

**EAST CALN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023-23

AN ORDINANCE OF EAST CALN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF EAST CALN TOWNSHIP AT CHAPTER 90, "CONSTRUCTION CODES, UNIFORM", ARTICLE III (FIRE PREVENTION CODE) TO AUTHORIZE, IMPLEMENT, AND REGULATE FIRE PREVENTION AND LIFE SAFETY INSPECTIONS OF EAST CALN TOWNSHIP PROPERTIES, TO DETERMINE COMPLIANCE WITH THE CODE, AND OTHER ASSOCIATED PROVISIONS CONTAINED HEREIN.

WHEREAS, the East Caln Township Board of Supervisors ("Board") has adopted the International Fire Code ("C, 2006 Edition, as now and as hereafter supplemented, reissued, amended, and revised, as published by the International Code Council, Inc., along with Appendices B, C, D, E, F, and G ("Code"); and

WHEREAS, the Board desires to address certain matters pertaining to the implementation and regulation of fire prevention and life safety inspections of certain properties within East Caln Township in order to determine compliance with the Code, including provisions which may not otherwise be sufficiently addressed by the Code.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Board of Supervisors of the Township of East Caln, Chester County, Pennsylvania, that the following sections of Chapter 90 of the existing East Caln Township Code of Ordinances shall be amended as follows:

SECTION 1. Section 90-9(9) is hereby amended by the creation of a new subsection (9), which shall provide as follows:

§ 114. Fire Prevention and Life Safety Inspections.

114.1. General. East Caln Township, through its Fire Marshal and/or a designated and qualified representative, as may be designated by the Township, shall conduct a systematic inspection of all properties within East Caln Township, in order to determine compliance with this Code, with the exception of single-family homes and townhomes.

114.2. Frequency. The frequency of inspection shall be once every two (2) years, or more frequently as may be determined and deemed necessary by the Township Fire Marshal and/or a designated and qualified representative, as may be designated by the Township.

114.3. Process. Property owners of all properties within East Caln Township, with the exception of single-family homes and townhomes, shall make application to East Caln Township for a Fire & Life Safety Inspection using the Township Application Form.

- a. Following adoption of these regulations, the Township shall initially provide written notification to property owners regarding the inspection process, including providing a 45-day timeframe for property owners' compliance, through the timely submission of a completed Application.
- b. Thereafter, the Township shall not be responsible for providing bi-annual notifications to property owners regarding the inspection requirements and processes.
- c. Following inspections, to be conducted once every two (2) years, the Fire Marshal or a designated and qualified representative, as may be designated by the Township, shall issue a written Fire and Safety Inspection Report (and/or Violation Notice, if warranted), along with an invoice, and applicable permit(s). Such may be issued by hand-delivery or *via* U.S. mail or e-mail for each occupiable space, including common areas of buildings.

114.4. Re-Inspection. If, during the first inspection, any violations of this Code are found, a re-inspection shall take place following the expiration of the time limit identified in the report for all requirements to be corrected. If violations are found at the conclusion of the third re-inspection, the property owner shall be subject to the penalty provisions of Section 109.3 (Violations and penalties) of this Code.

114.5. Fees. An invoice will be issued at the completion of the first inspection and shall be payable within thirty (30) days of the date thereof. Two additional notices will be sent out at sixty (60) and ninety (90) days if payment is not otherwise timely received. If payment is not received within 120 days of the date of the first invoice, the property owner shall be subject to the penalty provisions of Section 109.3 of this Code. An additional fee, of up to 50% of the first inspection fee, will be assessed for each re-inspection that is a result of previous Fire Code violations that have not been corrected after the second re-inspection.

SECTION 2. Re-Numbering of Existing Section 90-9(9). Existing Section 90-9(9) shall be retained and merely re-numbered as: Section 90-9(10).

SECTION 3. Re-Numbering of Existing Section 90-9(10). Existing Section 90-9(10) shall be retained and merely re-numbered as: Section 90-9(11).

SECTION 4. Re-Numbering of Existing Section 90-9(11). Existing Section 90-9(11) shall be retained and merely re-numbered as: Section 90-9(12).

SECTION 5. Invalidity. If any sentence, clause, section, or part of this Ordinance is, for any reason, found to be unconstitutional, illegal, and/or invalid, such unconstitutionality, illegality, and/or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, and/or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, and/or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 6. Repealer. All Ordinances or part of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

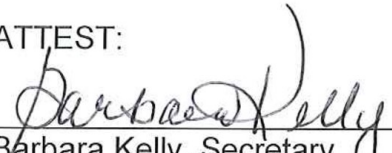
SECTION 7. Renumbering. The location and numerical designation of these revised sections shall be delegated to the discretion of the General Code Publishers, which may renumber and/or reorder these revised Sections as deemed is necessary.

SECTION 8. Effective Date. This Ordinance shall become effective in five (5) days or as otherwise in accordance with law.

ENACTED AND ORDAINED this 19th day of April, 2023.

**EAST CALN TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:


Barbara Kelly, Secretary


Bruce Taylor, Chairman


Charles A. DeLone, 1st Vice-Chairman


Donald P. Ash, 2nd Vice-Chairman