

BOROUGH OF ST. LAWRENCE,
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 406

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, PENNSYLVANIA, REQUIRING THE PROVISION AND MAINTENANCE OF FIRE LANES; REQUIRING OFFICIAL SIGNAGE DESIGNATING FIRE LANES; REQUIRING THAT FIRE LANES BE KEPT CLEAR OF SNOW, ICE, AND OTHER MATTER; PROHIBITING PARKING IN OR OTHERWISE OBSTRUCTING FIRE LANES OR ACCESS EASEMENTS; AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED, by the Borough Council of the Borough of St. Lawrence, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. Establishment of Fire Lanes. The Fire Code Official of the Borough of St. Lawrence, as established by the Borough Council of the Borough of St. Lawrence, shall have the authority to designate and mark such fire lanes as may be reasonable and necessary on private property devoted to public use. The Borough Council shall adopt a resolution approving these areas so designated by the Fire Code Official as "fire lanes" within the Borough. Such fire lanes shall be those areas immediately adjacent to a building or buildings for a distance of twenty four (24) feet along said building or buildings, and twelve (12) feet in width, on such property such as shopping centers, apartment complexes, bowling alleys, theaters, hospitals, schools, churches and similar locations as may be deemed necessary by the Fire Code Official to insure proper ingress and egress of fire department and emergency vehicles for the protection of persons and property herein described. If access must be provided through the property of a third party or parties, there shall be an easement through said properties (a "fire access easement"), running with the land, satisfactory to the Borough Solicitor and Fire Code Official for said access recorded in the Office of the Recorder of Deeds of Berks County. Parking in such fire lanes or fire access easements shall be prohibited and such fire lanes and fire access easements shall be posted "No Parking Fire Lane." In the event that the Fire Code Official believes that a lesser distance from the building, or a lesser width of fire lane will be adequate, Council may adjust this requirement in accordance with the written directive of the Fire Code Official.

Section 2. Posting of Signs. Whenever the Fire Code Official, shall determine that parking of motor vehicles upon any public or private street, lane, alley, fire access easement, or private parking lot is liable to interfere with the operations of the fire or police departments, or hamper egress of occupants from buildings in case of fire or emergency, parking in such areas shall be prohibited and said areas shall be posted "No Parking Fire Lane."

Section 3. Private Property. On private property which is devoted to public use, or which contains a complex of eight (8) or more apartments, there shall be maintained one (1) or more unobstructed lanes along the building for a distance to be determined by the Fire Code Official, to provide for the ingress and egress of fire department vehicles, equipment and personnel, said lanes to be a minimum of twelve (12) feet in width each and laid out for convenient access from the public thoroughfares and water supplied to the building or buildings. If access for fire and other emergency vehicles must be provided through the property of a third party or parties, there shall be a fire access easement through said properties, running with the land, satisfactory to the Borough Solicitor and Fire Code Official for said access recorded in the Office of the Recorder of Deeds of Berks County. The marking of any such lanes and fire access easements, and the erection and maintenance of any required signage, shall be performed and maintained by and at the expense of the property owner or occupier. In the event that the Fire Code Official believes that a lesser lesser width of fire lane will be adequate, Borough Council may adjust this requirement in accordance with the written directive of the Fire Code Official.

Section 4. Blockage of Fire Lane and Fire Access Easement Prohibited. It shall be unlawful for any person, firm or corporation to barricade, stop a vehicle, park or otherwise block, any of the passage, entrance or exit ways to, in, about or out of any public building or any place occupied for public use or accommodations whether upon public or private property, so as to interfere with or obstruct the free and unimpeded passage of persons and fire equipment around the said building, nor shall any person park a motor vehicle or trailer in disregard of any sign erected pursuant to the provisions of this Ordinance.

Section 5. Clearing of Fire Lanes and Fire Access Easements. All fire lanes and fire access easements shall be kept clear of snow, ice, vegetation (including overhanging vegetation), debris, and other matter to allow for the free movement of emergency vehicles. Removal of snow, ice, vegetation, debris, and other matter shall be at the expense of the property owner and shall be completed within twenty four (24) hours after precipitation has ceased falling or

forming in the event of snow or ice, and immediately upon discovery of vegetation or other debris. "Removal" shall include treatment of the surface to prevent re-formation of ice.

Section 6. Definition. For the purpose of this Ordinance the term "building" shall mean the exterior surface of the vertical wall of the structure, excluding any marquee, portico, mansard roof or similar appendages.

Section 7. Notice of Violation. Notice of violation of Section 4 of this Ordinance shall be effectuated by the placing of a parking ticket upon the vehicle parked or stopped in the fire lane in question by the police department having jurisdiction in the Borough.

Section 8. Penalty for Violation. Any person, firm, corporation, etc., or its agent, servant, employees, etc., violating this Ordinance, upon conviction thereof, before a Magisterial District Judge, shall be fined not more than Three Hundred Dollars and 00/100 (\$300.00) for each offense, together with costs of prosecution, and in default of payment thereof, shall be committed to the Berks County Prison for a period of not more than thirty (30) days. Each day or portion thereof during which such violation shall continue shall be deemed a separate offense and punishable as such.

Section 9. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough that such Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 10. Other Ordinances in Full Force and Effect. The Ordinances of the Borough of St. Lawrence, Berks County, Pennsylvania, shall be and remain unchanged and in full force and effect except as amended, supplemented or modified by this Ordinance. This Ordinance shall become a part of the Ordinances of the Borough of St. Lawrence, Berks County, Pennsylvania, upon adoption.

Section 11. Repealer. All ordinances or parts of ordinances of this Borough which are inconsistent herewith are hereby repealed.

Section 12. Effective Date. This Ordinance shall become effective on the earliest date allowed by law.

DULY ENACTED AND ORDAINED this 14th day of October, 2010.

BOROUGH OF ST. LAWRENCE
BERKS COUNTY, PENNSYLVANIA

By: Robert J. May
Robert J. May, President of Council

Attest: Susan D. Eggert
Susan D. Eggert, Borough Secretary

Approved as an Ordinance this 14 day of October 2010:

By: Michel Fritz
Michel Fritz, Mayor

I certify that this is a true and correct copy of an Ordinance adopted by the Borough of St. Lawrence, Berks County, Pennsylvania on October 14, 2010.

Susan D. Eggert
Secretary