

WILMERDING BOROUGH  
ORDINANCE NO. 1048

AN ORDINANCE PROVIDING FOR FURTHER IMPLEMENTATION OF THE 2015 INTERNATIONAL FIRE CODE; PROVIDING FOR THE AUTHORITY OF A FIRE MARSHALL AND FIRE CODE OFFICIAL; PROVIDING FOR MANDATORY ANNUAL INSPECTIONS OF COMMERCIAL PROPERTIES AND MULTI-UNIT RESIDENTIAL PROPERTIES; DEFINITIONS; PROVIDING FOR FEES AND PENALTIES; EFFECTIVE DATE.

WHEREAS, the Borough has adopted the 2015 International Fire Code by Ordinance;  
and

WHEREAS, the Borough of Wilmerding has experienced a problem with multi-unit dwellings and commercial buildings regarding unsafe conditions relative to fire and fire hazards;  
and

WHEREAS, it has become evident that a machinery must be put in place to provide the mechanics and authority to conduct annual inspections of those buildings in order to maintain safety in the Borough; and

WHEREAS, this Ordinance is deemed to be in the best interests of the residents of the Borough, and is passed pursuant to authority of the Borough Code.

AND NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

The Wilmerding Code of Ordinances, Chapter 169, Fire Prevention is amended by adding the following sections.

Section 169-19. **Purpose.** The purpose of this Ordinance is to maintain safe conditions in the Borough.

Section 169.20.       **Definitions:**

Multi-unit residential property shall mean one building containing two or more dwelling units.

Commercial property shall mean a building used for commercial purposes.

Single family dwelling property shall mean a detached residence designed for or occupied by one family only.

Section 169-21.       **Inspections**

A.       The Fire Marshall and/or Fire Code Official is authorized to conduct annual inspections of multi-unit residential and commercial property to assure compliance with the provisions of the International Fire Code and Borough Ordinances.

The owners, operators, agents, managers, persons or entities in possession and/or in control of multi-unit residential properties and commercial properties are obligated to give the Fire Marshall and/or Fire Code Official access to such buildings for the purpose of allowing him/her to conduct an annual inspection to ascertain compliance with the International Fire Code and Borough Ordinances. If any property fails to meet the standards of the International Fire Code or Borough Ordinances, the Fire Marshall and/or Fire Code Official is authorized to order that the property be brought into compliance as soon as is practical. If the responsible party fails to comply, the Fire Marshall and/or Fire Code Official is authorized to enforce his/her order in accordance with this Ordinance. In any event if the Fire Marshall and/or Fire Code Official finds that conditions exist which are in violation of the International Fire Code or Borough Ordinances and such conditions are an imminent threat to safety, the Fire Marshall and/or Fire Code Official is authorized to revoke the occupancy permit for such property and order that it be immediately vacated.

B.       The Fire Marshall and/or Fire Code Official is authorized to conduct inspections of single family dwellings upon any change of occupancy or ownership to assure compliance with the provisions of the International Fire Code and Borough Ordinances.

Section 169-22.       **Violations and Penalties**

Any person or entity found to be in violation of this ordinance shall be subject to a civil fine in the amount of 1,000.00 per day for each violation. If a hazardous condition is not remedied after being ordered by the Fire Marshall and/or Fire Code Official, each day shall be a separate violation.

Section 169-23. **Fee Schedule.**

A. The following is the annual inspection fee which may be amended by Borough Council in its discretion by simple resolution:

- |    |                                  |  |
|----|----------------------------------|--|
| 1. | Multi-unit residential buildings | \$ 65.00 per unit                                      |
| 2. | Commercial buildings             | \$ 0.38 per square foot or part thereof of floor area. |

B. The following is the periodic inspection fee which may be amended by Borough Council in its discretion by simple resolution:

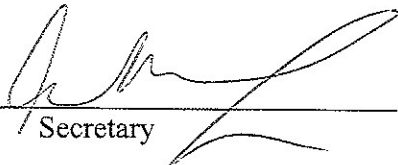
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|----|-------------------------|-------------------------|
| 1. | Single family dwellings | \$ 40.00 per inspection |
|----|-------------------------|-------------------------|

Section 169-24. **Severability.** If any portion of this Ordinance is found to be illegal or unconstitutional, then it is deemed to be the intent of Wilmerding Borough Council that the balance of this Ordinance would have been enacted irrespective of said invalid portion.

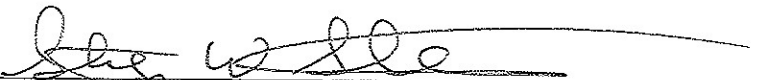
Section 169-25. **Effective date.** This Ordinance shall take effect immediately.

ORDAINED into law this 10 day of August, 2021.

ATTEST:

By   
Secretary

WILMERDING BOROUGH

By   
President

APPROVED this 10 day of August, 2021.

By   
Mayor

CERTIFICATION

I, Caroline Lang, hereby certify that I am the Secretary of Wilmerding Borough, and that the within Ordinance was advertised in accordance with law and enacted at a regular meeting of Borough Council duly convened, at which a quorum was present and voted in favor thereof.

Certified this 10 day of August, 2021.

By \_\_\_\_\_  
Secretary

