

MILLCREEK TOWNSHIP OF  
LEBANON COUNTY, PENNSYLVANIA

ORDINANCE NO. JUNE 12, 1985

AN ORDINANCE REQUIRING THE INSTALLATION OF SMOKE DETECTORS IN ALL CURRENT MULTI-FAMILY RESIDENTIAL STRUCTURES AND ALL NEW STRUCTURES INTENDED FOR ANY TYPE OF RESIDENTIAL OCCUPANCY AND IN EACH GUEST ROOM, SUITE, OR SLEEPING AREA OF ANY HOTEL, MOTEL, LODGING HOUSE, BOARDING HOUSE, AND DORMITORY.

Be it ordered and enacted by the Board of Supervisors of the said Millcreek Township, and it is hereby ordained and enacted as follows:

SECTION ONE: Definitions. Unless otherwise expressly stated, the following words shall, for the purposes of this Ordinance, have the meanings herein indicated:

a. Words used in the present tense are included also for the future tense. The singular includes the plural.

b. The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as, an individual.

c. The word "shall" is always mandatory, the word "may" is permissive.

d. The words "used" or "occupied" as applied to any building shall be construed to include the words "intended, arranged or designed to be used or occupied".

e. Residential Occupancy: The occupancy or use of a building, structure, mobile home or trailer or any portion thereof by persons for whom sleeping accommodations are provided.

d. Smoke Detector. A device capable of sensing visible or invisible particulates of combustion, and each such detection device shall cause the operation of an alarm which would be clearly audible in all portions of the structure in which it is installed over background noise levels with all intervening doors closed.

**SECTION TWO: Requirements.**

a. It shall be the responsibility of the owner of each existing, occupied multifamily residential structure, intended for residential occupancy and all new structures intended for any residential occupancy to install smoke detectors in each such residential occupancy unit as hereinafter provided. They shall be installed by January 1, 1986, in the manner hereinafter provided (unless any other provision of County, State, or Federal law shall require installation before that date).

b. It shall be the responsibility of the owner of each existing guestroom, suite or sleeping area, hotel, motel, lodging house, boarding house, and dormitory intended for residential occupancy and all new structures intended for any residential occupancy to install smoke detectors in each such residential occupancy

unit as hereinafter provided. They shall be installed by January 1, 1986, in the manner hereinafter provided.

**SECTION THREE: Location.**

a. At least one smoke detector shall be installed to protect each sleeping area. A sleeping area is defined as the area or areas of the family living unit in which the bedrooms (or sleeping rooms) are located. Where bedrooms or rooms habitually used for sleeping are separated by other use areas (such as kitchens or living rooms, but not bathrooms or closets), they shall be considered as separate sleeping areas for the purposes of this section.

b. At least one smoke detector shall be installed at the head (top) of each stairway leading up to an occupied area.

c. With respect to the existing occupied multi-family residential structures and new structures referred to in Section Two(a) above at least one smoke detector shall be installed in any garage or vehicle storage structure directly attached to or which is a part of said structures.

**SECTION FOUR: Alternative.** As an alternative to self-contained smoke detectors, an approved fire detection system may be installed. Each such system must be approved by the Fire Chief of the Newmanstown Fire Company, Newmanstown, Pennsylvania.

SECTION FIVE: Installation and Maintenance. In new residential occupancy units, smoke detectors shall be wired directly (hard wired) to the building's power supply. In all existing residential occupancy units it is preferred that the smoke detectors be wired (hard wired) to the building's power supply; however, a monitored battery supply unit is acceptable. It shall be the responsibility of the residents or tenants to maintain smoke detectors. Such maintenance shall include keeping smoke detector units serviceable by replacing batteries when necessary or by keeping them connected to an electrical source so that they remain capable of transmitting an audible signal as heretofore required in the presence of smoke. The removal or destruction of any smoke detector by any person except an owner for the purpose of immediate replacement is strickly forbidden.

SECTION SIX. Violations and Penalties.

Any person who shall violate this Ordinance shall be liable, upon summary conviction for a first offense and upon summary conviction for each subsequent offense, to a fine of not less than One Hundred (100.00) Dollars, nor more than Three Hundred (300.00) Dollars, together with costs of prosecution, in each case. Each day that a violation shall continue shall be deemed to be a separate offense and shall be punishable as such. Fines and costs imposed under the provisions of this Ordinance shall be enforceable and recoverable in the manner and at the time provided for by applicable law. Upon refusal of any person convicted of a violation of this Ordinance to pay such fine and costs, such person shall be imprisoned in the jail of Lebanon County for a period not exceeding thirty (30) days.



SECTION SEVEN. Severability.

If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

ORDAINED AND ENACTED on this 12th day of June, 1985.

Attest:

Jay Bollman  
Secretary

William R. Shurtz  
John H. Tiedeman  
Dorothy Miller