

MAIN TOWNSHIP
ORDINANCE NO. 4 OF 2014
FIRE PROTECTION ORDINANCE

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Main Township, Columbia County, Pennsylvania, as follows:

SECTION 1. NAME AND CITATION

This Ordinance shall be known as the "Main Township Fire Protection Ordinance".

SECTION 2. PURPOSE

To protect health, safety and general welfare of the residents and visitors of the Township of Main by establishing fire protection measures for subdivisions of six (6) or more lots; to ensure for the reasonable protection and safety of firefighters against building collapse and other effects of fires; to better facilitate the needs of the fire department; to ensure sound engineering practices are utilized when installing fire protection systems.

SECTION 3. REFERENCES AND DEFINITIONS

In general, words and terms used in this Ordinance shall have their customary dictionary meanings. More specifically, certain words and terms used herein are defined as follows. References are incorporated only to the extent cited herein.

A. National Fire Prevention Association Standard 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting" (NFPA 1142).

SECTION 4. APPLICABILITY

This Ordinance shall be applicable to all proposed subdivisions of real property located in Main Township containing six (6) or more lots based on an application for subdivision approval, either preliminary or final, which is submitted for review and approval after the effective date of this Ordinance. The developer proposing the subdivision of land shall be responsible for the installation of all fire protection measures required by this Ordinance prior to the sale of any lot in an approved subdivision which is subject to this Ordinance, and in the event any, such sale shall occur in violation of this Ordinance, the Zoning Officer/Building Codes Officer is authorized to deny issuance of any building or other Township permit for the construction of any dwelling or other improvements on the lot. Notwithstanding the foregoing, this Ordinance shall not apply to any application for approval of a plat, whether preliminary or final, which is subject to the provisions of 53 P.S. Section 10508 governing duly filed applications for subdivisions while such applications are pending approval or disapproval.

For purposes of this Ordinance, the following words shall have the following meanings:

“Developer”: any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land.

“Lot”: a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

“Plat”: the map or plan of a subdivision, whether preliminary or final.

“Subdivision”: the division or redivision of a lot, tract or parcel of land by any means into six (6) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SECTION 5. FIRE PROTECTION WATER SUPPLY

A. In any applicable subdivision, which is subject to this Ordinance, there shall be provided a reliable water supply for firefighting. If public fire hydrants are not available within one thousand (1,000) feet of each lot, the subdivider shall be responsible for providing adequate fire protection water supply. Subdivisions shall provide adequate fire protection water supply in accordance with NFPA 1142, Chapter 7, “Water Supply”. Acceptable methods include, but are not limited to, natural perennial or man-made fire ponds with an approved dry hydrant, underground storage reservoirs (cisterns) with an approved dry hydrant.

If water storage means are provided, such means shall be located not further than one thousand (1,000) feet from any dwelling.

B. If fire hydrants are not provided and a fire protection water supply is required by Section 5.A.1 above, storage capacity for ponds and cisterns shall be as follows:

(1) Fire Ponds:

Fire Ponds shall have a minimum storage capacity of 10,000 gallons and shall at all times be maintained by the developer.

The water storage level shall be maintained at all times by a spring, natural inflow, well point, pumping facility and/or rain and snow runoff. An overflow system shall be installed with proper drainage materials and facilities to handle projected overflow.

(2) Cisterns:

The minimum storage capacity for cisterns shall be 10,000 gallons.

C. DESIGN AND APPROVAL

Where fire ponds are proposed for water storage, the capacity of the pond shall be calculated based on the lowest projected water level, less an equivalent of one (1) foot of ice. A detailed plan of the required pond, dry hydrant, piping and/or access road, bearing the stamp of a registered Professional Engineer, shall be submitted to the Township for review concurrent with submission of an application and plans for subdivision to the Columbia County Planning Commission. The Township Zoning Officer/Building Code Officer and Fire Chief shall approve the design of all water storage arrangements for fire ponds and cisterns. Water storage arrangements shall be made available as soon as combustible materials accumulate.

SECTION 6. MAINTENANCE OF WATER SUPPLY

A. MAINTENANCE

Dry hydrants associated with water storage arrangements shall be maintained as required by NFPA 1142, Chapter 8, Section 8.7.

B. BOND FOR WATER STORAGE MEANS

Each developer shall be required to post with the Township, a sum, in the form of cash or a surety bond, in the amount of the replacement cost of the water storage means. In the event that the water supply system is not maintained as required by Section 6 above, the Township shall have the right to call the bond or use the cash to rectify the deficiency(ies).

SECTION 7. OTHER PROVISIONS

A. EASEMENT DEED

When water storage means are to be used, the developer or homeowners association shall provide an executed easement to Main Township in a form approved by the Township Solicitor to provide the Township with the right to enter onto the property to use, maintain and repair the storage means.

B. ROAD ACCESS FOR FIREFIGHTING

All proposed roads subject to this Ordinance shall meet fire department approval for tanker shuttle operations. All proposed road plans shall be submitted to the Township Zoning Officer/Building Code Officer and Fire Chief for their review and approval concurrent with submission of an application and plans for subdivision approval to Columbia County Planning Commission.

C. PROPERTY ACCESS FOR FIREFIGHTING

All properties shall have access per NFPA 1, edition in effect at time of application for building permit.

D. ACCESS THROUGH GATES, ETC., FOR FIREFIGHTING

Any property subject to this Ordinance protected by any locked gate, fence or chain shall provide fire department access to same as approved by the Fire Chief or designee.

E. ROAD MAINTENANCE

Except for roads which are offered and accepted by the Township for public dedication, all roads approved as part of a subdivision shall be maintained for fire department access in perpetuity by the developer to include tree and brush trimming, snow removal, other obstructions, gates, signs, etc. This provision shall not prohibit a seasonal road from being maintained seasonally.

SECTION 8. CONFLICT WITH OTHER LAWS, CODES OR ORDINANCES

This Ordinance shall not repeal, annul or otherwise impair or remove the necessity of compliance with any federal, state or other local laws, codes or ordinances. Where this Ordinance imposes a greater restriction upon the use of land, buildings, or structures, the provisions of this Ordinance shall prevail.

SECTION 9. SEPARABILITY

Should any section or provision of this Ordinance be found by the courts to be invalid, illegal, or unenforceable, such decision shall not affect any other section or provision of this Ordinance either singly or collectively.

SECTION 10. EFFECTIVE DATE

The effective date of this Ordinance shall be ten (10) days after adoption by the Supervisors of Main Township.

SECTION 11. VIOLATIONS

A. Any person violating any of the terms or provisions in this Ordinance shall, upon conviction thereof before a District Justice, be subject to a penalty in the amount not less than \$300.00 nor more than \$1,000 for each offense. Each day that a violation of any provision of this Ordinance continues shall constitute a separate and distinct offense. In addition to the foregoing, in the event there is a violation or notice of violation of this Ordinance, The Township Zoning Officer/Building Codes Officer is authorized to deny issuance of any building permit and certificate of occupancy for property which is subject to this Ordinance until such time as the terms and conditions of this Ordinance are complied with. In addition to any other remedy provided herein or

at law, the Township may enforce this Ordinance in equity to enjoin any violation thereof.

AND NOW, this Ordinance is adopted this 2nd day of June, 2014.

MAIN TOWNSHIP SUPERVISORS:



ROBERT FREY, SUPERVISOR



THOMAS SHUMAN, SUPERVISOR



LARRY RHOADS, SUPERVISOR