

TOWNSHIP OF RUSH
Schuylkill County, Pennsylvania

ORDINANCE NO. 162

AN ORDINANCE OF RUSH TOWNSHIP REQUIRING ALL OWNERS OF
DWELLING UNITS TO HAVE SMOKE DETECTORS INSTALLED
THEREIN

Rush Township, Schuylkill County, Pennsylvania, hereby ordains:

SECTION 1. Definitions. For purposes of this ordinance, the following words shall
have the following meanings:

DWELLING UNIT - A structure, or portion thereof, building or portion thereof,
arranged for the use of one or more individuals living together as a housekeeping unit on
a permanent, temporary, or transient basis which may or may not include sanitary
facilities or facilities for preparation, storage, or serving of food.

OWNER - Any person who, alone or jointly or severally with other persons, has
legal title to any premises. This includes any person who has charge, care, or control
over any premises as (a) an agent, officer, fiduciary, or employee of the owners; (b) the
committee, conservator, or legal guardian of an owner who is incompetent, a minor, or
otherwise under a disability; (c) a trustee, elected or appointed, or a person required by
law to act as a trustee, other than a trustee under a deed of trust to secure the payment of
money; or (d) an executor, administrator, receiver, fiduciary, officer appointed by any
court, attorney-in-fact, or other similar representative of the owner or his or her estate.
This does not include a lessee, a sublessee, or other person who merely has the right to
occupy or possess a premises.

SMOKE DETECTOR - A device which detects visible or invisible particles of combustion and is capable of providing a suitable audible alarm of at least eighty-five (85) decibels at ten (10) feet, either ionization or photo-electric type.

SECTION 2. Smoke Detectors Required in Dwelling Units. In each dwelling unit or individual apartment within buildings used as a multiple dwelling, there shall be provided by the owner of the real estate a minimum of one (1) smoke detector sensing device which has received Underwriters Laboratories approval.

SECTION 3. Alarm Requirements. Said smoke detector sensing device shall provide an alarm suitable to warn occupants within individual dwelling units in the event of fire.

SECTION 4. Time of Installation. The smoke detector sensing device shall be installed as above in all multiple dwellings immediately and shall be installed by the owner in all other buildings within Rush Township not later than upon change of ownership of the real estate upon which the building is erected.

SECTION 5. Penalties. Any person, firm, or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300) dollars and/or to imprisonment for a term to the extent allowable by law. Every day that a violation of this ordinance continues shall constitute a separate offense.

SECTION 6. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 7. Effective Date. This ordinance shall become effective immediately.

ENACTED AND ORDAINED into an ordinance this 30th day of April, 2007.

RUSH TOWNSHIP BOARD OF SUPERVISORS

ATTEST:

Teresa D. Conville
Secretary

By: Stephen W. Linder
Chairman

By: William J. Sanchez Jr.
Supervisor

By: Marion D. Isgrig
Supervisor