

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.

§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, 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. *(Ref. 28-730.01 RS Neb.)*

§7-103 **FIRES; EQUIPMENT.** It shall be unlawful for any person except the Fire Chief and the members of the Municipal Fire Department 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.

§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. *(Ref. 28-730.01 RS Neb.)*

§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. *(Ref. 39-758 RS Neb.)*

§7-106 **FIRES; ASSISTANCE.** It shall be unlawful for any person to refuse, after the command of the Fire Chief or Assistant Fire Chief, to aid in extinguishing a fire or to assist in the removal and protection of property. *(Ref. 28-730.01 RS Neb.)*

§7-107 **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.

§7-108 **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. *(Ref. 39-753 RS Neb.)*

Fire Regulations

§7-109

§7-110

§7-109 FIRES; FALSE ALARM. It shall be unlawful for any person to intentionally and without good and reasonable cause raise any false alarm of fire.

§7-110 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; LIFE SAFETY CODE. Incorporated by reference into this Code are the standards recommended by the National Fire Protection Association, known as the Life Safety Code, 1967 Edition. This Code shall have the same force and effect as if set out verbatim herein. Three (3) copies of the Life Safety Code are on file with the Municipal Clerk and shall be available for public inspection at any reasonable time. *(Ref. 18-132, 81-502 RS Neb.)*

§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; LAWFUL ENTRY. It shall be the duty of the owner, lessee, or occupant of any building or structure, except the interiors of private dwellings, to allow the Fire Chief to inspect, or cause to be inspected, as often as necessary the said structure for the purpose of ascertaining and enumerating all conditions therein that are likely to cause fire, or any other violations of the provisions of the Municipal ordinances affecting the hazard of fire.

§7-204 FIRE PREVENTION; VIOLATION NOTICE. It shall be the duty of the owner, lessee, or occupant of any building or structure that was lawfully inspected as hereinbefore prescribed, and who receives written or verbal notice of a violation of any of the provisions of the Municipal ordinances to correct the condition that violates the said ordinance or ordinances within five (5) days from the date of receipt of such notice.

§7-205 FIRE PREVENTION; FIRE LIMITS DEFINED. The following described territory in the Municipality shall be and constitute the fire limits:

Blocks Two (2), Three (3), Six (6), Seven (7), Ten (10), Eleven (11) and Twelve (12); that portion of Tax Lot Four (4) in Section Thirty-two (32), Township Twenty (20), Range Fifty (50), Morrill County, Nebraska, lying north of Eighth (8th) Street and south of Fifth (5th) Street between L Street and Main Street; and also that portion of Tax Lot Four (4) in Section Thirty-three (33), Township Twenty (20), Range Fifty (50), Morrill County, Nebraska, lying north of Eighth (8th) Street and south of Fifth (5th) Street between Main Street and the alley running north and south between Main Street and N Street, all as shown on the recorded maps or plats of the Municipality. *(Ref. 17-550 RS Neb.)*

§7-206 FIRE PREVENTION; FIRE LIMITS BUILDING PERMIT. Prior to the moving or construction of any building in the fire limits, application must be made to the Governing Body. Construction shall include the enlarging or alteration of any building in the fire limits. Such application shall be furnished by the Municipal Clerk and shall require such information as the Governing Body deems necessary to determine whether or not to grant a building permit. *(Ref 17-550 RS Neb,)*

§7-207 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 such incombustible materials as will satisfy the Governing Body that the said structure will be reasonably fire proof. *(Ref. 17-550 RS Neb.)*

Fire Regulations

§7-208

§7-213

§7-208 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 shall hereafter be prohibited. *(Ref. 17-550 RS Neb.)*

§7-209 FIRE PREVENTION; REMOVAL REQUIRED. In the event that any wooden or combustible building or structure, or any non-combustible building which stands within the fire limits is damaged to the extent of fifty (50%) per cent or more of its value, exclusive of the foundation, it shall not be repaired or rebuilt, but shall be taken down and removed within sixty (60) days from the date of such fire or other casualty. *(Ref. 17-550 RS Neb.)*

§7-210 FIRE PREVENTION; LUMBER YARDS. It shall be unlawful for any person to locate, establish, or maintain any lumber yard or place for the piling, storing, keeping, or selling any lumber, or to keep any lime, lath, shingles, hay, straw, or other combustible materials on any lot or parcel of ground within said fire limits, unless the same is securely kept in a building constructed of brick, stone, concrete, or other incombustible material; Provided, the foregoing shall not apply to lumber yards now built and in use. *(Ref. 17-549 RS Neb.)*

§7-211 FIRE PREVENTION; PROHIBITED STOVES. It shall be unlawful for any person to permit or allow to be burned crankcase drainings, or to burn oil or other flammable substance in a home-made stove. *(Ref. 17-549 RS Neb.)*

§7-212 FIRE PREVENTION; FIRE 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.

§7-213 FIRE PREVENTION; BURNING PROHIBITED. It shall be unlawful for any person, firm or corporation to burn any garbage, rubbish or trash either in an open fire or in any container or incinerator within the Municipal limits.

Article 3. Flammable Gases

§7-301 **FLAMMABLE GASES; PETROLEUM GAS TRANSPORTS.** No oil tanker, gasoline transport or tank truck transporting inflammable liquids shall park or stop for any period of time within the limits of any street or alley of the Municipality except to load or unload its cargo in a safe and expeditious manner; Provided, that drivers of such vehicles may stop or park said vehicles one (1) time while en route through the Municipality on arterial streets or highways therein for a period of time not more than thirty (30) minutes for rest and meals; and provided further, in case of breakdown or mechanical stalling, the stopping of the disabled vehicle for the reasonable time necessary to remove the same to the next point where repairs can be made or to meet the emergency shall not be a violation of this Section. No oil tanker, gasoline transport or tank truck, whether containing any inflammable materials or not, shall park or stop for any period of time on any private premise within the corporate limits of the Municipality except for the purpose of loading or unloading unless said private premise be situated outside the fire limits and be used and employed exclusively for the conduct of the wholesale or retail petroleum business with ample facilities for parking oil tankers and gasoline transports or tank trucks.

Article 4. Explosives and Firework

§7-401 EXPLOSIVES; BLASTING PERMITS. Any person wishing to discharge high explosives within the Municipality must secure a permit from the Governing Body and shall discharge such explosives in conformance with their direction and under their supervision.

§7-402 FIREWORKS; PERMITTED FIREWORKS. It shall be unlawful for any person to ignite or cause to be exploded fireworks or firecrackers of any description whatsoever, except sparklers, vesuvian fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells without explosive charges for the purpose of making a noise, color wheels, lady fingers, not exceeding seven-eighths (7/8") inch in length or one-eighth (1/8") inch in diameter, and which do not contain more than fifty (50) milligrams each in weight of explosive material. The provisions of this Section shall not apply to any fireworks to be used for purpose of public exhibitions or display under authorization of the Governing Body or to fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal. (*Ref. 17-556, 28-1241, 28-1244, 28-1245 RS Neb.*) (*Ord. No. 604, 3/9/89*)

Article 5. Penal Provision

§7-501 **VIOLATION; PENALTY.** Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than five hundred (\$500.00) dollars for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.
(Amended by Ord. No. 694, 7/8/99)