

CITY OF JEANNETTE  
WESTMORELAND COUNTY, PENNSYLVANIA

BILL NO. 97-8

ORDINANCE NO. 97-8

AN ORDINANCE OF THE CITY OF JEANNETTE AMENDING  
ORDINANCE 96-4 (THE FIRE PREVENTION CODE), SUBSTITUTING  
THE FIRE MARSHAL IN PLACE OF THE FIRE CHIEF  
EX-OFFICIO FIRE MARSHAL, AS THE AUTHORITY HAVING  
JURISDICTION TO ADMINISTER AND ENFORCE THE  
FIRE PREVENTION CODE.

BE IT ORDAINED AND ENACTED, by the Council of the City of  
Jeannette, Westmoreland County, Pennsylvania, at a regular  
meeting thereof, held on the 13<sup>th</sup> day of AUGUST,  
1997, that:

WHEREAS, the Council of the City of Jeannette enacted  
Ordinance No. 96-4, The Fire Prevention Code, at a public  
meeting held June 12, 1996; and

WHEREAS, Ordinance 96-4 adopted the NFPA 1 Fire Prevention  
Code, 1992 Edition, as amended from time to time, within the  
City of Jeannette, establishing minimum safeguards for the  
protection of life and property from hazards created by fire,  
gases and explosions; controlling certain uses and occupancies  
of buildings and premises; setting forth responsibilities of  
owners, operators and occupants of real property within the city  
of Jeannette; incorporating and amending the Burning Ordinance  
of the City of Jeannette (Ordinance 92-3); setting forth permit  
fees; providing for penalties for violations; and repealing all  
ordinances or parts of ordinances inconsistent therewith; and

WHEREAS, Ordinance No. 96-4 defines the authority having jurisdiction to administer and enforce the Fire Prevention Code as the Fire Marshal of the City of Jeannette; and

WHEREAS, Section II. c. of Ordinance 96-4 defines the "Fire Marshal" as construed to mean the Fire Chief of the City of Jeannette, ex-officio Fire Marshal, as set forth in 53 P.S. §37107; and

WHEREAS, since the enactment of Ordinance 96-4, the Council of the City of Jeannette has filled the position of Fire Marshal, which office was created by way of Ordinance No. 115, enacted February 23, 1944, as amended from time to time;

NOW, THEREFORE, in consideration of the foregoing recitals, it is hereby Ordained and Enacted as follows:

SECTION I.

Section II. c. of Ordinance 96-4 is hereby amended to read as follows:

II. c. "Fire Marshal", shall be construed to mean the Fire Marshal of the City of Jeannette, as set forth in 53 P.S. §37104, or such other appropriate officer as Council may designate.

SECTION II.

Section III. A. of Ordinance 96-4 is hereby amended to read as follows:

Section III. A. Enforcing Authority:

The Fire Prevention Code shall be administered and enforced, as set forth in the NFPA 1 Fire Prevention Code, by the Fire Marshal of the City of Jeannette.

SECTION III.

All other terms and provisions of Sections II. and III. A. of Ordinance No. 96-4, and all other terms and provisions of Ordinance No. 96-4 shall remain in full force and effect.

SECTION IV. - SAVING CLAUSE:

Nothing in this Ordinance shall be construed to effect any suit or proceeding pending in any Court, or any rights acquired, or liability incurred, or any cause of action acquired or existing, under any Act or Ordinance repealed as set forth in Section VI of this Ordinance, nor shall any legal right or remedy of any character be lost, impaired or effected by this Ordinance.

SECTION V. - SEVERABILITY:

The provisions of this Ordinance shall be severable and, in the event that a court of competent jurisdiction determines that any provision of this Ordinance shall be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in full force and effect. Nothing in this Ordinance shall be construed to alter, amend or abridge any of the provisions of the Constitution of the United States or of this Commonwealth, or any law or regulation of the United States or this Commonwealth, or any Act of the Assembly heretofore or hereafter passed.

SECTION VI. - REPEALER:

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION VII.

This Ordinance shall become effective in ten (10) days.

ATTEST:

*Ronald E. D.*

THE CITY OF JEANNETTE:

BY:

*Michael J. Salvatore*  
Michael J. Salvatore,  
Mayor/President of Council