

ORDINANCE NO. 1 - 8004
BOROUGH OF FRACKVILLE

AN ORDINANCE OF THE BOROUGH OF FRACKVILLE, COUNTY OF SCHUYLKILL AND COMMONWEALTH OF PENNSYLVANIA, REGARDING INSTALLATION AND REGULATION OF CARBON MONOXIDE DETECTORS.

Section 1. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

CARBON MONOXIDE DETECTOR AND ALARM – an assembly comprised of a carbon monoxide detector and an audible alarm in one unit, which, upon detection of carbon monoxide, activates the alarm. Detectors shall be of types approved by Underwriter's Laboratories, Inc. Detectors directly connected to the electrical system of the dwelling shall contain an independent battery backup system.

ONE-FAMILY DWELLING, TWO FAMILY DWELLING & MULTIPLE DWELLINGS- shall be defined in the International Fire and Building Codes. "Multiple dwelling" includes, but is not limited to, hotels, motels, apartment houses, lodging houses, community residences, old age homes, dormitories, fraternity houses and sorority houses.

FOSSIL FUEL- Whenever used in this article, the term "fossil fuel" shall include coal, natural gas, kerosene, oil, propane and wood.

Section 2. Design and Installation

Carbon monoxide detectors and alarms shall be installed in the hallways no less than fifteen feet from each bedroom on every floor or level of a one-family or two-family dwelling where bedrooms are located. Carbon monoxide detectors and alarms shall be installed on every floor or level of a multiple dwelling in the Borough of Frackville within 40 feet of all doors to dwelling units or sleeping areas in a corridor which serves dwelling units. All carbon monoxide detectors and alarms shall either be directly connected to the electrical system of the dwelling unit with no intervening wall switch or shall be battery-powered. Plug-in-type carbon monoxide detectors and alarms with no intervening wall switch shall be permitted. Each carbon monoxide detector and alarm shall be mounted in accordance with the manufacturer's instructions or as required by regulations adopted pursuant to this chapter. Carbon monoxide detectors and alarms shall not be mounted in areas of low air movement (dead air spaces).

Section 3. Applicability; time for compliance.

Every owner of a one-family dwelling, two-family dwelling or multiple dwelling in the Borough of Frackville, whether for temporary or permanent occupancy, that relies on combustion of fossil fuel for heat, hot water or ventilation shall be required to install and maintain within the building operable carbon monoxide detectors and alarms in accordance with this chapter as follows:

- A. For all new multiple dwellings in the Borough of Frackville built or occupied for the first time after final enactment of this amendment, the owner shall install in accordance with this chapter and shall maintain within the building carbon monoxide detectors and alarms prior to occupancy or transfer of ownership. All subsequent owners shall be responsible for maintenance after occupancy.
- B. For all multiple dwellings in the Borough of Frackville built and occupied prior to February 1, 2004, whether for temporary occupancy or for permanent occupancy, the owner shall install in accordance with this chapter and maintain within the building carbon monoxide detectors and alarms by July 1, 2004. The owner shall provide the Borough of Frackville Code Enforcement Officer with proof of such installation on a form to be promulgated by the Borough of Frackville by July 30, 2004. All subsequent owners shall be responsible for maintenance after occupancy.
- C. For all one-family dwellings and two-family dwellings, the owner shall install in accordance with this chapter within the building carbon monoxide detectors and alarms prior to the closing of title and transfer of said property to a subsequent owner for such transfers occurring after February 1, 2005. All subsequent owners shall be responsible for maintenance after occupancy.

Section 4. Regulations

The Frackville Borough Code Enforcement Officer may adopt, subject to the approval of the Frackville Borough Council, such regulations as it deems necessary for the implementation of this chapter.

Section 5. Exemptions

The following residential units shall not require carbon monoxide detectors:

- A. A residential unit in a building that does not rely on combustion of fossil fuel for heat, ventilation or hot water and is not close to any ventilated source of carbon monoxide.
- B. A residential unit that:

- 1) Is heated by steam, hot water or electric heat; and
- 2) Is not connected by duct work or ventilation shafts to any room containing a fossil fuel-burning boiler or heater; and
- 3) Is not sufficiently close to any ventilated source of carbon monoxide.

Section 6. Battery removal violation; penalty

Except as hereinafter provided, it shall be unlawful for any person to remove batteries from a carbon monoxide detector required under this article or in any way to make inoperable a carbon monoxide detector required under this article. This provision shall not apply to any building owner or manager or his agent in the normal procedure of replacing batteries.

Section 7. Owner's and tenant's responsibilities

The owner of a structure shall supply and install required carbon monoxide detectors. The owner shall test and maintain carbon monoxide detectors located other than in a dwelling unit. The owner shall provide written information regarding carbon monoxide testing and maintenance to at least one adult tenant in each dwelling unit. The tenant shall test, provide general maintenance and replace required batteries for carbon monoxide detectors located in the tenant's dwelling unit.

Section 8. Buildings heated by central-fossil-fuel-powered heating unit

In every building that is heated by one main central fossil-fuel powered heating unit, and that is not exempted, one approved carbon monoxide detector must be installed in the room containing the central heating unit.

Section 9. Repealer

If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

ORDAINED AND ENACTED by the Borough Council of Frackville Borough
this 14th day of June, 2004.

COUNCIL MEMBERS OF THE
BOROUGH OF FRACKVILLE

BY:

Adele Matern
Adele Matern, President

BY:

Nick Borzok
Nick Borzok, Mayor

ATTEST:

Brenda Deeter
Brenda Deeter, Secretary