

Chapter 7 FIRE REGULATIONS

Article 1. Fires

§7-101 FIRES; PRESERVATION OF PROPERTY. The Fire Chief, or any officer in charge of the Fire Department, shall have the authority and power to cause the removal of property whenever it shall become necessary for the preservation of more valuable property, the protection of human life, or to prevent the spreading of fire to adjoining property. The Fire Chief may direct the Municipal Firemen to remove any building, structure, or fence for the purpose of checking the progress of any fire. The Fire Chief shall have the authority to blow up, or cause to be blown up, with explosives any building or structure during the progress of a fire for the purpose of checking the progress of the same. The Chief shall have control of the Police and of all other persons present. He may appoint persons to assist in the protection of property who shall, on his recommendation, be compensated by the City Council for any services rendered.

§7-102 FIRES; DISORDERLY SPECTATOR. It shall be unlawful for any person during the time of a fire and for a period of thirty-six (36) hours after its extinguishment to hinder, resist or refuse to obey the Municipal Fire Chief, in any matter relating to said fire, or to act in a noisy or disorderly manner. The Fire Chief and Assistant Fire Chief shall have the power and authority during such time to arrest or command any such person to assist them in the performance of their official duties.

§7-103 FIRES; EQUIPMENT. It shall be unlawful for any person to molest, destroy, handle or in any other way to interfere with the use and storage of any of the fire trucks and other apparatus belonging to the Municipality; Provided, however, this Section shall not apply to the Fire Chief and members of the Municipal Fire Department when performing their prescribed duties.

§7-104 FIRES; INTERFERENCE. It shall be unlawful for any person or persons to hinder or obstruct the Municipal Fire Chief or the members of the Fire Department in the performance of their duty.

§7-105 FIRES; OBSTRUCTION. It shall be unlawful for any person to obstruct the use of a fire hydrant, or have or place any material within fifteen (15) feet of the said hydrant. Any vehicle or material found as an obstruction may be immediately removed by the Fire Chief or any member of the Fire Department, at the risk, cost, and expense of the owner or claimant. It shall also be unlawful for any unauthorized person to tamper with or turn on any fire hydrant within the Municipality.

§7-106 FIRES; DRIVING OVER HOSE. It shall be unlawful for any person, without the consent of the Fire Chief or Assistant Fire Chief, to drive any vehicle over unprotected hose of the Fire Department.

§7-107 FIRES; TRAFFIC. Every vehicle already stationary when the fire alarm shall have been sounded must remain so for a period of five (5) minutes after the sounding of the fire alarm. No vehicle, except by the specific direction of the Fire Chief or Assistant Fire Chief, shall follow, approach or park closer than five hundred (500) feet to any fire vehicle, or to any fire hydrant to which a hose is connected. Nothing herein shall be construed to apply to vehicles carrying doctors, members of the Fire Department, or emergency vehicles. The Fire Department shall have the right of way upon any street, alley or highway when going to or returning from fires, held under the direction or by order of the Fire Chief. When fires occur the Chief of the Fire Department, Chief of Police or any officer specially deputized shall have the power to close any street or highway or public place adjacent to such fire

§7-108 FIRES; FALSE ALARM. It shall be unlawful for any person to intentionally and without good and reasonable cause raise any false alarm of fire.

§7-109 FIRES; PEDESTRIANS. It shall be unlawful for any pedestrian to enter or remain in any street after a fire alarm shall have sounded until the fire trucks shall have completely passed.

Article 2. Fire Prevention

§7-201 FIRE PREVENTION; FIRE PREVENTION CODE. Incorporated by reference into this Code are the standards recommended by the International Conference of Building Officials, known as the Uniform Fire Code, 1976 Edition, and all subsequent amendments. This Code shall have the same force and effect as if set out verbatim herein. Three (3) copies of the Fire Uniform Code are on file with the Municipal Clerk and shall be available for public inspection at any reasonable time.

§7-202 FIRE PREVENTION; FIRE CODE ENFORCEMENT. It shall be the duty of all Municipal officials to enforce the incorporated fire code provisions and all infractions shall be immediately brought to the attention of the Fire Chief.

§7-203 FIRE PREVENTION; INSPECTIONS. It shall be the duty of the Chief of the Fire Department, when directed to do so by the Mayor and City Council, as often as may be necessary but not less than twice a year in outlying districts and four (4) times a year in the closely built portions of the City, to inspect or cause to be inspected by Fire Department officers or members or some officer of the City chosen by the Mayor and City Council, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of any regulations of the City affecting the fire hazard. The Chief of the Fire Department shall report in detail to the State Fire Marshal the owners or occupiers of buildings or premises who shall fail or neglect to correct, within five (5) days, any condition found by him upon inspection, liable to cause fire.

§7-204 FIRE PREVENTION; FIRE LIMITS DEFINED. The following described territory in the Municipality shall be and constitute the fire limits:

All portions which shall comprise the area designated as C-2 District in the Zoning Ordinance, the location and boundaries of which shall be found on the map entitled "Zoning Map of the City of Holdrege" on file in the office of the City Clerk.

§7-205 FIRE PREVENTION; FIRE LIMITS MATERIALS. Within the aforesaid fire limits, no structure shall be built, altered, moved, or enlarged unless such structure will be enclosed with walls constructed wholly of stone, well-burned brick, terra cotta, concrete, or other masonry material.

§7-206 FIRE PREVENTION; PERMITTED REPAIRS. It shall be unlawful for any person to repair, alter, or add to any building in the fire limits where the repair is less than fifty (50%) per cent of the building unless the said person shall first submit an application to the Building Inspector to make such repairs, alterations, or to add to any building and shall state on the application that the material used will be non-combustible and approved by the Building Inspector. Repairs in the form of patching and other minor repairs shall not require a permit. In the event that the repairs, alteration, or addition is to involve more than fifty (50%) per cent of the building, the owner shall be required to apply for a new building permit which shall state that the building, when completed, shall be fireproof and made of non-combustible materials.

§7-207 FIRE PREVENTION; IRONCLADS PROHIBITED. All buildings, sheds, and structures known as ironclads which are constructed of wood and covered with sheet iron or tin attached to the frame shall be considered and deemed to be constructed of combustible materials. Any future construction of an ironclad building within the fire limits of Section 7-204 shall hereafter be prohibited.

§7-208 FIRE PREVENTION; FIRES PROHIBITED. It shall be unlawful for any person to set out a fire on the pavement, or near any curb, now built or hereafter to be built, within the Municipality.

§7-209 FIRE PREVENTION; FIRES REGULATED. No person shall build, cause or allow any fire and no person, owner, lessor or occupant shall authorize or permit any fire on private land within the City limits except: (1) within a fireplace, cooking or heating appliance, within an enclosed building, (2) the preparation of food, (3) a fireproof incinerator approved by the Building Inspector in accordance with the Uniform Building, Uniform Mechanical and Uniform Fire Codes, (4) at the City Landfill by City officials.

Open burning within the City other than the above may be permitted only when written approval has been secured from the Fire Chief; provided, they shall not be set out or located in such a manner as to endanger buildings or property and such permit is issued in accordance with state statutes and regulations of the Uniform Fire Code.

The following shall not be burned under permit or otherwise: (1) garbage defined as putrescible waste, except sewage and body waste; all vegetable and animal offal; all waste resulting from preparation of food, or table refuse or waste; all accumulation of animal, vegetable or other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fowls,

vegetables or other food materials; (2) plastic or foam or any material containing plastic or foam (3) petroleum oils or fuels, rubber or asphalt products.

Within the City of Holdrege, it shall be prima fade evidence that the person who owns, controls, or occupies property on which burning occurs has caused or permitted said burning.

Article 3. Explosive Materials

§7-301 EXPLOSIVE MATERIALS; PERMIT. No person shall erect or use any building or tank for storing of quantities of dynamite, nitroglycerine, giant power or explosives in the City, unless such person obtains a permit therefor from the Mayor and City Council

No person shall erect or use any building or tank for storing kerosene, gasoline or other petroleum products in quantities or in barrels for the purpose of carrying on the oil business, within the City, unless such person obtains a permit. Such permit shall specify the exact location where such storage tanks may be placed or where and under what conditions such oil and gasoline in barrels may be stored. The Mayor and City Council, at any time the public good demands, may order the removal of such tanks and buildings.

§7-302 EXPLOSIVE MATERIALS; LIQUEFIED PETROLEUM GASES, DEFINITION. For the purposes of this Section, the term “liquefied petroleum gases” shall mean and include any material which is composed predominantly of any of the hydrocarbons of propane, butanes (normal butane or iso-butane) and butzlenes, or mixtures of them.

The construction, design, location and operation of liquefied petroleum gas installations, installations utilizing containers of such liquefied petroleum gases and the transportation of such liquefied petroleum gases within the City shall be according to rules and regulations promulgated by the State Fire Marshal for the storage and handling of liquefied petroleum gases. A copy of such rules and regulations is on file in the office of the City Clerk, and such rules and regulations are hereby incorporated in and made a part of this Article by reference, the same as though set forth herein.

§7-303 EXPLOSIVE MATERIALS; REGULATION. No person shall install and operate any apparatus for dispensing gasoline, oil, kerosene, distillate or any combustible material upon or from any curb or curbspace in the City or dispense by means of hose, pipe or otherwise any gasoline, oil, kerosene, distillate or any combustible material under, over, from or to any curb or curb-space.

§7-304 EXPLOSIVE MATERIALS; PERSONAL USE. Any person may keep in buildings owned or controlled by him, for family or personal use, in enclosed metallic cans painted red, and free from leakage, gasoline in quantities not exceeding two (2) gallons. All gasoline or volatile oils in excess of the above amounts shall be kept under ground and outside of any building and be handled only by some pumping system approved by the National Board of Fire Underwriters. A copy of such general regulations of such Board is on file in the office of the City Clerk and such regulations are hereby incorporated in and made a part of this Chapter, the same as though set forth herein.

§7-305 EXPLOSIVE MATERIALS; FIREWORKS. No person shall manufacture, sell or offer for sale, give away, keep, store, use, start, discharge, set off, ignite or explode within the City any fireworks except permissible fireworks as defined by this Section. Permissible fireworks shall mean only sparklers, vesusvius fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells without explosive charge for the purpose of making noise, lady fingers not to exceed seven-eighths (7/8) of one (1) inch in length or one-eighth (1/8) of one (1) inch in diameter and total pyrotechnic composition not to exceed one half (1/2) grain each in weight, color wheels and any other fireworks determined by the State Fire Marshal to be safe for general use.

This Section shall not apply to the possession of pyrotechnics which are in transportation to points outside of the City or to displays of a public nature sponsored by or by virtue of a permit granted by the City Council.

Nothing in this Section shall apply to the sale, storage or use of railroad track torpedoes or other signaling devices used by railroads, nor to the sale, storage or use of flashlight composition by photographers or dealers in photographic supplies.

Article 4. Penal Provision

§7-401 VIOLATION; PENALTY. Any person who violates any of the prohibitions or provisions of any Article or Section of this Chapter shall be deemed guilty of a misdemeanor. Unless otherwise specified in the particular Article or Section for which the person stands convicted of violating, the penalty for such violation shall be in any amount not to exceed three hundred (\$300.00) dollars in the discretion of the court.