



Bureau of Fire
Deputy Fire Marshall
Mark Bilder

3219 MacArthur Blvd
Whitehall, Pennsylvania 18052
Phone: 610-437-5524 Ext. 1164
mbilder@whitehalltownship.com
Cell: 484-705-8130 Fax 610-437-6963
HONOR, COMMITMENT,
DEDICATION



Purpose

The purpose for this ordinance is to establish an operational permit for the Whitehall Township Bureau of Fire in compliance with **2015 International Fire Code, chapter 1, section 105.6**. The **2015 International Fire Code** was adopted by Whitehall Township In 2020. **105.6 Required operational permits** the *fire code official* is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.48. The operational permits will be required for all the items listed below.

- **105.6.1 Aerosol products.** An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.
- **105.6.2 Amusement buildings.** An operational permit is required to operate a special amusement building.
- **105.6.3 Aviation facilities.** An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.
- **105.6.4 Carbon dioxide systems used in beverage dispensing applications.** An operational permit is required for carbon dioxide systems used in beverage dispensing applications having more than 100 pounds of carbon dioxide.
- **105.6.5 Carnivals and fairs.** An operational permit is required to conduct a carnival or fair.
- **105.6.6 Cellulose nitrate film.** An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.
- **105.6.7 Combustible dust-producing operations.** An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing *combustible dusts* as defined in Chapter 2.
- **105.6.8 Combustible fibers.** An operational permit is required for the storage and handling of *combustible fibers* in quantities greater than 100 cubic feet (2.8 m³).
Exception: A permit is not required for agricultural storage.
- **105.6.9 Compressed gases.** An operational permit is required for the storage, use or handling at *normal temperature and pressure* (NTP) of *compressed gases* in excess of the

amounts listed in Table 105.6.9. **Exception:** Vehicles equipped for and using *compressed gas* as a fuel for propelling the vehicle.

**TABLE 105.6.9
PERMIT AMOUNTS FOR COMPRESSED GASES**

Type of Gas	Amount (cubic feet at NTP)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly Toxic	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

a. For carbon dioxide used in beverage dispensing applications, see Section 105.6.4.

- **105.6.10 Covered and open mall buildings.** An operational permit is required for:
 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.
 2. The display of liquid- or gas-fired equipment in the mall.
 3. The use of open-flame or flame-producing equipment in the mall.
- **105.6.11 Cryogenic fluids.** An operational permit is required to produce, store, transport on site, use, handle or dispense *cryogenic fluids* in excess of the amounts listed in Table 105.6.11. **Exception:** Permits are not required for vehicles equipped for and using *cryogenic fluids* as a fuel for propelling the vehicle or for refrigerating the lading.

**TABLE 105.6.11
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS**

Type of Cryogenic Fluid	Inside Building (gallons)	Outside Building (gallons)
Flammable	More than 1	60
Inert	60	500
Oxidizing (includes oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

For SI: 1 gallon = 3.785 L.

- **105.6.12 Cutting and welding.** An operational permit is required to conduct cutting or welding operations within the jurisdiction.
- **105.6.13 Dry cleaning.** An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry-cleaning equipment.
- **105.6.14 Exhibits and trade shows.** An operational permit is required to operate exhibits and trade shows.
- **105.6.15 Explosives.** An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of *explosives, explosive materials*, fireworks or pyrotechnic special effects within the scope of Chapter 56. **Exception:** Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

- **105.6.16 Fire hydrants and valves.** An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public. **Exception:** A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.
- **105.6.17 Flammable and combustible liquids.** An operational permit is required: 1. To use or operate a pipeline for the transportation within facilities of flammable or *combustible liquids*. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOTn), nor does it apply to piping systems. 2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following: 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *fire code official*, would cause an unsafe condition. 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days. 3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil burning equipment. 4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or were connected to fuel-burning equipment. **Exception:** Fuel oil and used motor oil used for space heating or water heating. 5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes. 6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and *combustible liquids* are produced, processed, transported, stored, dispensed or used. 7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or *combustible liquid* tank. 8. To change the type of contents stored in a flammable or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed. 9. To manufacture, process, blend or refine flammable or *combustible liquids*. 10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments. 11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments.
- **105.6.18 Floor finishing.** An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m²) using Class I or Class II liquids.
- **105.6.19 Fruit and crop ripening.** An operational permit is required to operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.
- **105.6.20 Fumigation and insecticidal fogging.** An operational permit is required to operate a business of fumigation or insecticidal fogging, and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.
- **105.6.21 Hazardous materials.** An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21.
- **105.6.22 HPM facilities.** An operational permit is required to store, handle or use hazardous production materials.

Type of Material	Amount
Combustible liquids	See section 105.6.17
Corrosive materials	
Gases	See section 105.6.15
Liquids	55 gallons
Solids	1000 pounds
Explosive materials	See Section 105.6.15
Flammable materials	
Gases	See Section 105.6.9
Liquids	See Section 105.6.17
Solids	100 pounds
Highly toxic materials	
Gases	See Section 105.6.9
Liquids	Any Amount
Solids	Any Amount
Oxidizing materials	
Gases	See Section 105.6.9
Liquids	
Class 4	Any Amount
Class 3	1 gallon*
Class 2	10 gallons
Class 1	55 gallons
Solids	
Class 4	Any Amount
Class 3	10 pounds*
Class 2	100 pounds
Class 1	500 pounds
Organic peroxides	
Liquids	
Class I	Any Amount
Class II	Any Amount
Class III	1 gallon
Class IV	2 gallons
Class V	No Permit Required
Solids	
Class I	Any Amount
Class II	Any Amount
Class III	10 pounds
Class IV	20 pounds
Class V	No Permit required
Pyrophoric materials	
Gases	Any Amount
Liquids	Any Amount
Solids	Any Amount
Toxic materials	
Gases	See Section 105.6.9
Liquids	10 gallons
Solids	100 pounds

Unstable (reactive) materials	
Liquids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	5 gallons
Class 1	10 gallons
Solids	
Class 4	Any Amount
Class 3	Any Amount
Class 2	50 pounds
Class 1	100 pounds
Water-reactive materials	
Liquids	
Class 3	Any Amount
Class 2	5 gallons
Class 1	55 gallons
Solids	
Class 3	Any amount
Class 2	50 pounds
Class 1	500 pounds

For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg. a. 20 gallons where Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less. b. 200 pounds where Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less.

- **105.6.23 High-piled storage.** An operational permit is required to use a building or portion thereof as a *high piled storage area* exceeding 500 square feet (46 m²).
- **105.6.24 Hot work operations.** An operational permit is required for hot work including, but not limited to 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. **Exception:** Work that is conducted under a construction permit. 3. Fixed-site hot work equipment, such as welding booths. 4. Hot work conducted within a wildfire risk area. 5. Application of roof coverings with the use of an open-flame device. 6. Where *approved*, the *fire code official* shall issue a permit to carry out a hot work program. This program allows *approved* personnel to regulate their facility's hot work operations. The *approved* personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision.
- **105.6.25 Industrial ovens.** An operational permit is required for operation of industrial ovens regulated by Chapter 30.
- **105.6.26 Lumber yards and woodworking plants.** An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft³) (236 m³).
- **105.6.27 Liquid- or gas-fueled vehicles or equipment in assembly buildings.** An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

- **105.6.28 LP-gas.** An operational permit is required for: 1. Storage and use of LP-gas. **Exception:** A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas.
- **105.6.29 Magnesium.** An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.
- **105.6.30 Miscellaneous combustible storage.** An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires rubber, cork or similar combustible material.
- **105.6.31 Motor fuel-dispensing facilities.** An operational permit is required for the operation of automotive, marine and fleet motor fuel-dispensing facilities.
- **105.6.32 Open burning.** An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. **Exception:** *Recreational fires.*
- **105.6.33 Open flames and torches.** An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area.
- **105.6.34 Open flames and candles.** An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.
- **105.6.35 Organic coatings.** An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.
- **105.6.36 Places of assembly.** An operational permit is required to operate a place of assembly.
- **105.6.37 Private fire hydrants.** An operational permit is required for the removal from service, use or operation of private fire hydrants. **Exception:** A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.
- **105.6.38 Pyrotechnic special effects material.** An operational permit is required for use and handling of pyrotechnic special effects material.
- **105.6.39 Pyroxylin plastics.** An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics.
- **105.6.40 Refrigeration equipment.** An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.
- **105.6.41 Repair garages and motor fuel-dispensing facilities.** An operational permit is required for operation of repair garages.
- **105.6.42 Rooftop heliports.** An operational permit is required for the operation of a rooftop heliport.
- **105.6.43 Spraying or dipping.** An operational permit is required to conduct a spraying or dipping operation utilizing flammable or *combustible liquids*, or the application of combustible powders regulated by Chapter 24.
- **105.6.44 Storage of scrap tires and tire byproducts.** An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m³) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.

- **105.6.45 Temporary membrane structures and tents.** An operational permit is required to operate an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m²). **Exceptions:** 1. Tents used exclusively for recreational camping purposes. 2. Tents open on all sides, which comply with all of the following: 2.1. Individual tents having a maximum size of 700 square feet (65 m²). 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total. 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.
- **105.6.46 Tire-rebuilding plants.** An operational permit is required for the operation and maintenance of a tire rebuilding plant.
- **105.6.47 Waste handling.** An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.
- **105.6.48 Wood products.** An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m³).

Fee Schedule

Section	Operation	Fee
105.6.1	Aerosol Products	\$125.00
105.6.2	Amusement Buildings	\$125.00
105.6.3	Aviation Facilities	\$125.00
105.6.4	Carbon dioxide systems used in beverage dispensing applications	\$125.00
105.6.5	Carnivals and fairs	\$125.00
105.6.6	Cellulose nitrate film	\$125.00
105.6.7	Combustible dust-producing operations	\$125.00
105.6.8	Combustible fibers	\$125.00
105.6.9	Compressed gases	\$125.00
105.6.10	Covered and open mall buildings	\$125.00
105.6.11	Cryogenic fluids	\$125.00
105.6.12	Cutting and welding	\$125.00
105.6.13	Dry cleaning	\$125.00
105.6.14	Exhibits and trade shows	\$125.00
105.6.15	Explosives	\$125.00
105.6.16	Fire hydrants and valves	\$125.00
105.6.17	Flammable combustible liquids	\$125.00
105.6.18	Floor finishing	\$125.00
105.6.19	Fruit and crop ripening	\$125.00
105.6.20	Fumigation	\$125.00
105.6.21	Hazardous materials	\$125.00
105.6.22	HPM facilities	\$125.00
105.6.23	High-piled storage	\$125.00
105.6.24	Hot work operations	\$125.00

105.6.25	Industrial oven	\$125.00
105.6.26	Lumberyards and woodworking Plans	\$125.00
105.6.27	Liquid- or gas- fueled vehicles or equipment in assembly buildings	\$125.00
105.6.28	L.P gas	\$125.00
105.6.29	Magnesium	\$125.00
105.6.30	Miscellaneous combustible storage	\$125.00
105.6.31	Motor fuel- dispensing facilities	\$125.00
105.6.32	Open burning	\$125.00
105.6.33	Open flames and torches	\$125.00
105.6.34	Open flames and candles	\$125.00
105.6.35	Organic coatings	\$125.00
105.6.36	Places of assembly	\$125.00
105.6.37	Private fire hydrants	\$125.00
105.6.38	Pyrotechnic special effects (includes plan review fee and inspection)	\$300.00
105.6.39	Pyroxylin plastics	\$125.00
105.6.40	Refrigeration equipment	\$125.00
105.6.41	Repair garages and motor fuel-dispensing facilities	\$125.00
105.6.42	Roof top heliports	\$125.00
105.6.43	Spraying and dipping	\$125.00
105.6.44	Storage of scrap tires and tire by-products	\$125.00
105.6.45	Temporary membrane structures, tents and canopies	\$125.00
105.6.46	Tire-rebuilding plants	\$125.00
105.6.47	Waste handling	\$125.00
105.6.48	Wood products	\$125.00

Other matters involving operational permits fees.

- **Appeals.** Unless otherwise provided by law, to appeal a bill for service provided under the above fee schedule you must request a hearing thereof by submitting a written request therefore within (3) business days of the original bill for service. Said request must set forth the information on the bill and is to be addressed to the Deputy Fire Marshal for the Whitehall Township Bureau of Fire, 3219 MacArthur Rd Whitehall Pennsylvania 18052. The Fire Chief may address the appeal in the absence of the Deputy Fire Marshal.
- **Collections.** All bills for services provided and billed under the above fee schedule and as set forth herein which are not paid in full within 60 days of the original date of the billing shall be turned over to a collection agency for receipt.

- **Penalties.** Commencement of use or occupancy of a premise and any system installation which require an inspection and permit prior thereto will result in preclusion of use or occupancy of such premise or building until an inspection has been performed and a permit issued. Additionally, such use or occupancy may subject the violator to prosecution as authorized by law.
- **Refunds.** The Whitehall Township bureau of Fire will not issue refunds for fees/monies paid following submission for review of an operational permit or plan review whether or not the plan or project is built/completed.
- **Operational permits.** To acquire an operational permit an applicant must submit, in addition to the appropriate fee, the documentation and information for such a permit per the regulations established by the Deputy Fire Marshal for the Whitehall Township Bureau of Fire. A permit will not be issued, nor a plan therefore reviewed until compliance with the established regulations occurs and the appropriate fee received.
- **Restitution.** In addition to the fees set forth above, the Whitehall Township Bureau of Fire reserves the right to charge and issue bills to recover and fees beyond that set forth herein when required to mitigate, abate, render safe or respond to any situation, emergency or nonemergency, which is result of clear negligence of failure to comply with and follow code requirements and verbal instructions of the Whitehall Township Bureau of Fire.

Certificate of Fitness.

- No person shall engage in the following activities without a certificate of fitness issued by the Fire Official (Whitehall Township Bureau of Fire)
- A certificate of fitness shall be obtained by all applicants/vendors (companies or person(S)) for the purposes of conducting any operation or performing and act for which a certificate of fitness is required as set forth below.
- **Application.** Applicant shall meet the standard and regulations established by the deputy Fire Marshal, including possession of certificate of insurance covering the work requested, workmen's compensation for employees as required by federal, state or local mandated regulations, laws, and statutes. Additionally, an exhibition to the Deputy Fire Marshal for review and certificate of fitness issuance prior to any work commencing. The applicant and all employees engaging in the specified work shall have a strong familiarity and understanding of fire protection systems/fire code application for which a certificate of fitness is requested. An application on a form prescribed by the Deputy Fire Marshal and a fee (\$125.00 per system applied for) as established by Whitehall Township per system, shall be submitted to the Whitehall Township Bureau of fire – Deputy Fire Marshal's office for review and approval for each system described herein for which the applicant seeks to obtain a certificate of fitness.
- **Certificates of fitness.** Shall be valid for one year, January through December 31 of each calendar year. Certificate holders must reapply each calendar year, and provide the fee as established by Whitehall Township per system for which they seek approval and listing. Performance of work on a system described below in the Whitehall Township, PA without a certificate of fitness, shall cause the violator to be precluded from applying for a certificate of fitness for a period of (1) calendar year, and subject the violator to fines, double fee costs, citations, and additional costs as provided for herein.

- **Additional Categories.** The fire Official may require a certificate of fitness for certain processes which pose an unusual risk to the public safety or in cases as part of the code modification process.
- **Certificate of Fitness.** Certificate of fitness fee: \$125.00 per system per calendar year.

CF-101	Automatic fire alarm system (NRTL listed)	Installation/service/inspection
CF-102	Fire sprinkler/standpipe	Installation/service/inspection
CF-103	Hood and duct systems	Installation/service/inspection
CF-104	Alternative fire extinguishing systems	Installation/service/inspection
CF-105	Central stations (NRTL listed)	Retransmission/record keeping/reporting/runner's service (all elements per NFPA 72)
CF-106	Fire extinguisher	Installation/service/inspection
CF-107	Fireworks/pyrotechnics	Display/demonstrations/performance
CF-108	Blasting/demolition	Use/storage/transportation
CF-109	Other	As defined by Fire Code Official