

ORDINANCE NO. 2-96

AN ORDINANCE REQUIRING OWNERS OF LEASED OR RENTED DWELLING UNITS CONTAINING MULTIPLE FAMILIES TO PROVIDE SMOKE DETECTORS WITHIN SUCH DWELLINGS .

WHEREAS, the Council of the Borough of Cochranton has determined that the installation of smoke detectors in all structures which consist of multiple dwelling units is necessary in order to protect the health, safety and welfare of individuals within the Borough, the Borough hereby ordains and enacts the following ordinance:

Section 1. Definitions

A. Dwelling Unit - A structure, or portion thereof, or building or portion thereof, arranged for the use of multiple residential occupancy where two or more individuals or family units live in separate housekeeping units on a permanent, temporary or transient basis which may or may not include sanitary facilities or facilities for preparation, storage or serving of food.

B. Owner - Any person, persons, or entity who, alone or jointly or severally with others, holds legal title to any real estate.

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C. Smoke Detector - A device which detects visible or invisible particles of combustion, and is capable of providing a suitable audible alarm of at least eighty-five (85) decibels at ten (10) feet, either ionization or photo-electric type. The detector must meet or exceed the standards set forth by Underwriters Laboratories. The smoke detector must have either a self-contained or hard wired power supply.

Section 2. Smoke Detectors Required in Dwelling Units

where
In each dwelling unit or individual apartment within buildings used as a multiple dwelling, there shall be provided by the owner of the real estate, a minimum of one (1) smoke detector sensing device, which has received Underwriters Laboratories approval.

In each structure or building containing three or more dwelling units, smoke detectors shall be installed in common hallways and the cellar and attic, if any, in addition to sleeping areas.

Section 3. Alarm Requirements

The said smoke detector sensing device shall provide an alarm suitable to warn occupants within individual dwelling units in the event of fire.

Section 4. Time of Installation

As of the effective date of this ordinance, the smoke detector sensing device shall be installed in all dwelling units that are located in a building or structure which contains multiple dwellings.

It shall be the responsibility of the tenant or occupant to maintain any smoke detector that has a self-contained power source by replacing the battery when necessary. It shall be the responsibility of the owner to maintain, and replace batteries in, any smoke detectors located in common areas.

Section 5. Penalties

Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of Three Hundred (\$300.00) Dollars. Every day that a violation of this ordinance continues shall constitute a separate offense.

Further, any individual who removes, damages or destroys a smoke detector that has been installed, shall, upon conviction thereof be sentenced to pay a fine of no less than One Hundred (\$100.00) Dollars nor more than Three Hundred (\$300.00) Dollars. Every day that a violation of this ordinance continues shall constitute a separate offense.

Section 6. Repealer

All other ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 7. Severability

If any sentence, clause section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Council of the Borough of Cochranon that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 8. Effective Date

This ordinance shall become effective on 6/3, 1996

DULY ADOPTED this 3RD day of JUNE, 1996 by the Council of the Borough of Cochranon.

ATTEST:

Frances McClain
Borough Secretary

Lyette B. Hew
By:

