

CHAPTER 9

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CHAPTER 9

FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

SECTION 9-1. FIRE ZONES.

Reserved

SECTION 9-2. SMOKING PROHIBITED UNDER CERTAIN CONDITIONS.

- (a) Smoking shall mean and include the carrying of a lighted pipe, cigar, cigarette or tobacco in any form.
- (b) It shall be unlawful for any person to smoke in any room or part of any building which contains gasoline or other inflammable liquids in open containers or in which vapors from gasoline or other inflammable liquids are present.
- (c) Where conditions are such as to make smoking a fire, explosion or health hazard in any areas of warehouses, stores, industrial plants, health care facilities, where flammable, combustible or hazardous materials are manufactured, stored or handled, the chief of the fire department is empowered and authorized to order the owner or occupant, in writing, to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The chief of the fire department shall designate specific safe locations, if any, where smoking in such buildings, structures or places shall be permitted.
- (d) It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place where such signs are posted.

SECTION 9-3. OPENING, ETC., FUEL TANKS OF CARS, ETC. WHILE MOTOR RUNNING - PROHIBITED.

It shall be unlawful for any person to open or fill any fuel tank of any car, truck, motorcycle or any internal combustion engine or motor while the engine or motor is running.

SECTION 9-4. PERMISSIBLE BURNING WITHOUT A PERMIT

- A. It shall be unlawful for any person to kindle or maintain any rubbish fire or authorize any such fire to be kindled or maintained within the city limits.
- B. Unless prohibited by Wyoming State Statute or other regulations, applicable

declarations of closed fire season or the order of a law enforcement officer, the Kemmerer Fire Chief or his duly authorized agent, the following types of burning are permitted without a permit:

1. Fires in outdoor grills (gas or charcoal), fireplaces or similar devices for the primary purpose of preparing food, provided the devices are not used for the burning of refuse, trash, garbage or other waste;
2. Campfires and other recreational fires provided that such fires are constructed in a device or pit made of a fire proof material and attended and under the control of a responsible person; provided however that school, religious and civic groups may apply to the chief of the police department for authorizations to kindle and maintain a bonfire for special activities of such a group; and further provided that no such fires shall be permitted during any closed fire season as declared by the City of Kemmerer, Lincoln County or the State of Wyoming.

SECTION 9-5. ACCUMULATION OF WASTE MATERIALS.

Roofs, courts, yards, vacant lots and open spaces shall be kept free and clear of deposits or accumulations of waste paper, hay, grass, leaves, straw, weeds, litter or combustible waste or rubbish of any kind.

SECTION 9-6. HANDLING READILY COMBUSTIBLE MATERIALS.

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not completely baled and stacked in an orderly fashion to be removed from the building or stored in suitable vaults or in metal or metal lined and covered receptacles or bins.

SECTION 9-7. KINDLING OF FIRE ON PROPERTY OF ANOTHER.

It shall be unlawful to kindle a fire upon the land of another without permission of the owner thereof or his agent.

ARTICLE II.

REPEALED

ARTICLE III. FIRE DEPARTMENT

SECTION 9-20. COOPERATION WITH SOUTH LINCOLN COUNTY FIRE PROTECTION DISTRICT FIRE DEPARTMENT.

- (a) The fire chief and members of the South Lincoln County Fire Protection District Fire Department, acting under his order, shall have full and complete police powers and authority at fires in all matters pertaining to such fire department, and the fire chief of the City of Kemmerer shall cooperate with the chief of the South Lincoln County Fire Protection District Fire Department in the enforcement of provisions of this Code or other ordinances of the City.
- (b) The chief of police and all members of the city police department shall be subject to the reasonable orders of the chief of the South Lincoln County Fire Protection District Fire Department at fires and shall cooperate with the chief in the enforcement of such provisions of this Code or other ordinances of the city.
- (c) The chief of the South Lincoln County Fire Protection District Fire Department may prescribe limits at fires within which no person shall be admitted except by his order.

SECTION 9-21. INTERFERING WITH DEPARTMENT'S PERFORMANCE.

It shall be unlawful to interfere in any way with the South Lincoln County Fire Protection District Fire Department in the performance of its duties.

ARTICLE IV. UNIFORM FIRE CODE

SECTION 9-22. ADOPTION OF UNIFORM FIRE CODE.

- (a) There is hereby adopted by the City of Kemmerer, Wyoming, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain Code and Standards known as the Uniform Fire Code, including all Appendix Chapters, Division I through Division VI; and the Uniform Fire Code Standards published by the International Fire Code Institute, being particularly the 1991 editions thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 9 of this ordinance, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provision thereof shall be controlling within the limits of the City of Kemmerer, Wyoming.
- (b) A copy of this said code will be kept in the office of the city clerk for examination by any interested person.

SECTION 9-23. ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

The Uniform Fire Code shall be enforced by the city engineer, and such other persons as may be designated by the mayor and city council, from time to time.

SECTION 9-24. DEFINITIONS.

The following words shall have the following meanings for the purposes of this Article. In the event words defined in this Section 9-24 conflict with the definition of words contained in the text of the Uniform Fire Code, as described above, the meaning ascribed by this section shall govern.

- (a) "Administrator" shall mean the city administrator of the City of Kemmerer.
- (b) "Chief of the Bureau of Fire Prevention" shall mean the Kemmerer City Engineer or such other person as may be designated by the mayor and city council by resolution, from time to time.
- (c) "Jurisdiction" shall mean the City of Kemmerer, Wyoming.

SECTION 9-25. REPEALED

SECTION 9-26. REPEALED

SECTION 9-27. APPEALS.

Whenever the city engineer disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the city engineer to the city administrator within five (5) days of the date of the decision appealed. Such appeal shall be in accordance of Article VII, Chapter 2 of the Kemmerer City Code.

SECTION 9-28. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMIT

Any person who violates any of the provisions of this Code or standards hereby adopted or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation 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 fails to comply with such an order as affirmed or modified by the city administrator 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 by a fine of not more than \$750.00, or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one 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; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

- (b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 9-30. REPEAL OF CONFLICTING ORDINANCES.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code or Standards hereby adopted are hereby repealed, including specifically, Sections 9-8 through 9-19 of Article II of Chapter 9 of the Kemmerer City Code.

SECTION 9-31. VALIDITY.

The mayor and city council of the City of Kemmerer hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code or Standards hereby adopted be declared for any reason to be invalid, it is the intent of the mayor and city council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.