

CITY OF JEANNETTE  
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021- 01

AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, ADOPTING THE 2015 EDITION OF THE *INTERNATIONAL FIRE CODE*, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF JEANNETTE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Jeannette has determined that fires are detrimental to the health, comfort, living conditions, welfare, and safety of the residents of the City of Jeannette; and

WHEREAS, the City Council of the City of Jeannette has determined that there is a substantial risk of public damage to life and property because of fires; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12411, affords the City of Jeannette with the power to “regulate and inspect fireplaces, chimneys and other sources of smoke and fly ash to control the production and emission of unnecessary smoke and fly ash;” and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12412, affords the City of Jeannette with the power to “impose other safeguards concerning inflammable articles as may be necessary;” and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12414, affords the City of Jeannette with the power “to prohibit and abate public nuisances;” and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 12435, affords the City of Jeannette with the power “to enact, make, adopt, modify, repeal and enforce, in accordance with this part, ordinances, resolutions, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth that are either of the following: (1) Expedient or necessary for the proper management, care and control of the city and its finances and the maintenance of the peace, good government, safety and welfare of the city and its trade, commerce and manufactures. (2) Necessary to the exercise of the powers and authority of local self-government in municipal affairs.”

**BE IT ENACTED AND ORDAINED** by the City Council of the City of Jeannette, Westmoreland County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

**Section 1.** Adoption of 2015 Fire Code. That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Jeannette being marked and designated as the *International Fire Code*, 2015 edition, including Appendices (see *International Fire Code* Section 101.2.1, 2015 edition), as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Jeannette in the Commonwealth of Pennsylvania regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk of the City of Jeannette are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

**Section 2.** Revisions. That the following sections are hereby revised:

Section 101.1. Insert: City of Jeannette, Westmoreland County, Pennsylvania

Section 109.4. Insert: Summary Offense, a minimum of \$300.00 and a maximum of \$1,000.00 per offense, and 90 days imprisonment.

Section 111.4. Insert: \$300.00 and \$1,000.00

Section 1103.5.3. Insert: January 1, 2022

**Section 3.** Geographic Limits. That the geographic limits referred to in certain sections of the 2015 *International Fire Code* are hereby established as follows:

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): None

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): None

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): None

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): None

**Section 4.** Repeal. That all prior Fire Codes and all other ordinances or parts of laws in conflict herewith are hereby repealed

**Section 5.** Severability. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Jeannette hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 6.** Preservation of Existing Actions. That nothing in this Ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**Section 7.** Publication. That the City Clerk of the City of Jeannette is hereby ordered and directed to cause this legislation to be published.

**Section 8.** Effective Date. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect ten (10) days from and after the date of its final passage and adoption.

This Ordinance is duly ORDAINED AND ENACTED by a majority of the members of the City Council of the City of Jeannette at a duly advertised public meeting held on the 11<sup>th</sup> day of March, 2021.



CITY OF JEANNETTE

By: Curtis J. Antoniak  
Curtis J. Antoniak  
Mayor and President of Council

ATTEST: (SEAL)

A blue ink signature of Nathan Benjamin Jay Bish, consisting of several fluid, overlapping strokes.

Nathan Benjamin Jay Bish  
City Clerk