

**TRAPPE BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 462

AN ORDINANCE OF THE BOROUGH OF TRAPPE, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING THE LIFE AND PROPERTY FROM FIRE AND EXPOSURE HAZARD ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIAL AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE BOROUGH OF TRAPPE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING SECTIONS 135-1 AND 135-4 OF THE CODE OF THE BOROUGH OF TRAPPE AND ALL OTHER ORDINANCES OR PARTS OF THE LAWS THAT CONFLICT THEREWITH.

WHEREAS, the Borough of Trappe, County of Montgomery, Pennsylvania on October 7, 1997, enacted Ordinance 328 adopting the 1996 edition of the International Fire Code for the Borough; and

WHEREAS, the Borough of Trappe wishes to update this fire code in order to protect the health, safety, general welfare and the property of the inhabitants of the Borough of Trappe, County of Montgomery, Pennsylvania.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Trappe, County of Montgomery, Pennsylvania, and it is hereby **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Trappe, as follows:

SECTION 1: Chapter 135, Article I, Sections 135-1 through 135-4 are deleted in their entirety and replaced with the following:

§ 135-1. Adoption of Fire Prevention Code.

That a certain document, three (3) copies of which are on file in the office of the Borough Manager in the Borough of Trappe, being marked and designated as the International Fire Code, 2015 edition, including Appendix chapters being adopted A, B, C, D, E, F, G, H, I, J, K, as published by the International Code Council, be and is hereby adopted as the Fire Code of the Borough of Trappe 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 therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Borough Manager of the Borough of Trappe are hereby referred to, adopted, and made a part hereof, as if fully set out in this part, with the additions, insertions, deletions and changes, if any, prescribed in § 135-2 of this Ordinance.

§ 135-2. The following Sections of the Code are hereby revised:

- A. Section 101.1: Borough of Trappe.
- B. Section 109.4: Summary Offense, \$500.00.
- C. Section 111.4: \$100.00, \$500.00.

§ 135-3. The geographical limits referred to in certain Sections of the 2015

International Fire Code are hereby established as follows:

- A. Section 5704.2.9.6.1: None.
- B. Section 5706.2.4.4: None.
- C. Section 5806.2: None.

D. Section 6104.2: None.

§ 135-4. INTERPRETATION.

In interpreting any of the provisions of the code hereby adopted, the following principles shall be governing:

A. The said fire code shall not supersede any provision of the Uniform Construction Code adopted by the Borough of Trappe or any law of the Commonwealth of Pennsylvania or of any regulation promulgated by any department or agency of the commonwealth by authority of law where such law or regulation is in conflict with or identical to a provision of the said code; provided, however, that any provision of the said code that is stricter than or in addition to any state law or regulation governing a particular subject or activity shall be in effect and shall be enforced within the Borough of Trappe, subject to the penalties prescribed in the code.

B. Mention in or regulation by the code hereby adopted of any specific use of property or of any business or industry shall not in itself authorize such use of property or the establishment or carrying on of any such business or industry in the Borough. It is hereby declared that the intent of the Borough Council is that permitted and prohibited uses of property in the Borough shall be governed by the Borough's Zoning Ordinance, its amendments and supplements.

§ 135-5. VALIDITY.

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 Borough of Trappe 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.

§ 135-6. SAVINGS CLAUSE.

That nothing in this legislation 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 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 2. Repealer.

All other Ordinances or parts of Ordinances and any resolutions or parts thereof in conflict with this Ordinance are hereby repealed.


SECTION 3. Effective Date.

This Ordinance shall take effect within five (5) days after enacted thereof.


ENACTED and ORDAINED this 1st day of June, 2021, by the Borough Council of the Borough of Trappe, Montgomery County, Pennsylvania.

ATTEST:

BOROUGH COUNCIL

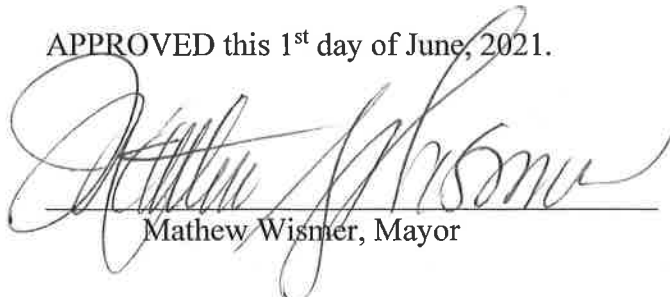


Marcus V. Dolny, Municipal Secretary

BY: 

Catherine A. Johnson, President

APPROVED this 1st day of June, 2021.



Mathew Wismer, Mayor