above the minimum system demand performance requirements of the Code at the design area.

Exception

Section 903.3.1.A Safety Factor shall not be required for 13D sprinkler systems.

903.3.5.A Safety Factor

Where an automatic sprinkler system is required it shall be designed and installed to meet the applicable minimum system demand performance residual pressure provided for in the Code and NFPA plus a safety factor of five pounds per square inch (5 PSI) or ten percent (10%) whichever is greater above the minimum system demand performance requirements of the Code at the design area.

Exception

Section 903.3.5.A Safety Factor shall not be required for 13D sprinkler systems.

SECTION 6. Other UCC Modifications.

Any other modification to the UCC that equals or exceeds the UCC requirements for buildings adopted on or before July 1, 1999 shall remain in full force and effect

SECTION 7. Repeal of Ordinances.

Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance's provision.

SECTION 8. Severability.

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the within

Ordinance. The Borough Council of the Borough of Wyomissing, Pennsylvania, hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

SECTION 9. Effective Date.

The effective date of the within amendments shall be thirty-five (35) days following enactment and approval by the Mayor.

SECTION 10. Code of Ordinances.

The Code of Ordinances, as amended, of the Borough of Wyomissing, Berks County, Pennsylvania shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of this Code of Ordinances upon adoption.

DULY ORDAINED and ENACTED as an Ordinance this _____ day of _____, 2020.

BOROUGH OF WYOMISSING
Berks County, Pennsylvania

By: _____
Thomas M. Moll
President of Borough Council

Attest: _____
Melissa Miller
Assistant Secretary of the Borough

APPROVED this _____ day of _____, 2020.

Frederick C. Levering
Mayor of the Borough

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. _____ - 2020 adopted by the Borough Council of the Borough of Wyomissing, Berks County, Pennsylvania at a regular meeting held on _____, 2020, pursuant to notice as required by law.

Melissa Miller
Assistant Secretary of the Borough