

AN ORDINANCE IDENTIFYING HAZARDS OF MATERIALS WITH DEGREE OF SEVERITY ON PREMISES IN THE MUNICIPALITY OF WEST WYOMING WITH NOTICE OF THE SAME POSTED ON THE EXTERIOR OF ANY STRUCTURE CONTAINING THE SAME, REPEAL OF PROVISIONS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the Mayor and Borough Council of the municipality of West Wyoming deem it to be in the best interest of public safety that all hazardous materials stored in quantity within the corporate boundaries of the Municipality of West Wyoming be properly accounted for; and,

WHEREAS, emergency situations involving hazardous materials may require special methods of handling, treatment, and containment to insure the safety of the general public; and,

WHEREAS, it is imperative that emergency service personnel responding to an incident involving hazardous materials avail themselves to any and all pertinent information regarding the hazardous material stored, not only for the protection of the public, but to insure the health and safety of emergency service personnel, as well.

NOW, THEREFORE, BE IT ORDAINED, and it is hereby, enacted by the Borough Council of the Municipality of West Wyoming follows:

SECTION 1: Hazards of materials on premises in the Borough of West Wyoming shall be identified by color and order of severity indicated numerically on placards made of metal or plastic 15 by 15 inches in size and paid for and installed by the owner or occupant of the premises on no less than two (2) sides of the structure, visible from a public thoroughfare of the municipality.

- A. Identification of the health hazard shall be made on placards indicated hereinbefore which are blue in color and marked numerically with contrasting color, as to severity as follow:
- (1) Material which on very short exposure could cause death or major residual injury even though prompt medical treatment was given is to be marked No. 4.
 - (2) Material which on short exposure could cause serious temporary or residual injury even though prompt medical treatment was given is to be marked No. 3.
 - (3) Material which on intense or continued exposure could cause temporary incapacity or possible residual injury unless prompt medical treatment is given is to be marked No. 2.
 - (4) Material which on exposure would cause irritation but only minor residual injury even if no treatment is given to be marked No. 1.
 - (5) If there is no special hazard, it is to be marked zero.

- B. Identification of inflammability shall be made on a placard as indicated hereinbefore which is red in color and marked numerically with contrasting color, as to severity as follow:
- (1) Material which will rapidly or completely vaporize at atmospheric pressure and normally ambient temperature which is readily dispersed in air and which will burn steadily is to be marked No. 4.
 - (2) Liquids and solids that can be ignited under almost all ambient temperature conditions are to be marked No.3.
 - (3) Material that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur is to be marked No. 2.
 - (4) Material that must be preheated before ignition can occur is to be marked No. 1.
 - (5) If there is no special hazard, it is to be marked zero.
- C. Identification of reactivity shall be made on a placard as indicated hereinbefore which is yellow in color and marked numerically with contrasting color, as to severity as follows:
- (1) Materials in which in themselves are readily capable of detonation or of explosive decomposition or reaction at normal temperatures and pressure are to be marked No. 4.
 - (2) Materials which in themselves are capable of detonation or of explosive reaction but require a strong initiating source or which must be heated under a confinement before ignition or which react explosively with water are to be marked No. 3.
 - (3) Materials which in themselves are normally unstable and readily undergo violent chemical change but do not detonate and also materials which may violently react with water or which may form potentially explosive mixtures are to be marked No. 2.
 - (4) Materials which in themselves are normally stable which can become unstable at elevated temperatures and pressures or which may react with water with some release of energy but not violently are to be marked No. 1.
 - (5) If there is no special hazard, it is to be marked zero.
- D. Identification of materials indicating unusual reactivity with water shall be made on a placard as indicated hereinbefore which is white in color.
1. Materials which demonstrate unusual reactivity with water shall be identified with the letter W with a horizontal line through the center (W).
 2. Materials which possess oxidizing properties shall be identified by the letters OX.
 3. Materials possessing radioactivity hazards shall be identified by the standard radioactivity symbol.
- E. The aforesaid placards are to be installed at least on two sides of the building in which the hazardous materials are contained and of which at least one of the placards can be easily seen and identified by anyone without trespassing on said premises.
- F. The Fire Safety and Prevention Officer or his representatives of the Borough of West Wyoming shall inspect all buildings containing hazardous materials whether they are commercial, industrial, or domestic, at least once a year to ascertain whether there is compliance with the provisions of this ordinance.

SECTION 2

If a fixed facility is required to complete and submit a Hazardous Substance Survey Form to the Pennsylvania Department of Labor and Industry under the federal SARA Title III and Pennsylvania Right to Know Laws, a copy of the survey form should also be submitted to the Emergency Management Coordinator, c/o Municipal Building.

SECTION 3

Any person, partnership, association, syndicate, company, firm, or corporation violating any provision of this ordinance shall upon summary conviction thereof be sentenced to pay a fine not exceeding \$300.00 and costs of prosecution and default of payment of such fine and costs of prosecution may be sentenced to imprisonment in the Luzerne County Correctional Facility for a period not exceeding thirty (30) days. Each day a violation exists shall constitute a separate offense.

SECTION 3. All other ordinances and parts of ordinances inconsistent with the above provisions, be and the same are hereby repealed.

SECTION 4. This ordinance shall take effect immediately upon its enactment. Enacted and ordained at a regular meeting of Borough Council of West Wyoming the 13th day of August . 1990

FOR THE BOROUGH

BY: Hope H. Napkara
President

ATTEST:

Thomas C. Loftus
Secretary

APPROVED:

George Nacek
Mayor