OFFICIAL
BOROUGH OF WILKINSBURG
ORDINANCE NO. 25-09

AN ORDINANCE OF THE BOROUGH OF WILKINSBURG, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING THE WILKINSBURG BOROUGH FIRE SAFETY PROGRAM

SECTION 1: Title
This part may be cited and shall be known as the "Borough of Wilkinsburg Fire Prevention and Life Safety Program," hereinafter referred to as the "Fire Prevention Program."

SECTION 2: Purpose; applicability
The Fire Prevention Program is designed to reduce conditions which would pose a threat to life, property and the environment through a regular inspection and enforcement program.

SECTION 3: Designated official; conduct of inspections

A. The Borough of Wilkinsburg designates the Fire Inspector, or the Fire Inspector's designee ("designated official") as the official who shall inspect all commercial, industrial, institutional, and multifamily residential facilities/buildings according to an established schedule. The designated official may, upon reasonable belief or suspicion of hazard, inspect such facility as necessary to ensure compliance with applicable codes. The designated official shall be an employee under the supervision and control of the Code Enforcement Director. The designated official will be the authority having jurisdiction (AHJ) pertaining to the violations and repairs of properties within the scope of the International Property Maintenance Code/2024 and International Fire Prevention Code/2024, as amended, and all later versions adopted by the Borough of Wilkinsburg.

B. All structures other than residential buildings containing fewer than five units but no more than twelve units shall be inspected at two-year intervals (the “biannual inspection”) by the Wilkinsburg Code Enforcement Department.

C. Other occupancies shall be inspected annually (the annual inspection”) by the Wilkinsburg Code Enforcement Department.

D. In buildings or structures containing more than one business, a separate inspection shall be required for each business or commercial area. Any areas under the control of the owner shall also require an inspection.

E. Inspections shall be based on the fire, safety and health code requirements within the current International Property Maintenance Code/2024 and International Fire Prevention

Code/2024, as amended, and all later versions adopted by the Borough of Wilkinsburg. The person(s) designated under this part, may, during hours of operation or by agreement of the building owner/agent, enter any public or private building for the purpose of inspection under the fire prevention program.

F. Initial fire inspections will be required by December 31st, 2026 and therein after conducted when a change in the use or occupancy type within a commercial, industrial, or multifamily dwelling or building occurs. A business owner or property owner must contact the Borough of Wilkinsburg designated official for notification and scheduling of an initial inspection before an occupancy shall be allowed to open and operate.

G. During all inspections, the designated official shall provide the owner/agent with a written or electronically communicated list of code violations, if any, and a date by which all violations must be corrected.

H. Failure to allow access for the designated official to perform the scheduled inspection(s) may result in violation of this part.

SECTION 4: Inspection Fees

A. The fees for the Fire Prevention Program shall be set by the Borough of Wilkinsburg through resolution as amended from time to time.

B. The Borough of Wilkinsburg shall reserve the right to charge a reinspection fee after two visits to the same building
C. Fees shall be due and payable at the time of the application is turned in
D. Inspection fee is to cost $100

SECTION 5: Inspection certificate required

Upon approval by the designated official, the business or property owner will be issued a certificate of compliance

A. The certificate of compliance shall indicate the following:

1. Owner/Occupant name and address
2. Applicable codes of compliance
3. Date of inspection
4. Time for which the certificate is valid
5. Any other information as the designated official deems necessary

SECTION 6: Keeping of Records

All official records of inspection and certificates of compliance shall be kept by the Borough of Wilkinsburg Code Enforcement Department

Violations and Penalties

A. Any person, partnership, corporation, trust or other entity, who or which, in any way violates any of the provision of this part of the Code or who or which refuses to obey any

lawful order issued thereunder shall be liable, upon conviction in a summary jurisdiction, to pay a fine or penalty to the Borough of Wilkinsburg in an amount not less than $100 nor more than $1,000 and/or be sentenced to imprisonment in the county prison for a period not exceeding 30 days, as provided by the law.

B. Prosecution of violations. If the notice of violation is not complied with promptly, the designated official is authorized to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation of the provisions of this code or of the order or direction made pursuant thereto.

C. Each day of violations of this part or applicable code shall be considered separate offense, for which the fines and penalties stated herein may be imposed on a daily basis.

SECTION 7: Appeals
Any person, partnership, corporation, trust or other entity aggrieved by any provision of this part or any code issued thereunder may appeal as defined through Chapter 128 of the Borough of Wilkinsburg Ordinances.

SECTION 8: Repealer. All other Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 9: Effective Date. This Ordinance shall become immediately effective upon the date of execution.

SECTION 10: Severability: Any ordinance or any part of any ordinance conflicting with the provisions of this Ordinance are hereby repealed.

ORDAINED AND ENACTED this _____ day of _____, 2025.

ATTEST: BOROUGH OF WILKINSBURG

_____ _____
Secretary President, Borough Council