

City of Philadelphia



(Bill No. 070870)

AN ORDINANCE

Amending Title 4 of The Philadelphia Code, entitled, “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “F” (“The Philadelphia Fire Code”), by adding a new subsection requiring the installation of carbon monoxide alarms in all new and existing R-3 and R-4 occupancies; by making conforming amendments to Subcode “B” (“The Philadelphia Building Code”), Subcode “EB” (“The Philadelphia Existing Building Code”) and Subcode “R” (“The Philadelphia Residential Code”); and by making certain technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” is hereby amended to read as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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CHAPTER 4-200. TEXT OF SUBCODES

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SUBCODE “B” (THE PHILADELPHIA BUILDING CODE)

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CHAPTER 9. FIRE PROTECTION SYSTEMS

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SECTION B-908 EMERGENCY ALARM SYSTEMS

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B-908.7 Carbon monoxide alarms. *Carbon monoxide alarms shall be installed in all Group R-3 and R-4 occupancies in accordance with Section F-908 of the Philadelphia Fire Code.*

City of Philadelphia

BILL NO. 070870 continued

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SUBCODE “EB” (THE PHILADELPHIA EXISTING BUILDING CODE)

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CHAPTER 9. CHANGE OF OCCUPANCY

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SECTION 911 OTHER REQUIREMENTS

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EB-911.2 Carbon monoxide alarms. *Where the new use is classified as a Group R-3 or R-4 occupancy, carbon monoxide alarms shall be installed in accordance with Section F-908 of the Philadelphia Fire Code.*

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SUBCODE “F” (THE PHILADELPHIA FIRE CODE)

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CHAPTER 9. FIRE PROTECTION SYSTEMS

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SECTION 908 EMERGENCY ALARM SYSTEMS

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F-908.7 Carbon monoxide alarms. *Carbon monoxide alarms, capable of detection and alarm, shall be installed and maintained, in accordance with the provisions of this section, in any new or existing building with a Group R-3 or Group R-4 occupancy where one or more fossil fuel burning appliances is installed in the building or where a garage is attached to the building. For purposes of this section, a new Group R-3 or Group R-4 occupancy includes any newly constructed building within such classification or any existing building where the classification is changed to an R-3 or R-4 occupancy.*

F-908.7.1 Definition of fossil fuel burning appliance. *A fossil fuel burning appliance is any appliance or equipment that uses a fuel that produces, among other things, carbon monoxide during the combustion (burning) process. Examples of types of fossil fuel include, but are not limited to coal, charcoal, wood, kerosene, building heating oil,*

City of Philadelphia

BILL NO. 070870 continued

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natural (methane) gas and liquefied petroleum gas, such as propane. Examples of fossil fuel burning appliances include, but are not limited to, building heaters, portable kerosene heaters, fireplaces, wood burning stoves, cooking appliances, hot water heaters, or dryers that use one of the fossil fuels.

F-908.7.2 Standards. *Every carbon monoxide alarm shall bear the label of a nationally recognized standard testing laboratory, such as Underwriter's Laboratories, indicating that it is appropriate for its intended use. Combination smoke and carbon monoxide alarms shall be permitted.*

F-908.7.3 Location. *A carbon monoxide alarm shall be installed within 15 feet of the entrance to every bedroom or within 15 feet of a bed in sleeping areas where there is no enclosed bedroom. It shall be centrally located on a wall or the ceiling, but not directly in front of a door to a bathroom or within 5 feet of a cooking appliance, to prevent false alarms. (Mounting the alarm at eye level accommodates reading the digital display, if the device is so equipped, and changing batteries.) If the alarm is a combination smoke and carbon monoxide alarm, it shall be located in accordance with the installation requirements for smoke alarms.*

F-908.7.4 Power source. *In all Group R-3 and Group R-4 occupancies, carbon monoxide alarms shall be hard-wired (receiving power from building electricity) and fed from an unswitched portion of a branch circuit. All hard-wired alarms shall have a battery back-up in the event of a power failure. Where more than one hard-wired carbon monoxide alarm is required to be installed in a dwelling unit, rooming unit or sleeping area, the alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit or throughout the Group R-3 or Group R-4 occupancy. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.*

Exception: *In existing Group R-3 and Group R-4 occupancies, carbon monoxide alarms may be powered by batteries or be plug-in types of alarms powered by building electricity and are not required to be interconnected.*

F-908.7.5 Information to tenants. *Building owners, having tenants in the building, shall post a notice in a common area of the building informing tenants that the owner of the building is required by law to supply and install carbon monoxide alarms in accordance with Section F-908 of the Philadelphia Fire Code, and shall provide at least one tenant per dwelling unit or rooming unit with a copy of the manufacturer's instructions for the alarm to ensure that tenants understand the purpose of carbon monoxide alarms, how they operate and appropriate action to take when an alarm sounds.*

F-908.7.6 Installation and maintenance of carbon monoxide alarms. *Building owners shall supply and install carbon monoxide alarms. Tenants of a building, or the owner, if a building has no tenants, shall be responsible for the periodic testing and replacement of*

City of Philadelphia

BILL NO. 070870 continued

Certified Copy

any batteries for alarms within their dwelling or rooming units, except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the unit. Tenants shall be responsible for notifying the building owner when an alarm is damaged, not operating properly or missing. Carbon monoxide alarms shall be tested in accordance with the manufacturer's instructions, at least monthly. Where such alarms are powered by batteries, the batteries shall be replaced in accordance with the manufacturer's instructions and shall not exceed 12 months of use. Alarms indicating low power or having no power shall have the batteries replaced within 2 days.

F-908.7.7 Replacement. *The building owner shall replace a carbon monoxide alarm with a new alarm within 30 days of notice that the alarm is damaged, not operating properly or missing. All carbon monoxide alarms shall automatically be replaced by the building owner at the expiration of the manufacturer's life expectancy period as indicated in the manufacturer's instructions or on the back of the device.*

F-908.7.8 Tampering, abuse or removal of carbon monoxide alarms. *It shall be unlawful for any person to tamper with, damage, render inoperable, or remove and not replace a carbon monoxide alarm required under this section.*

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SUBCODE "R" (THE PHILADELPHIA RESIDENTIAL CODE)

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SECTION 325 CARBON MONOXIDE ALARMS

R-325 Carbon monoxide alarms. *Carbon monoxide alarms shall be installed in dwelling units in accordance with Section F-908 of the Fire Code.*

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SECTION 2. This Ordinance shall not become effective until the Secretary of the Pennsylvania Department of Labor and Industry certifies approval of the Ordinance or the City Solicitor certifies to the Fire Department and the Department of Licenses and Inspections that the requirements of section 503 of Act 45 of 1999, as amended (35 P.S. § 7210.503) have otherwise been satisfied so as to permit the ordinance to go into law.

Explanation:

Italics indicate new matter added.

City of Philadelphia

BILL NO. 070870 continued

Certified Copy

City of Philadelphia

BILL NO. 070870 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 13, 2007. The Bill was Signed by the Mayor on December 21, 2007.

A handwritten signature in black ink, reading "Patricia Rafferty". The signature is written in a cursive style with a large, looped "P" and a trailing flourish.

Patricia Rafferty
Chief Clerk of the City Council