

Title 8

**FIRE PREVENTION AND PROTECTION**

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**CHAPTER 1. FIRE PREVENTION CODE****Sec. 8-101. Definitions.**

(a) Jurisdiction, when used in the Uniform Fire Code, means the Town.

(b) Corporation Counsel, when used in the Uniform Fire Code, means the Attorney for the Town.

(Prior Code, § 8-101)

**Sec. 8-102. Adoption; filing; applicability.**

There is hereby adopted by the Town for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Uniform Fire Code recommended by the Western Fire Chief Association and the International Conference of Building Officials, being particularly the 1973 edition thereof and the whole thereof, save and except such portions as are deleted, modified or amended by Section 8-103, of which Code not less than three (3) copies have been and are now filed in the office of the Clerk of the Town and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance from which this chapter is derived shall take effect, the provisions thereof shall be controlling within the limits of the Town.

(Prior Code, § 8-102)

**Sec. 8-103. Amendments.**

The Fire Prevention Code adopted by Section 8-102 shall be as amended and changed by the Town Council. Copies of such amendments and changes shall be kept with the copies of the Fire Prevention Code filed with the Town Clerk and shall be available to the public for inspection at the same time and in the same manner as the Fire Prevention Code itself.

(Prior Code, § 8-103)

**Sec. 8-104. Enforcement.**

(a) The Fire Prevention Code shall be enforced by the Fire Department, which is hereby established and which shall be operated under the supervision of the Fire Chief.

(b) The Fire Chief may detail such members of the Fire Department as inspectors as shall from time to time be necessary. The Fire Chief shall recommend to the Town Council the employment of technicians through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause.

(Prior Code, § 8-104)

**Sec. 8-105. Establishment of limits of districts in which storage of flammable or combustible liquids in outside above-ground tanks is prohibited.**

The limits referred to in Section 15.201 of the Fire Prevention Code in which storage of flammable or combustible liquids in outside above-ground tanks is prohibited and the limits referred to in such Code in which new bulk plants for flammable or combustible liquids are prohibited shall be as established by the Town Council. Copies of such limits shall be kept with the copies of the Fire Prevention Code filed with the Town Clerk.

(Prior Code, § 8-105)

**Sec. 8-106. Establishment of limits in which new bulk plants for flammable or combustible liquids are prohibited.**

The limits referred to Section 15.601 of the Fire Prevention Code in which new bulk plants for flammable or combustible liquids are prohibited shall be as established by the Town Council. Copies of such limits shall be kept with the copies of the Fire Prevention Code filed with the Town Clerk.

(Prior Code, § 8-106)

**Sec. 8-107. Establishment of limits in which bulk storage of liquified petroleum gases is restricted.**

The limits referred to in Section 20.105(a) of the Fire Prevention Code in which bulk storage of liquefied petroleum gas is restricted shall be as established by the Town. Copies of such limits shall be kept with the copies of the Fire Prevention Code filed with the Town Clerk.

(Prior Code, § 8-107)

**Sec. 8-108. Establishment of limits in which storage of explosives and blasting agents is prohibited.**

The limits referred to in Section 11.106(6) of the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited shall be as established by the Town Council. Copies of such limits shall be kept with the copies of the Fire Prevention Code filed with the Town Clerk.

(Prior Code, § 8-108)

**Sec. 8-109. New materials, processes of occupancies which may require permits.**

The Fire Chief shall determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in such Code. The Fire Chief shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons in addition to placing copies of such list with the copies of the Fire Prevention Code filed with the Town Clerk.

(Prior Code, § 8-109)

**Sec. 8-110. Appeals.**

Whenever the Fire Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Fire Prevention Code do not apply or that the true intent and meaning of the Fire Prevention Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the Town Council within thirty (30) days from the date of the decision appealed.

(Prior Code, § 8-110)

**Sec. 8-111. Penalties; continuing violations; remedies.**

(a) Any person who shall violate any of the provisions of the Fire Prevention Code or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall violate of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Town Council or by a court of competent jurisdiction, within the time fixed herein, shall, severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable as provided by Sections 1-801 and 1-802. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time.

(b) When not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

(c) The application of the penalty provided in Subsection (a) of this section shall not be held to prevent the enforced removal of prohibited conditions.

(Prior Code, § 8-111)

**CHAPTER 2. FIRE ZONE REGULATIONS****Sec. 8-201. Purpose; Uniform Fire Code adoption.**

There is hereby adopted by the Town, for the purpose of prescribing regulations for the minimum standards to safeguard life, health, property and public welfare, the Uniform Fire Code, being particularly the 1988 edition, Volume 1 thereof and the whole thereof, and the same is hereby incorporated in this section as fully as if set out at length herein and the provisions thereof shall be controlling within the Town.

(Prior Code, title 8, ch. 3; Ord. No. 2-1990, § 1, 4-9-1990)