

Chapter 7

Fire Prevention and Fire Protection

Part 1

Solid Fuel Burning Appliances

- §7-101. Definition
- §7-102. Permit Required
- §7-103. Location Requirements
- §7-104. Installation Requirements
- §7-105. Metal Chimney Requirements
- §7-106. Requirements for Masonry and Existing Chimney
- §7-107. Penalties

Part 2

Display or Discharge of Fireworks

- §7-201. General Provisions
- §7-202. Display and Discharge
- §7-203. Penalties

Part 1**Solid Fuel Burning Appliances****§7-101. Definition.**

A solid fuel burning appliance is a device constructed to burn coal, wood or other solid fuels, manufactured for placement within the living area of a structure, as contrasted with and differentiated from the central heating system of a structure.

(Ord. 1-2004, 6/21/2004)

§7-102. Permit Required.

A building permit shall be required for the installation of a solid fuel burning appliance in any structure in the Township or on the outside of any structure in the Township which is intended to service any structure on the premises.

(Ord. 1-2004, 6/21/2004)

§7-103. Location Requirements.

Except as to installations into an existing fire place, all solid fuel burning appliances shall be installed and used not less than 10 feet from any exit door from the room in which it is housed. Such appliance may not be installed or used at the base of a stairway or in a closet, pantry or any other similar type of confined space. All solid fuel burning appliances installed outside of any structure shall be installed to conform to all building setback lines as may be established and shall be installed in such a manner that storage of fuel therefor shall occur within all applicable building set back lines and, further, such that smoke, odors, ash or any other by-product of the combustion process of said solid fuel burning appliance shall not cause, create or be a nuisance to any other property.

(Ord. 1-2004, 6/21/2004)

§7-104. Installation Requirements.

1. Except as to installations into an existing fire place, all solid fuel burning appliances shall be installed in accordance with the requirements specified in the following:

A. *Clearances.*

(1) There shall be no less than 6 inches of clearance between the bottom of the body of the solid fuel burning appliance and the floor protection on which it stands.

(2) There shall be no less than 18 inches between the outermost part of the solid fuel burning appliance and the wall protection for the room in which it is housed.

B. *Floor Protection.*

(1) All combustible floor covering shall be removed from the floor in the area which will be covered by a floor protection pad.

(2) Each solid fuel burning appliance shall have under it a floor protection

pad comprised of not less than ¼-inch thick, covered with no less than 24 gauge sheet metal. Any noncombustible material may be used in addition to the requirements listed.

(3) The floor protection pad described in subsection .B(2) above shall extend no less than 18 inches beyond the outermost part of the front, or ash removal side, of the appliance and no less than 6 inches beyond the outermost part of the remaining sides of the appliance.

C. Wall Protection.

(1) On any wall within 36 inches of a solid fuel burning appliance there shall be mounted asbestos millboard not less than 1 inch thick or sheet metal of not less than 28 gauge. There shall be no more than 1½ inches clearance between the bottom of the wall protection and the floor. The wall protection shall be mounted to the wall with noncombustible spacers measuring not less than 1 inch. No screws or any type of mounting device may be located directly behind the appliance.

(Ord. 1-2004, 6/21/2004)

§7-105. Metal Chimney Requirements.

1. Height.

A. Metal chimneys for such appliances shall extend at least 3 feet above the highest point at which the chimney passes through the roof of the building and must be at least 2 feet higher than any portion of the building within 10 feet of the chimney.

B. The outlet of a metal chimney equipped with an exhauster may terminate at a location not less than 3 feet from an adjacent building or building opening and must be at least 10 feet above grade or walkways. The outlet shall be so arranged that the flue gases are directed so as not to jeopardize people, overheat combustible structures or enter building openings in the vicinity of the outlet.

C. The entire metal chimney and all chimney parts shall be UL listed.

2. Exterior Clearances.

A. Exterior metal chimneys used for solid fuel burning appliances shall have a clearance of not less than 6 inches from a wall constructed of wood frame or other combustible material.

B. An exterior metal chimney shall not be closer than 24 inches to any door or window, or to any walkway, unless it is insulated or shielded in a manner which is approved by the Township Board of Supervisors, or their designees.

3. Interior Clearances.

A. Where a metal chimney extends through any story of a building above that in which the appliance connected to the chimney is installed, it shall be enclosed in such upper story or stories within a continuous enclosure constructed of noncombustible materials and extending from the ceiling of the room in which the appliance is located to or through the roof, so as to maintain the integrity of the fire separations required by the applicable building code provisions. The walls of that enclosure shall have a fire resistance rating of not less than 1 hour if the building is less than 4 stories in height, and not less than 2 hours if the building is 4 stories

or more in height.

B. The enclosure shall provide a space on all sides of the chimney of not less than 12 inches so as to admit inspection and repair.

C. The enclosure around such chimney shall be without openings, except that doorways equipped with approved self-closing fire doors at various floor levels shall be permitted for inspection purposes.

D. Where a metal chimney used for such solid fuel burning appliance, the chimney shall be of 22-24 gauge single wall stovepipe and shall have a clearance of not less than 18 inches from a wall constructed of wood frame or other combustible material. Each joint in the chimney shall be secured with sheet metal screws.

E. Where a metal chimney used for a solid fuel burning appliance passes through any wall constructed of combustible material it shall be equipped with a ventilated metal thimble capable of providing a clearance no less than 12 inches in diameter larger than the diameter of the chimney pipe.

F. Where a metal chimney used for a solid fuel burning appliance passes through a roof constructed of combustible material it shall be guarded by a ventilating thimble of galvanized iron or approved corrosion resistant metal which shall extend not less than 9 inches below and 9 inches above the roof construction and which shall be of such size as to provide not less than 6 inch clearance on all sides of the chimney. Alternatively, the combustible material on the roof construction shall be cut away so as to provide not less than 18 inches of clearance on all sides of the chimney with the opening thereafter to be closed up with noncombustible materials.

G. Any metal chimney used for such an appliance shall have not more than two elbows and shall have a horizontal rise of not less than ¼ inch per foot.

(Ord. 1-2004, 6/21/2004)

§7-106. Requirements for Masonry and Existing Chimneys.

1. Any masonry or existing chimney to be used for a solid fuel burning appliance, including those to be installed into an existing fire place, shall be equipped with a flue liner which has been inspected and is in good repair.

2. Any masonry or existing chimney to be used for such an appliance shall not be connected in any way to any other type of ventilation, or any other heat producing source.

(Ord. 1-2004, 6/21/2004)

§7-107. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 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. 1-2004, 6/21/2004*)

Part 2**Display or Discharge of Fireworks****§7-201. General Provisions.**

1. *Scope.* The manufacture of fireworks is prohibited within the Township. The display or discharge of fireworks shall comply with the requirements of this Part.

2. *Permit Required.* A permit shall be obtained from the Board of Supervisors, or their designee, for the display or discharge of fireworks.

3. *Permit Applications.* Application for permits shall be made in writing at least 15 days in advance of the date of the display or discharge of fireworks. The possession, use and distribution of fireworks for such display shall be lawful under the terms and conditions approved with the permit and for that purpose only. A permit granted hereunder shall not be transferable, nor shall any such permit be extended beyond the dates set out therein.

4. *Definition.*

A. The term "fireworks" shall mean and include any combustible or explosive composition or any substance or combination of substances, or, except as hereinafter provided, any article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, aerial fireworks or other fireworks of like construction, and any fireworks containing any explosive or flammable compound or any tablets or other device containing an explosive substance.

B. The term "fireworks" shall not include sparklers, toy pistols, toy canes, toy guns or other devices in which paper caps containing .25 grain or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, and toy pistol paper caps which contain less than .20 grain of explosive mixture, the sale and use of which shall be permitted at all times, nor shall the term "fireworks" include toy cannons which operate on the principle of mixing calcium carbide, weighing less than 1/10 of an ounce, and water in the reservoir of the cannon and in which ignition results upon the creation of a spark.

(Ord. 1-2004, 6/21/2004)

§7-202. Display and Discharge.

1. *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 fireworks by the Township, fair associations, amusement parks and other organizations. Every such display shall be handled by a competent operator approved by the local fire chief. The fireworks shall be arranged, located, discharged or fired in a manner that, in the opinion of the local fire chief, will not be a hazard to property or endanger any person.

2. *Bond for Display.* The permittee shall furnish a bond in an amount deemed adequate by the Board of Supervisors but not less than \$500, 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 permittee, the permittee's agents, employees or subcontractors. Acceptance of said bond by the Board of Supervisors shall in no way create or expose the Township to liability for or on behalf of said display.

3. *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 local Fire Chief.

4. *Seizure of Fireworks.* The fire official shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for display, stored or held in violation of this Part.

(Ord. 1-2004, 6/21/2004)

§7-203. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, 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 90 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. 1-2004, 6/21/2004)