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CHAPTER 7 – FIRE REGULATIONS

Article 1 – Fire Prevention

SECTION 7-101: FIRE PREVENTION CODE

The rules and regulations promulgated by the office of the state fire marshal relating to fire prevention are incorporated by reference into this code and made a part of this article as through spread at large herein, together with all subsequent amendments thereto. Three copies of the Fire Prevention Code shall be on file with the village clerk and shall be available for public inspection during office hours.

SECTION 7-102: FIRE CODE ENFORCEMENT

It shall be the duty of all village officials to enforce the incorporated fire code provisions, and all infractions shall be immediately brought to the attention of the Village Board.

SECTION 7-103: SMOKING IN PUBLIC PLACES

It shall be unlawful for any person to ignite a lighter, strike a match, or indulge in the smoking of tobacco on or in any building or structure where public gatherings take place within the corporate limits while any entertainment, program, show, amusement, game, exhibition or other spectacle to which the general public is invited is in progress or while patrons thereof are finding or leaving seats and standing room; provided, the foregoing shall not be construed to apply to banquets, dinners or entertainments held in any of the aforesaid buildings or structures where food is served and the entertainment takes place incidental thereto or in connection therewith.

SECTION 7-104: PROHIBITED FUELS

It shall be unlawful for any person to permit or allow to be burned crankcase drainings or to burn oil or other flammable substances other than wood in a homemade stove.

SECTION 7-105: STREET FIRES PROHIBITED

It shall be unlawful for any person to set fire on the pavement or near any curb within the Village.

SECTION 7-106: FIRES REGULATED

It shall be unlawful to build or set fires within the Village unless a burning permit has been first secured from the rural fire chief or other official in charge of open burning.

SECTION 7-107: STOVES, FURNACES AND CHIMNEYS

All furnaces, stoves and other heating devices shall be installed at a proper distance from combustible materials and portions of the building. Any combustible materials or portions of the building that are dangerously close to such heating devices shall be protected by non-combustible material. This section shall apply both to existing structures and those which may hereafter be erected.

SECTION 7-108: INSPECTIONS; 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 inspector, as designated by the Village Board, to inspect the structure for purposes of ascertaining and enumerating all conditions therein that are likely to cause fire or any other violations of the provisions of the village ordinances affecting the hazard of fire.

SECTION 7-109: INSPECTIONS; 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 village ordinances to correct the condition within five days of the date of receipt of such notice.

SECTION 7-110: PETROLEUM GAS

Any person desiring to store or keep in his possession liquefied petroleum gas shall place the containers outside of buildings on nonflammable docks or platforms. No such container, other than small tanks for propane torches and barbecue grill propane tanks, shall at any time be stored within a building of any kind.

SECTION 7-111: POISONOUS GAS

Any person, firm or corporation desiring to store or keep in the Village for any period of time any form of poisonous gas must first get permission from the fire chief, who shall require the name of the gas, the place of storage and the amount of gas stored. It shall then be the duty of the fire chief to prescribe such rules, regulations and precautionary actions as he may deem necessary.

Article 2 – Fires

SECTION 7-201: PRESERVATION OF PROPERTY

Any police officer or official of the Rural Fire District shall have the power during the time of a fire to cause the removal of any private or public property whenever it shall become necessary to do so for the preservation of such property from fire to prevent the spreading of fire or to protect adjoining property. The said officials may direct the firemen to remove any building, erection, fence or any part thereof for the purpose of checking the progress of any fire. The official in charge of the firefighting effort shall have the power to blow up or cause to be blown up with powder or otherwise any building or erection during the progress of a fire for the purpose of extinguishing or halting the same.

SECTION 7-202: DRIVING OVER HOSE

It shall be unlawful for any person to drive any vehicle over unprotected hose of the Fire Department unless authorized to do so by the fire department.

SECTION 7-203: TRAFFIC

Every vehicle already stationary when the fire alarm shall have been sounded must remain so for a period of five minutes after the sounding of the alarm. No vehicle shall follow, approach or park closer than 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 or members of the Fire Department or to emergency vehicles.

SECTION 7-204: 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.

SECTION 7-205: FIRE INVESTIGATION

It shall be the duty of the village police and the state fire marshal to investigate or cause to be investigated the cause, origin and circumstances of every fire occurring in the Village in which property has been destroyed or damaged when the damage exceeds \$500.00. All fires of unknown origin shall be reported and such officers shall especially make an investigation and report as to whether such fire was the result of carelessness, accident or design. The officer making the investigation of fires occurring within the Village shall immediately notify the fire marshal and shall, within one week of the occurrence of the fire, furnish him with a written statement of all the facts relating to the cause and origin of the fire and such further information as he may call for.

SECTION 7-206: FALSE ALARM

It shall be unlawful for any person intentionally and without good and reasonable cause to raise any false alarm of fire.

Article 3 – Explosive Materials

SECTION 7-301: STORAGE

Dynamite and other explosives shall be stored in proper receptacles which shall be closed at all times, except when actually in use. Such concrete, metal or stone receptacles shall not be located in any room where there is a flame or flammable materials.

SECTION 7-302: BULLETS

Cartridges, shells and percussion caps shall be kept in their original containers away from flame, flammable materials and high explosives.

SECTION 7-303: BLASTING PERMITS

Any person wishing to discharge high explosives within the Village must secure a permit from the Village Board and shall discharge such explosives in conformance with such directives and precautions as it may prescribe under the direction and supervision of the fire chief.

Article 4 – Fireworks

SECTION 7-401: REGULATION OF USE, SALE POSSESSION OF FIREWORKS

The use, sale, offer for sale, and possession of permissible fireworks in the village, as defined by Neb. Rev. Stat. §28-1241, shall be governed and regulated by Neb. Rev. Stat. §28-1241 to §28-1252, including any and all amendments thereto, together with any rules and regulations adopted by the state fire marshal for the enforcement of said sections.

SECTION 7-402: SALE; LICENSE; DATES

It shall be unlawful for any person to sell, hold for sale, or offer for sale as distributor, jobber, or retailer any consumer fireworks without first obtaining a license from the state fire marshal for that calendar year. Licensed vendors shall only sell fireworks which have been approved by the state fire marshal and such permissible fireworks may be sold at retail only between June 24 and July 5 and between December 28 and January 1 of each year. (Neb. Rev. Stat. §28-1246 through 28-1250) (Adopted 3/11/13)

Article 5 – Penal Provision

SECTION 7-501: VIOLATION; PENALTY

A. 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 \$500.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.

B. Whenever a nuisance exists as defined by this chapter, the Village may proceed in a suit in equity to enjoin, abate and remove the same, temporarily and permanently, in the manner provided by law.

C. Whenever in any action it is established that a nuisance exists, the Court may, together with a fine or penalty, enter an order of abatement of the nuisance as part of the judgment in the case.

(Am. by Ord. No. 1-13-03-4, 1/13/03)