

BOROUGH OF CHURCHILL

ORDINANCE NO. 739

AN ORDINANCE OF THE BOROUGH OF CHURCHILL, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 192 OF THE CODE OF THE BOROUGH OF CHURCHILL BY ADOPTING THE PROVISIONS OF THE 2015 INTERNATIONAL FIRE CODE (AND ANY SUBSEQUENT REVISIONS OR AMENDMENTS THERETO, INCLUDING LATER-ISSUED EDITIONS THEREOF), AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL

WHEREAS, the Borough Council of the Borough of Churchill, by Ordinance No. 631 enacted on March 12, 1991, adopted the provisions of the 1990 edition of the B.O.C.A. National Fire Prevention Code, which Ordinance was codified at Chapter 192 in the Churchill Borough Code;

WHEREAS, certain portions of the 2015 International Fire Code, as published by the International Code Council, are incorporated into Pennsylvania's Uniform Construction Code (contained in 34 Pa. Code, Chapters 401-405, and as amended thereafter from time to time) by the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, which provisions were previously adopted by the Borough of Churchill as its municipal building code on April 8, 2003, by Ordinance No. 684; and

WHEREAS, the Borough Council of the Borough of Churchill, after consultation with the Borough's Code Enforcement Officer, deems it to be in the best interests of the health, safety, and welfare of the Borough's residents and citizens to amend the Churchill Borough Code to adopt the provisions of the 2015 International Fire Code and any subsequent revisions or amendments thereto, including later-issued editions thereof, and to repeal all inconsistent regulations.

NOW THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Borough Council of the Borough of Churchill, Allegheny County, Pennsylvania, as follows:

Section 1.

Chapter 192 of the Code of the Borough of Churchill is hereby repealed in its entirety and replaced by the following:

§192-1. Adoption of International Fire Code.

A certain document, three copies of which are on file in the office of the Borough Manager of the Borough of Churchill, being marked and designated as the "International Fire Code, 2015 edition," as published by the International Code Council (and as it may thereafter be subsequently amended or revised from time to time and including later-issued editions thereof) (hereafter, "Fire Code"), be and is hereby adopted as the Fire Code of the Borough of Churchill for the control of buildings, structures, and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Borough Manager are hereby referred to, adopted and made a part hereof, as if fully set out in this Section with the additions, insertions, deletions and changes, if any, prescribed in Section 192-2 below.

§192-2. Amendments to the International Fire Code.

The Fire Code is hereby amended in the following specific respects:

Section 101.1 ("Title."):

Insert "Borough of Churchill."

Section 109.4 ("Violation penalties."):

Insert "criminal offense," "One Thousand Dollars (\$1,000.00)" and "thirty (30) days," respectively.

Section 111.4 ("Failure to comply."):

Insert "Three Hundred Dollars (\$300.00)" and "One Thousand Dollars (\$1,000.00)," respectively.

Section 5706.2.4.4 ("Locations where above-ground tanks are prohibited."):

Replace with "The storage of Class I and II liquids in above-ground tanks is prohibited."

Section 5806.2 ("Limitations."):

Replace with "Storage of flammable *cryogenic fluids* in stationary containers outside of buildings is prohibited."

Section 6104.2 ("Maximum capacity within established limits."):

Replace with "No storage of liquefied petroleum gas in excess of 2,000 gallons shall be permitted."

Section 2.

As of the effective date of this Ordinance, all ordinances currently in existence are repealed to the extent that such ordinances are inconsistent with the provisions of this Ordinance; provided however, that such ordinances shall remain in full force and effect to the extent that they are not inconsistent with the provisions of this Ordinance.

Section 3.

Nothing in this Ordinance should be construed to affect any proceeding currently pending in any court, or any rights accrued or liability incurred under any regulations repealed by this Ordinance.

Section 4.

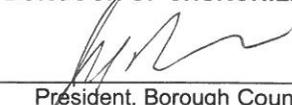
If a final decision of a court of competent jurisdiction holds any provision of this Ordinance, or the application of any provision to any circumstances, to be illegal or unconstitutional, the other provisions of this Ordinance, or the application of such provisions to other circumstances, shall remain in full force and effect. The intention of the Borough is that the provisions of this Ordinance shall be severable and that this Ordinance would have been adopted if any such illegal or unconstitutional provisions had not been included.

Section 5.

The provisions of this Ordinance shall become effective upon adoption by the Borough Council.

BE IT ORDAINED AND ENACTED, this 9th day of October, 2017, by the
Borough Council of the Borough of Churchill at its regular scheduled meeting.

BOROUGH OF CHURCHILL



President, Borough Council

ATTEST:



Secretary

EXAMINED AND APPROVED this 9th day of October, 2017.

BOROUGH OF CHURCHILL



Mayor