

**MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 23-05 of 2023

AN ORDINANCE OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, ADOPTING THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE BY AMENDING CHAPTER 159 TITLED "FIRE PREVENTION", ARTICLE II, TITLED "ADOPTION OF STANDARDS" OF THE NORRISTOWN MUNICIPAL CODE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Municipality of Norristown is a Home Rule Municipality organized operating in accordance with the Charter of the Municipality of Norristown as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. 2901 *et seq.*; and,

WHEREAS, in accordance with the Charter and Pennsylvania law, specifically 53 Pa.C.S. §2964(6), the Municipal Council has the authority to enact and amend at any time it deems proper the provisions of the Municipality's General Laws including those provisions relating to fire prevention within the Municipality; and,

WHEREAS, the International Fire Code has been revised since the Municipality's last update and the Municipality's current ordinances do not reference the updated code; and

WHEREAS, after review of its General Laws, particularly its existing fire code, Municipal Council has determined that its fire code located at Chapter 159 should be amended to adopt the 2021 International Fire Code to provide for the safety and security of its residents.

NOW, THEREFORE, be it **ORDAINED** that Norristown Municipal Council amends its General Laws as follows:

SECTION I: AMENDMENT OF CODE

Chapter 159, Article II: "Adoption of Standards" is hereby deleted in its entirety and amended to state as follows:

§ 159-5 Adoption of International Fire Code.

A certain document, three copies of which are on file in the Office of the Fire Chief of Norristown, being marked and designated as the International Fire Code, 2021 edition, including all Appendix Chapters as published by the International Code Council, be and is hereby adopted as the Fire Code of the Municipality of Norristown 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 Fire Chief of the Municipality of Norristown and hereby referred to, adopted, and made a part hereof, as if fully set out in this article with the additions, insertions, deletions and changes, if any, prescribed in § 159-5 of this article.

§ 159-6 Amendments.

The following sections are hereby revised:

A. Section 101.1. Insert: Municipality of Norristown.

B. Section 110.4 Insert: Summary Offense, \$1,000 and 30 days.

C. Amend the following section as follows:

507.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

1. Private fire hydrants (all types): inspection annually and after each operation; flow test and maintenance annually. A copy of the written inspection report shall be forwarded to the Norristown Fire Department Fire Marshal's office.
2. Fire service main piping: inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainers: inspection and maintenance after each use.
4. All privately owned and maintained fire hydrants shall have the body and caps painted yellow.

§ 159-7 Establishment of geographic limits.

The geographic limits referred to in certain sections of the 2021 International Fire Code are hereby established as follows:

A. Section 5704.2.9.6.1: The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the Municipality of Norristown.

B. Section 5706.2.4.4: The storage of Class I and II liquids in above-ground tanks is prohibited within the Municipality of Norristown.

C. Section 5806.2: The storage of flammable cryogenic fluids in stationary containers is prohibited within the Municipality of Norristown.

D. Section 6104.2: The storage of liquified petroleum gas is restricted for the protection of heavily populated or congested areas within the Municipality of Norristown.

§ 159-8 Exclusions.

Any reference to the Uniform Construction Code is hereby excluded as well as any article pertaining to new construction. The intent of this article is to regulate existing structures and any reference in this Code to new construction or construction otherwise regulated under The Pennsylvania Construction Code Act (Pa. Act 45 of 1999) is hereby excluded.

§ 159-9 Construal of provisions.

Nothing in this article or in the Fire Code hereby adopted shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this article, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

§ 159-10 Amendments to the 2021 International Fire Code.

- A. Section 308.1.4 of the 2021 International Fire Code is amended to remove Exceptions 1, 2 and 3.
- B. Sections 315.7.6.1 and 315.7.6.2 are amended to establish that wood pallet stacks and piles and plastic pallet stacks and piles shall have a minimum separation distance of five (5) feet.

SECTION II: REPEALER

Any and all terms, conditions, and provisions of any Ordinance or Resolution of the Municipality of Norristown in conflict with the terms, conditions, and provisions of this Ordinance, including Article II of Chapter 153, and Section 140-13 of the Municipality of Norristown Code of Ordinances entitled "Fire Prevention Code" and "Fire prevention permit fee schedule" are hereby repealed to the extent of such conflict.

SECTION III: SEVERABILITY

It is hereby declared to be the legislative intent of the Municipal Council of Norristown, that if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its approval as required by the law.

ENACTED AND ORDAINED this 5th day of September 2023.

Seal:

Municipality of Norristown

Municipal Council

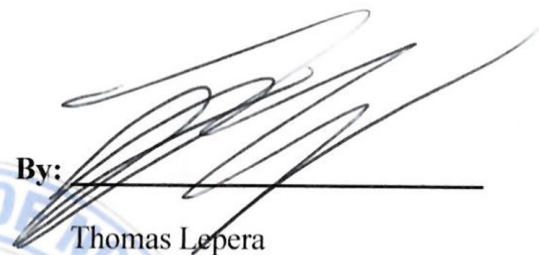
Attest:



Crandall Jones

Municipal Administrator

By:



Thomas Lepera

Council President

