

CHAPTER 7

FIRE PREVENTION AND FIRE PROTECTION

PART 1

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PART 1

CREATION OF OFFICE OF FIRE MARSHAL

§7-101. Purpose.

To provide for the creation of the Office of Fire Marshal and to provide for an orderly process of fire safety inspection for all structures within the municipal boundaries of New Britain Township.

(Ord. 82-11-5, 11/22/1982, §I)

§7-102. Appointment.

The Fire Marshal shall be appointed by a majority vote of the New Britain Township Board of Supervisors. The Board of Supervisors may appoint up to three Deputy Marshals.

(Ord. 82-11-5, 11/22/1982, §II; as amended by Ord. 2007-02-01, 2/12/2007)

§7-103. Duties and Authorities.

The Fire Marshal shall have the responsibility and authority to enforce all Sections of the Township Building and Fire Safety Code [Chapter 5] pertaining to fire safety and/or fire safety construction within New Britain Township. The Fire Marshal shall investigate all complaints regarding fire safety matters and shall take the appropriate action, including filing of citations as necessary. The Fire Marshal shall make written report to the Township Manager of all such action. The Fire Marshal shall work with the Township Building Inspector on all plan reviews, at the direction of the Township Manager and shall indicate approval or disapproval on said plans. It shall also be the duty of the Fire Marshal to make recommendation to the Township Manager and Board of Supervisors regarding fire safety matters, from time to time, as necessary. In addition to the above, the Fire Marshal shall have the duty and authority to enforce all Township and State codes and ordinances pertaining to the following:

- A. Inspection of potential fire hazards.
- B. Abatement of existing fire hazards.
- C. Investigation of the cause, origin and circumstances of fires.
- D. Control and use of all flammable liquids and flammable articles.

(Ord. 82-11-5, 11/22/1982, §III)

FIRE PREVENTION AND FIRE PROTECTION

§7-104. Definitions.

The following words, terms and titles shall be held to mean as follows, except when clearly indicated otherwise:

MANAGER — New Britain Township Manager or his/her designee.

MARSHAL — New Britain Township Fire Marshal.

STATE — Commonwealth of Pennsylvania.

SUPERVISORS — New Britain Township Board of Supervisors.

TOWNSHIP — Township of New Britain, Bucks County, Pennsylvania.

(Ord. 82-11-5, 11/22/1982, §IV)

§7-105. Compensation.

The Fire Marshal shall receive compensation as approved by the Township Manager according to the rate established by resolution of the Board of Supervisors, from time to time.

(Ord. 82-11-5, 11/22/1982, §V)

§7-106. Appeals.

Whenever the Fire Marshal shall disapprove an application, refuse to grant a permit applied for or shall issue an order to eliminate a dangerous or hazardous condition or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code has been misconstrued or wrongly interpreted, the applicant or person against whom such order has been issued may appeal from the decision of the Fire Marshal to the Building Code Board of Appeals within 10 days from the date of the decision of such action by the Fire Marshal.

(Ord. 82-11-5, 11/22/1982, §VI; as amended by Ord. 2007-02-01, 2/12/2007)

§7-107. New Materials, Processes or Occupancies Which May Require Permits.

The Township Manager and the Fire Marshal shall act as a committee to determine or specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said Code. The Fire Marshal shall post such a list in a conspicuous place in his office and distribute copies thereof to interested persons.

(Ord. 82-11-5, 11/22/1982, §VII)

§7-108. Penalties.

Any person, firm or corporation who shall violate any of the provisions of this Part or fail to comply herewith or who shall violate or fail to comply with any order made hereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved hereunder, or where any certificate or permit is issued hereunder and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the Appeal Board within the time fixed by the order of appeal shall, upon conviction thereof in an action brought before a Magisterial District Judge 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 less than \$50 nor 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. 82-11-5, 11/22/1982, §VIII; as amended by Ord. 2007-02-01, 2/12/2007)

§7-109. Additional Remedies.

In addition to the penalty provided in §7-108 of this Part, the continuance and maintenance of any condition in violation of the provisions of this Part or of the Fire Prevention Code [Chapter 5] is hereby declared to be a nuisance, prejudicial to the public health and safety of the Township of New Britain, and the Board of Supervisors may abate such a nuisance and collect the costs thereof together with a penalty of 10% of the costs thereof in a manner provided by law for the collection of municipal claims or by an action in assumpsit without filing the claim or by seeking relief in equity.

(Ord. 82-11-5, 11/22/1982, §IX)

