

CHAPTER 7.

FIRE

- Article 1. Fire Limits
- Article 2. Fire Prevention
- Article 3. Storage of Volatile Flammables

ARTICLE 1. FIRE LIMITS

7-101. FIRE LIMITS ESTABLISHED.

The fire limits of the city are hereby established as the corporate limits of the city.
(Code 1993; Code 2008, § 7-101)

ARTICLE 2. FIRE PREVENTION

7-201. FIRE PREVENTION CODE INCORPORATED.

There is hereby adopted by the governing body of the city, for the purpose of prescribing regulations, governing conditions hazardous to life and property from fire or explosion, that certain code and standards known as the International Fire Code, edition of 2003, including all the Appendix chapters and amendments as set forth in Chapter 4, Article 5 of this code. ¹
(Code 2008, § 7-201)

7-202. SAME; AMENDMENTS.

Wherever the word municipality is used in the code hereby adopted, it shall be held to mean the City of Westwood.
(Code 2008, § 7-202)

7-203. PENALTY.

Any person, firm or corporation violating any provision of this article or failing or refusing to perform any duty imposed by this article shall be fined in a sum not to exceed \$500.00 or imprisoned for not more than 180 days or be both fined and imprisoned. A separate offense shall be deemed committed each and every day during which a violation occurs or

¹ **Legal analysis: 7-201. FIRE PREVENTION CODE INCORPORATED.** It appears that the 2021 Int'l Fire Code is the most current edition. Please advise whether the city would like to update the adopted edition.

continues.

(Code 1993, 7-202; Code 2008, § 7-203; Ord. 720, Sec 2)

7-204. BURNING OF GARBAGE, TRASH, GRASS, LEAVES PROHIBITED.

It shall be unlawful to burn within the city any garbage, trash, refuse, grass or leaves or any other material or substance. However, this prohibition shall not apply to the use of residential barbecues or outdoor grills for the cooking of food, or to outdoor residential fireplaces or chimineas.

(Code 1993, 8-503; Code 2008, § 7-204)

7-205. ACCUMULATION OF RUBBISH AND TRASH.

It shall be unlawful for any person to allow to accumulate or to keep in any part of any building or outside of and adjacent to any building or in any alley, sidewalk, street or premises within 30 feet of any building any rubbish, trash, waste paper, excelsior, empty boxes, barrels or other combustibles which shall constitute a fire hazard.

(Code 2008, § 7-205)

7-206. STACKING OF HAY OR STRAW; EXCEPTIONS.

(a) It shall be unlawful for any person to deposit, stack or store any hay or straw within 500 feet of any building located inside the fire limits of the city.

(b) This provision shall not apply to hay bales or the like, which are part of any approved storm water pollution prevention plan or other approved device to control silt or storm water runoff, and shall also not apply to hay bales or the like which are part of a temporary decorative display for a period not to exceed 60 days, including, but not limited to, decorative hay bales for Thanksgiving or Halloween displays.

(Code 2008, § 7-206)

7-207. KEEPING OF PACKING MATERIALS.

It shall be unlawful to keep excelsior or other packing material in any other than metal or wood metal lined boxes or bins having selfclosing or automatic covers. All refuse and trash from rooms where packing or unpacking is done shall be removed daily.

(Code 2008, § 7-207)

7-208. STORAGE OF ASHES.

It shall be unlawful to store ashes inside of any nonfireproof building unless they are stored in a noncombustible container or receptacle, and a clearance of at least five feet shall be maintained between such container or receptacle and any combustible materials not placed therein. Ashes shall not be stored outside of any building in wooden, plastic, or paper product receptacles or dumped in contact with or in close proximity to any combustible materials.

(Code 2008, § 7-208)

7-209. FILLING GASOLINE TANKS OF MOTOR VEHICLES.

The engines of motor vehicles shall be stopped when the gasoline tanks of such vehicles are being filled with gasoline at service stations or other places where gasoline is supplied to motor vehicles. The driver or person in control of such vehicle when the gasoline tank of same is being filled who refuses, neglects or fails to stop the engine of such vehicle shall likewise be guilty of a violation of this code.
(Code 2008, § 7-209)

7-210. FIRE HAZARDS GENERALLY.

It is unlawful for any person to cause or create anywhere within the city, or to permit on any premises under his or her control, any situation or condition that is conducive to or likely to cause or permit the outbreak of fire or the spreading of fire. Any situation or condition conducive to the outbreak of or spreading of fire, is declared to be a fire hazard. The violation of or failure to comply with any law pertaining to the storage, handling or use of inflammable oils, explosives, liquefied petroleum gases, or fertilizers and all wires and other conductors charged with electricity, is declared to be a fire hazard. The placing of stools, chairs or any other obstruction in the aisles, hallways, doorway, or exit of any theater, public hall, auditorium, church or other place of indoor public assemblage, or the failure to provide any such place of public assemblage with sufficient, accessible and unobstructed fire exits and escapes is also declared to be a fire hazard. The obstruction of any street, avenue, alley, fire hydrant or any other condition that might delay the fire department in fighting fire is declared to be unlawful.
(Code 2008, § 7-210)

7-211. SAME; INSPECTIONS TO DISCOVER.

It shall be the duty of the fire chief to inspect or cause to be inspected by fire department officers or members, as often as may be necessary all buildings, particularly all mercantile buildings, manufacturing plants, warehouses, garages, hotels, boarding houses, rooming houses, theaters, auditoriums and all places of public assemblage, for the purpose of discovering the violation of any fire preventive law or any fire hazard and ascertaining and causing to be corrected any conditions liable to cause fires and to see that all places of public assemblage, hotels and rooming houses have sufficient and unobstructed facilities for escape therefrom in case of fire.
(Code 2008, § 7-211)

7-212. ABATEMENT OF FIRE HAZARDS; ISSUING ORDER.

Whenever any city official or officer or member of the fire department shall find or discover any fire hazard or shall find in any building or upon any premises combustible or explosive material or dangerous accumulation of rubbish or unnecessary accumulation of paper, boxes, shavings or any other inflammable material, so situated as to endanger property by the probability of fire, or shall find or discover any violation of this chapter or any other law hazardous to public safety from fires, the fire chief shall order the fire hazard or danger from the fire forthwith abated and remedied and such order shall be complied with immediately by the owner or occupant of such buildings or premises. If the hazard or condition ordered abated and remedied is a violation of, or a failure to comply with any law, the fire chief shall report the matter to the city attorney and he or she shall, if he or she deems it advisable, prosecute the offender.
(Code 2008, § 7-212)

7-213. SAME; SERVICE OF ORDER; RECORDS.

Any order made under section 7-212 shall be in writing and may be served personally upon the owner or occupant of the premises or by leaving it with any person in charge of the premises or if the premises are unoccupied and the owner is a nonresident of the city, then by mailing a copy to the owner's last known post-office address, or by posting on the premises if the owner's address is unknown. One notice to either the occupant or owner shall be sufficient. The fire chief shall keep a record of and copies of all such orders and notices and shall follow up such notices at the expiration of the time for compliance therewith and when complied with make proper entry, and if not complied with, file a complaint with the municipal court against the property owner and/or occupant.
(Code 2008, § 7-213)

ARTICLE 3. STORAGE OF VOLATILE FLAMMABLES

7-301. DEFINITION.

Volatile Flammables - shall mean any gasoline, kerosene, fuel oil or any other easily ignited liquid or fuel that readily becomes a vapor at a relatively low temperature.
(Code 1993; Code 2008, § 7-301; Ord. 622, Sec. 1)

7-302. UNLAWFUL STORAGE.

No gasoline, kerosene, fuel oil, inflammable or dangerous liquid or volatile flammables shall be stored within the city, except:

- (a) In underground tanks as provided for in the city, Uniform Building Code incorporated at section 3-101, and also as provided in section 7-303.
- (b) In storage containers necessary for public purpose fuel supplies and operated and controlled by the City.
(Code 2008, § 7-302; Ord. 622, Sec. 2)

7-303. SAME.

No more than two approved sealed containers holding an aggregate of not more than ten (10) gallons of volatile flammables for residential use can be stored within any structure within the city limits.
(Code 2008, § 7-303)

7-304. SERVICE STATIONS.

- (a) No gasoline service station hereafter erected shall have as part thereof more than three storage tanks and not more than two pump islands, each of the islands containing not more than three pumps.
- (b) No gasoline service station shall be erected hereafter unless said gasoline service station shall have not to exceed a total of two street or alley entrances, neither of which said entrances shall be wider than 30 feet.

(Code 1970, 6-303:304; Code 2008, § 7-304; Ord. 121, Secs. 3:4)

7-305. PENALTY.

Any person violating any provision of this article shall upon a conviction thereof be fined a sum of money not exceeding \$500.00, or be imprisoned for not more than 180 days or be both so fined and imprisoned. A separate offense shall be deemed and committed each and every day during which a violation occurs or continues.

(Code 1993; Code 2008, § 7-305; Ord. 622, Sec. 4)