

CHAPTER VII – FIRE REGULATIONS

ARTICLE I – GENERAL FIRE REGULATIONS

- 7-101 FIRE PREVENTION CODE
- 7-102 FIRE CODE ENFORCEMENT
- 7-103 LAWFUL ENTRY
- 7-104 VIOLATION NOTICE
- 7-105 PETROLEUM GAS
- 7-106 POISONOUS GAS
- 7-107 SMOKING IN PUBLIC PLACES
- 7-108 PROHIBITED FUELS
- 7-109 STREET FIRES PROHIBITED
- 7-110 FIRES REGULATED
- 7-111 STOVES, FURNACES AND CHIMNEYS
- 7-112 PRESERVATION OF PROPERTY
- 7-113 POWER OF ARREST
- 7-114 FIRE INVESTIGATION
- 7-115 DRIVING OVER HOSE
- 7-116 TRAFFIC
- 7-117 FALSE ALARM
- 7-118 PEDESTRIANS
- 7-119 BURNING PROHIBITED; WAIVER AND PERMIT
- 7-120 FIRE LIMITS; DEFINED
- 7-121 FIRE LIMITS; MATERIAL
- 7-122 FIRE LIMITS; REMOVAL REQUIRED

ARTICLE II – EXPLOSIVE MATERIAL

- 7-201 STORAGE
- 7-202 BULLETS
- 7-203 BLASTING PERMITS

ARTICLE III – FIREWORKS

- 7-301 REGULATION OF USE, SALE, POSSESSION OF FIREWORKS

ARTICLE IV – PENAL PROVISION

- 7-401 VIOLATION; PENALTY

CHAPTER VII – FIRE REGULATIONS

ARTICLE I – GENERAL FIRE REGULATIONS

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 though 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 at any time that the village office is open for business.

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: 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 7-104: 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 7-105: PETROLEUM GAS

Any person desiring to store or keep in their possession liquefied petroleum gas shall place the containers outside of buildings on nonflammable docks or platforms, and 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 7-106: 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 rural 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/she may deem necessary.

SECTION 7-107: 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 7-108: 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 7-109: STREET FIRES PROHIBITED

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

SECTION 7-110: 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 7-111: 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 7-112: 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 hook and ladder team to remove any building, erection, fence or any part thereof for the purpose of checking the progress of any fire, and 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 7-113: POWER OF ARREST

The village police or rural fire department chief shall have the power during the time of a fire and after its extinguishment to arrest any suspected arsonist or other person hindering or resisting the firefighting effort.

SECTION 7-114: FIRE INVESTIGATION

It shall be the duty of the village police department 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/her with a written statement of all the facts relating to the cause and origin of the fire, and such further information as he/she

may call for.

SECTION 7-115: 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 7-116: 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 fire 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, members of the fire department or emergency vehicles.

SECTION 7-117: FALSE ALARM

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

SECTION 7-118: 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 7-119: BURNING PROHIBITED; WAIVER AND PERMIT

1. It shall be unlawful for any person to set fire to, burn or cause to burn in open air or in an incinerator or burn barrel any garbage, animal matter, vegetable matter, or other combustible material.

2. The fire chief or his/her designee may waive the open burning ban under subsection (1) of this section for an area under his/her jurisdiction by issuing an open burning permit to a person requesting permission to conduct open burning. The permit issued by the fire chief or his/her designee to a person desiring to conduct open burning shall be in writing, signed by the fire chief or his/her designee, and on a form provided by the state fire marshal.

3. The fire chief or his/her designee may waive the open burning ban in his/her jurisdiction when conditions are acceptable to the chief or his/her designee. Anyone burning in such jurisdiction when the open burning ban has been waived shall notify the fire department of his/her intention to burn.

4. The fire chief may adopt and promulgate rules and regulations listing the conditions acceptable for issuing a permit to conduct open burning under subsection 2 of this section.

SECTION 7-120: FIRE LIMITS; DEFINED

The following-described territory in the Village shall be and constitute the fire limits:

Commencing at the northeast corner of Lot 1 of Lund's Subdivision in the

Village of Pleasanton, thence southerly along the east line of Block 9 of said village to the north bank of the Loup River, thence westerly along the north bank of said river to the west line of what is known and described as Tax Lot 5, in the Southeast Quarter of Section 35, Township 12, Range 16 in Buffalo County, Nebraska, thence northerly along the west line of said Tax Lot 5 to the south line of Block 10 in said village, thence northerly along the west line of said Block 10 and Block 8 in said village to the northwest corner of said Block 8, thence easterly along the north line of said Block 8 extended to the place of beginning, all in the Village of Pleasanton, as shown on the recorded plats thereof.

SECTION 7-121: FIRE LIMITS; MATERIAL

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 such noncombustible materials as will satisfy the fire chief that the said structure will be reasonably fireproof.

SECTION 7-122: FIRE LIMITS; 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 50% or more of its value, exclusive of the foundation, it shall not be repaired or rebuilt, but shall be taken down and removed within 60 days from the date of such fire or other casualty.

ARTICLE II – EXPLOSIVE MATERIAL

SECTION 7-201: STORAGE

The storage or possession of dynamite or other explosives, other than small firearm shells, within the Village is strictly forbidden.

SECTION 7-202: BULLETS

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

SECTION 7-203: 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 III – FIREWORKS

SECTION 7-301: REGULATION OF USE, SALE, POSSESSION OF FIREWORKS

The use, sale, offer for sale, and possession of permissible fireworks in the Village of

Pleasanton, as defined by Section 28- 1241, R.R.S. Neb. 1943 (Reissue 1985) shall be governed and regulated by Sections 28-1241 to 28-1252, R.R.S. Neb. 1943, including any and all amendments thereto, together with any rules and regulations adopted by the state fire marshal for the enforcement of Sections 281241 to 28-1252, R.R.S. Neb. 1943.

ARTICLE IV – PENAL PROVISION

SECTION 7-401: VIOLATION; PENALTY

Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than that amount permitted by Nebraska law for violation of a municipal ordinance for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.