

ORDINANCE NO. 17

An Ordinance Relating to the Prevention of Fires in the Village of Decatur.

THE VILLAGE OF DECATUR ORDAINS:

Sec. 1. That it shall be the duty of the Common Council of said village on the second Monday in April each year or as soon thereafter as may be, to appoint a fire warden who shall hold his office for the term of one year or until his successor shall be elected or appointed and qualified.

Sec. 2. It shall be the duty of said fire warden, at least three times in each year, to-wit: In the months of May, November, and February and as much oftener as may be deemed necessary, to enter into each building in said Decatur Village where any kind of business is carried on and into any dwelling house in said Village and upon any plat of ground and to examine the stoves, stove-pipes, furnaces, fireplaces, chimneys and all heating apparatus, engines, boilers or arches in use in or upon the premises and all places where inflammable liquids, combustible or explosive substances, or any type of compressed gases are kept and cause all such as are unsafe to be put in a safe condition.

Sec. 3. No ashes, except in manufactories where ashes are used for manufacturing purposes, shall be kept or deposited within twenty feet of any building, unless the same be kept in close and secure metallic or earthen vessel or brick or stone ash room.

Sec. 4. It shall not be lawful for any person owning or being responsible for any premises to have in his or her possession or on his or her premises any shavings, wood, excelsior, waste paper, oil, rags, inflammable liquids or other explosive or combustible material in such a situation or condition as to occasion hazard or danger of fire. All persons having the control of such material shall comply with the directions of the fire warden in relation thereto as to where and how the same shall be kept or stored, and as to the amount thereof to be kept on hand at any time. And further it shall not be lawful for any person or his agent or employee to kindle any fire within twenty five (25) feet of any building unless such fire be confined in a safe container and in no case shall any such fire be permitted within fifteen (15) feet of any building without the consent in writing of the Fire Marshal, nor shall any person having kindled any such fire or any bonfire fail to be in constant attendance upon the same until said fire be completely extinguished, nor shall any such fire be kindled in or upon any street or alley, nor shall any person kindle or maintain any bonfire or other open fire within the fire limits of the Village of Decatur as such fire limits be now or hereafter from time to time established and ordained without first having obtained the consent in writing of the Fire Warden.

Sec. 5. It shall not be lawful for any person hereafter to build any chimney in said Decatur Village unless the same be plastered with lime mortar on the inside thereof; nor shall it be lawful for any person within the fire limits of said Village to put up in any house or building a smoke pipe from any stove, furnace or other heating apparatus, unless it be conducted into a chimney safely made of brick or stone, nor in any other portion of said Village, unless by metal thimble or stone or earthen tube. Nor shall any person at any time set fire to any chimney for the purpose of cleaning the same or for any other purpose without the previous consent, in writing, of the Fire Warden.

Sec. 6. It shall be the duty of the owner or occupant of any premises in said Decatur village to comply with the orders of the fire warden in respect to all matters mentioned in sections three, four, and five of this ordinance, and upon their failure so to do within forty-eight hours after such order has been made, the fire warden shall enter such place with such assistance as he may deem necessary and put the same in a safe condition as to fire at the expense of the owner of the premises on which the property is situated; and the expense therefore may be levied and collected as a special assessment on said premises.

Sec. 7. It shall not be lawful to fire off any gun or pistol in any public street or alley in said Decatur village.

Sec. 8. It shall not be lawful to fire off or explode any squibs, fire crackers or other fireworks, gun powder or other explosive substance in any street or alley, or elsewhere, in said Decatur village, without first obtaining consent so to do from the Common Council of said village.

Sec. 9. It shall not hereafter be lawful for any person, persons, partnership, or corporation within the Village limits to engage in the business (either at retail or wholesale) of storing, trading, or transporting any inflammable liquid, explosive, or other combustible substance or any type of compressed gas or gases or any material which when heated will give off toxic gases or obnoxious fumes, without first having obtained a permit to do so from the Village Council.

Sec. 10. Any person refusing or neglecting to comply with any of the provisions of sections three, four, five and six of this ordinance or any person violating any of the provisions of seven, eight or nine of this ordinance, or any person hindering or resisting the fire warden or refusing or in any way interfering with his free entrance to his or her building or premises, when there in the discharge of his duty as hereinbefore directed and specified in this ordinance shall, upon conviction thereof, be punished by a fine of not less than five or more than fifty dollars and costs of prosecution, or by imprisonment not exceeding thirty days, or both such fine and imprisonment in the discretion of the court; and upon failure to pay such fine and the costs of prosecution, may be imprisoned for any time not exceeding thirty days, unless payment thereof be sooner made, and the person so convicted and imprisoned shall be kept at labor inside or outside of such place of imprisonment under the direction of the Marshal of said village; and if imprisonment be adjudged in any case, it may be in the village prison or in the county jail of Van Buren County, or any other place of confinement provided by said village for such person.

(Ord 27, July 1885) Renumbered August 2, 1954