

ORDINANCE NO. 619

AN ORDINANCE OF THE BOROUGH OF FORD CITY,  
ARMSTRONG COUNTY, PENNSYLVANIA, REQUIRING  
SMOKE DETECTORS PROVIDED BY OWNERS IN  
DWELLING UNITS IN SAID BOROUGH; PROVIDED  
FOR THE INSPECTION OF SAID BUILDINGS AND  
PROVIDING FOR PENALTIES FOR THE VIOLATION  
THEREOF

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WHEREAS, Council of the Borough of Ford City desires to advance and protect safety and welfare of persons residing and visiting within said Borough; and

WHEREAS, Council desires to minimize the number of deaths and the severity of injuries and damage to property that might occur as a result of fire; and

WHEREAS, Council desires to accomplish the same by providing for the mandatory installation of automatic smoke detectors as approved by Underwriters Laboratories;

BE IT THEREFORE ORDAINED AND ENACTED by the BOROUGH OF FORD CITY, Armstrong County, Pennsylvania, and it is hereby ordained and enacted as follows:

Section 1. Definitions. For purposes of the Ordinance, the following words shall have the following meaning:

(a) DWELLING UNIT- A structure or portion thereof, building or portion thereof, arranged for the use of one or more individuals living together as a housekeeping unit on a permanent, temporary or transient basis which may or may not include sanitary facilities or facilities for preparation, storage or serving of food;

(b) OWNER - Any person or entity who, alone, or jointly or severally with other persons or entities, has legal title to any premises. This includes, but is not limited to, any person who has charge, care or control over any premises. This includes, but is not limited to, any person who has charge, care or control over any premises as (I) an agent, officer, fiduciary or employee of the owners; (II) the committee, conservator, or legal guardian of an owner who is incompetent, a minor or otherwise under a disability; (III) a trustee, elected or appointed, or a person required by law to act as a trustee, other than a trustee under a Deed of Trust to secure the payment of money; or (IV) an executor, administrator, receiver, fiduciary, officer appointed by any Court, attorney in fact, or other similar representative of the owner or his or her estate. This includes a lessee, a sublessee or other person who has the right to occupy or possess the premises;

(c) SMOKE DETECTOR - An automatic device which detects visible or invisible particles of combustion and is capable of providing a suitable audible alarm of at least eighty-five (85) decibels at ten (10) feet, either ionization or photo-electric type. It shall have Underwriters Laboratories approval.

Section 2. Smoke detectors required in Dwelling Units. In each dwelling unit or individual apartment within buildings used as multiple dwellings, there shall be provided by the owner of the real estate a minimum of one (1) smoke detector sensing device, installed in accordance with National Fire Protection Standard No. 74, as hereafter supplemented or amended.

Section 3. Alarm Requirements. Said smoke detector sensing device shall provide an alarm suitable to warn occupants within individual dwelling units in the event of fire.

Section 4. Installation and Inspection. The smoke detector sensing device shall be installed as above in all multiple dwellings immediately and shall be installed, by the owner, in all other buildings within the Borough of Ford City not later than upon change of ownership of real estate upon which the building is erected. The Fire Chief of the Borough of Ford City may inspect each smoke detector sensing device installed within a Dwelling unit at least one (1) time per year, or in the case of fire within the dwelling unit, immediately thereafter to ascertain that such smoke detector fulfills the requirements of this Ordinance and is in operable condition.

Section 5: Maintenance.

5-A: It shall be owner's responsibility and duty to:

- (a) Install the required smoke detectors;
- (b) Periodically inspect the smoke detectors to insure working condition;
- (c) Maintain each smoke detector in proper working condition;
- (d) Inform all persons residing in each dwelling unit of the presence and purpose of the smoke detector.

5-B: It shall be the occupant's responsibility and duty to:

- (a) Periodically inspect the smoke detectors to insure working condition;
- (b) Maintain each smoke detector in proper working condition;
- (c) Inform all persons residing in each dwelling unit of the presence and purpose of the smoke detector.

Section 6: Penalties. Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than Three Hundred Dollars (\$300.00) and/or to imprisonment for a term not to exceed ninety (90) Days. Every day that a violation of this Ordinance continues shall constitute a separate offense.

Section 7: Repealer. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

Section 8: Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of Council of the Borough of Ford City that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 9. Effective Date. This Ordinance shall become effective on the 17<sup>th</sup> day of May, 1994.

DONE, ORDAINED AND ENACTED at a regular meeting of the Council of the Borough of Ford City held at the Council Chambers on the 17<sup>th</sup> day of May, 1994.

BOROUGH OF FORD CITY

BY

John M. Miles  
President

ATTEST:

Connie Habovsky  
Secretary

Approved this 17th day of May, 1994.

John Zanetti  
Mayor

Basic Code for reference to this ordinance are:

- A. BOCA National Fire Prevention Code. Section F-400 Exclusively.
- B. National Fire Protection Standard No. 72 E.
- \*C. National Fire Protection Standard No. 74

\* NFPA Standard No. 74 best describe intent for this ordinance.