

NEWTOWN BOROUGH
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 808

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF NEWTOWN AT PART II [GENERAL LEGISLATION], CHAPTER 294 [FIRE PREVENTION], ARTICLE I [ADOPTION OF STANDARDS; INSPECTIONS] TO ADOPT THE 2021 INTERNATIONAL FIRE CODE, WITH AMENDMENTS, AS THE NEWTOWN BOROUGH FIRE CODE

CERTIFICATION

I, CRAIG TOTARO, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE BOROUGH MANAGER OF NEWTOWN BOROUGH, BUCKS COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. ____.

Craig Totaro, Borough Manager
_____, 2025

ENACTED: _____

NEWTOWN BOROUGH

BUCKS COUNTY, PENNSYLVANIA

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WHEREAS, the Newtown Borough Council is duly empowered by the Borough Code, 8 Pa.C.S.A. § 101, *et seq.*, to enact certain regulations relating to the public health, safety welfare of the residents of Borough Council;

WHEREAS, the Borough Code authorizes the Newtown Borough Council to make, amend and adopt amendments to the Newtown Borough Code of Ordinances, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Borough and the best interests of its residents; and

WHEREAS, the Newtown Borough Council has determined that the adoption of the 2021 International Fire Code, with amendments, as the Fire Code of Newtown Borough, as recommended by the Newtown Fire Chief, is in the best interests of the health, safety, and welfare of the Borough and its residents.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Newtown Borough Council that the Borough's Code is amended as follows:

SECTION 1. **Repeal and Replacement of Chapter 294 [Fire Prevention], Article I [Adoption of Standards; Inspections]**

That a certain document, three (3) copies of which are on file in the office of the Newtown Emergency Services Department of Newtown Township, being marked and designated as the International Fire Code, 2021 edition, including Appendix Chapters B, C, D, E, and F, as published by the International Code Council, be and is hereby adopted as the Fire Code of Newtown Borough, 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 therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Fire Marshal are hereby referred to, adopted, and made a part hereof.

Chapter 294 [Fire Prevention], Article I [Adoption of Standards; Inspections] is hereby repealed and replaced in its entirety as set forth in Exhibit "A" hereto.

SECTION 2. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Borough's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date.

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 18th day of November 2025, by the Newtown Borough Council.

**BOROUGH OF NEWTOWN
COUNTY OF BUCKS
COMMONWEALTH OF PENNSYLVANIA**

John Burke, *Mayor*

Emily Heinz, *President*

Attest:

Judy S. Musto
Borough Secretary

Exhibit

“A”

Chapter 294 [Fire Prevention]

Article I [Adoption of Standards; Inspections]

294-1 Adoption of standards by reference.

The Code of Ordinances of Newtown Borough, Bucks County, Pennsylvania, is amended by adoption of the 2021 International Fire Code, including all referenced standards, subject to the amendments which follow herein, to be known as the "Fire Code of Newtown Borough."

294-2 Effect on new construction; conflicts with UCC.

- A. This chapter shall not apply to new construction that is otherwise regulated or under construction through permits issued under the Pennsylvania Uniform Construction Code and the International Codes which are mandatorily adopted by the Newtown Borough thereunder (collectively the "UCC").
- B. To the extent of any conflict between the provisions of the UCC (including, without limitation, the International Fire Code to the extent the International Fire Code is referenced by the International Building Code), the provisions of the UCC shall apply.

294-3 Amendments and additions to code.

- A. Section **101.1**. Insert: "Newtown Borough, Bucks County."
- B. The provisions of Section 103.2 shall be amended so as to read as follows:

"The fire code official shall be appointed by the fire chief; and the fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority."
- C. Permits. The provisions of Section 105 are herein amended so that the provisions of Subsection 105.1.2 shall read as follows:

Types of permits. There shall be four types of permits as follows:

- 1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:

1.1. A prescribed period.

1.2.1.2. Until renewed or revoked.

2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7.
3. Annual fire safety inspection permit. An annual fire safety inspection permit will be required on all properties that are referred to in the Fire Code. The annual fire safety inspection will ensure that the buildings that receive a fire safety inspection are in compliance with the Fire Code.
4. Use and occupancy permit. A use and occupancy permit would be under the Fire Code when no other building permit would be required for the business to commence operations. This would ensure the business would be in compliance with all fire safety issues.

- D. Board of Appeals. The provisions of Section 109 shall be amended to read as follows:

109.1. Board of Appeals established. Any appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this code shall be heard by the Board of Appeals established by the Borough through the Borough Code of Ordinances, at Chapter 260, Construction Code, Uniform. The fire code official shall be an ex officio member of said Board but shall not have a vote on any matter before the Board. The rules of procedure shall be those rules adopted by the Board of Appeals, and the Board of Appeals shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Code Official.

109.2. Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Board shall not have authority to waive requirements of this code.

109.3. Qualifications. The Board of Appeals shall consist of the members of the existing Board of Appeals, created through Borough

Code of Ordinances, Chapter 260, Construction Code, Uniform, and the Fire Code Official as an ex officio member.

E. Section 112.4. -- Insert: "Summary", "not to exceed \$1,000" and "30 days".

F. A new Section 503.7 is added as follows:

Enforcement authority. The Borough Fire Official, Borough firefighters, and the Borough Police Department have the authority to enforce and issue citations for violations of the "no parking, stopping, or standing" provisions of this section."

G. The provisions of Section 507.5.1 shall be amended so as to read as follows:

Where required. Fire hydrants shall be provided in sufficient number and be located in a manner that will enable the required fire flow to be delivered through hose lines to any important structure. Fire hydrant locations shall be determined by the fire code official, but in no case shall a hydrant be located in excess of 500 feet from an important structure on a street or road, or 300 feet from any portion of the exterior of a building, or greater than 100 feet from a Fire Department connection. All exceptions noted in this section are deleted.

H. Section 1103.5.3. -- Insert: "by January 1st, 2026".

I. Explosives and fireworks. The provisions of Chapter 56, Subsection 5601.2.4, Financial responsibility, shall be amended so as to read as follows:

"Before a permit is issued, as required by Section 5601.2, the applicant shall file with the Borough a corporate surety bond in the principal sum of \$2,000,000, or a public liability insurance policy for the same amount in favor of the , as it relates to blasting, and a specific second certificate of insurance naming the as an additional insured, with a specific reference to the blasting activities, for the purpose of the payment of damages to persons or property that arise from or caused by the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement."

- J. Notification. The provisions of Section 5601.6 shall be amended as follows:

Section 5601.6 Notification. Whenever a new explosive material storage or manufacturing site is established, including a temporary job site, the local law enforcement agency, fire department, and local emergency planning committee shall be notified 48 hours in advance, not including Saturdays, Sundays, and holidays, of the type, quantity, and location of explosive materials at the site. Prior to the issuance of the blasting permit, the applicant shall notify all property owners within 500 feet of the blast-affected area, this notification shall be done five working days prior to the blasting activities by certified mail, return receipt requested. Issuance of the blasting permit may be withheld by the Emergency Services Department if the applicant fails to provide evidence of compliance with this code.

- K. Section 5704.2.9.6.1. -- Insert: "by January 1st, 2026".
- L. All geographic limits referred to in certain sections of the 2021 International Fire Code are to comply with the Newtown Borough Zoning Code.