

## CHAPTER 7

### FIRE PREVENTION AND FIRE PROTECTION

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Part 1  
Outdoor Fires

§101. Outdoor Fires Prohibited. No person or persons shall set or maintain any fire upon any of the streets, sidewalks, alleys, or public grounds in the Borough of Emmaus, or burn or cause to be burned thereon any paper, boxes, rubbish, leaves or other material or substance of any kind. Nor shall any person or persons set or maintain any fire, or burn or cause to be burned, any substance or material of any kind, out of doors, anywhere within the Borough of Emmaus. (Ord. 423, 6/6/1966, §1)

§102. Exceptions.

1. Exceptions shall be outdoor cooking grills and outside fireplaces used solely for cooking, commercially manufactured recreational fireplaces (i.e., chimneys, fire pits with screens, etc.) and industrial incinerators of a type approved by the Borough Council.

2. Other exceptions may be made by the Borough Council upon approval by the Fire Chief, and the issuance of a permit when, for some unusual circumstances, Council considers the situation falls within the intent of this Part and will not create a nuisance or fire hazard. Permits shall be issued at a fee to be established by resolution of Council. The Fire Chief or his authorized designee may issue a citation for any violation. The Borough Fire Department must stand by during any special burning and persons requesting a permit shall also be responsible for any expenses incurred by the Fire Department in excess of the fee set forth hereinabove.

(Ord. 423, 6/6/1966, §2; as amended by Ord. 675, 11/17/1986; and by Ord. 1033, 6/16/2008)

§103. Applicability. The provisions of this Part shall not apply to the firemen's training area located in the Borough of Emmaus, nor shall it apply to the thawing of cinders by members of the Borough Highway Department. (Ord. 423, 6/6/1966, §3)

§104. Penalties. Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for term not to exceed ninety (90) days. (Ord. 423, 6/6/1966, §4; as amended by Ord. 675, 11/17/1986)



## Part 2

## Fire Control Measures

§201. Adoption of Fire Control Measures and Regulations. The Borough of Emmaus hereby adopts the fire control measures and regulations as herein set forth for the purposes of controlling conditions which could impede or interfere with fire suppression forces. (Ord. 589, 10/9/1978, §1)

§202. Authority at Fires and Other Emergencies. The Fire Chief or his duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations, or of taking any other action necessary in the reasonable performance of their duties. The Fire Chief may prohibit any person, vehicle, or object from approaching the scene and may remove or cause to be removed any person, vehicle, or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the Fire Chief. (Ord. 589, 10/9/1978, §2; as amended by Ord. 675, 11/17/1986)

§203. Interference with Fire Department Operations. It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct, or restrict the mobility of, or block the path of travel of any fire department emergency vehicle in any way, or to interfere with, attempt to interfere with, obstruct or hamper any fire department operation. (Ord. 589, 10/9/1978, §3)

§204. Compliance with Orders. A person shall not willfully fail or refuse to comply with any lawful order to direction of the Fire Chief, nor shall he interfere with the compliance attempts of another individual. (Ord. 589, 10/9/1978, §4; as amended by Ord. 675, 11/17/1986)

§205. Unauthorized Driving Over Fire Hose. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any highway, private road or driveway, for use at any fire or alarm of fire, without the consent of a fire department officer, a police officer or other appropriately attired person authorized to direct, control or regulate traffic at the scene. (Ord. 589, 10/9/1978, §5)

§206. Definition of Authorized Emergency Vehicle. Authorized emergency vehicles shall be restricted to those which are defined and authorized under the laws of the Commonwealth of Pennsylvania. (Ord. 589, 10/9/1978, §6)

§207. Operation of Vehicles on Approach of Authorized Emergency Vehicles. Upon the approach of any authorized emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately move the same to a position as near as possible and parallel to

the right hand edge of curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by the Fire Chief or a police officer. (Ord. 589, 10/9/1978, §7; as amended by Ord. 675, 11/17/1986)

§208. Driving or Stopping Close to Fire Apparatus. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500') or stop the vehicle within five hundred feet (500') of any fire apparatus stopped in answer to a fire alarm. (Ord. 589, 10/9/1978, §8)

§209. Pedestrians to Yield to Authorized Emergency Vehicles.

1. General Rule - Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of this Part, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency vehicle.

2. Exercise of Care by Driver - This section does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway not from the duty to exercise due care to avoid colliding with any pedestrian.

(Ord. 589, 10/9/1978, §9)

§210. Unlawful Boarding or Tampering With Fire Department Emergency Equipment. A person shall not without proper authorization from the Fire Chief in charge of said fire department emergency equipment, cling to, attach himself to, climb upon or into, board, or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, nor shall he sound the siren, horn, bell or other sound-producing device thereon, or manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of, any fire department emergency vehicle. (Ord. 589, 10/9/1978, §10; as amended by Ord. 675, 11/17/1986)

§211. Damage, Injury - Fire Department - Equipment Personnel. It shall be unlawful for any person to damage or deface, or attempt, or conspire to damage or deface any fire department emergency vehicle at any time, or to injure, or attempt to injure or conspire to injure fire department personnel while performing departmental duties. (Ord. 589, 10/9/1978, §11)

§212. Emergency Vehicle Operation. The driver of any emergency vehicle, as defined in §206 of this Part, shall not sound the siren thereon or have the front red lights on or disobey any existing traffic regulation, except when said vehicle is responding to an emergency call or when responding to, but not upon returning from a fire. Tactical strategies, such as, but not restricted to, "move-ups" do not constitute an emergency call. The driver of an emergency vehicle may:

1. Park or stand irrespective of the provisions of existing traffic regulations;

2. Proceed past a red or stop signal or other sign, but only after slowing down as may be necessary for safe operation;

3. Exceed the prima facie speed limit so long as he does not endanger life or property;

4. Disregard regulations governing direction of movement or turning in specified directions;

5. The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle.

6. This does not relieve the driver of an emergency vehicle from the duty to drive with disregard for the safety of all persons.

(Ord. 589, 10/9/1978, §12)

§213. Blocking Fire Hydrants and Fire Department Connections. It shall be unlawful to obscure from view, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections that are located on public or private streets and access lanes, or on private property.

If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the Fire Chief shall proceed to remove the same. Cost incurred in the performance of necessary work shall be paid from the municipal treasury on certificate of the Fire Chief and with the approval of the chief administrative official; and the legal authority of the municipality shall institute appropriate action for the recovery of such costs.

(Ord. 589, 10/9/1978, §13; as amended by Ord. 675, 11/17/1986)

§214. Hydrant Use Approval. A person shall not use or operate any fire hydrant intended for use of the fire department for fire suppression purposes unless such person first secures a permit for such use from the fire chief and the Manager. (Ord. 589, 10/9/1978, §14)

§215. Public Water Supply. The Fire Chief shall recommend to the chief administrative official of the municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the Fire Chief. (Ord. 589, 10/9/1978, §15; as amended by Ord. 675, 11/17/1986)

§216. Yard Systems. All new and existing oil storage plants, lumber yards, amusement or exhibition parks, and educational or institutional complexes and similar occupancies and uses involving high fire, or life hazards, and which are located more than one hundred fifty feet (150') from

a public street, or which require quantities of water beyond the capabilities of the public water distribution system, shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the Fire Chief and shall be connected to a water system in accordance with accepted engineering practices. The Fire Chief shall designate and approve the number and location of fire hydrants. The Fire Chief may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the Fire Chief. (Ord. 589, 10/9/1978, §16; as amended by Ord. 675, 11/17/1986)

§217. Maintenance of Fire Suppression Equipment. A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code except for the purpose of extinguishing fire, training or testing purposes, recharging, or making necessary repairs, or when permitted by the Fire Chief. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the Fire Chief. (Ord. 589, 10/9/1978, §17; as amended by Ord. 675, 11/17/1986)

§218. Sale of Defective Fire Extinguishers. A person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the Fire Chief, or which is not in proper working order or the contents of which do not meet the requirements of the Fire Chief. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk. Said units must be permanently disfigured or marked with permanent signs identifying the unit as junk. (Ord. 589, 10/9/1978, §18; as amended by Ord. 675, 11/17/1986)

§219. Street Obstructions. A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses, or any other type of obstruction in or on any street within the boundaries of the municipality. The word street as used in this Part, shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality. (Ord. 589, 10/9/1978, §19)

§220. Penalties. Any person, firm or corporation who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. (Ord. 589, 10/9/1978, §20; as amended by Ord. 675, 11/17/1986)