

GARIBALDI ORDINANCES

ORDINANCE NO. 89

AN ORDINANCE ADOPTING A FIRE PREVENTION CODE AND ESTABLISHING A FIRE PREVENTION COMPANY.

The City of Garibaldi ordains as follows:

Section 1. Adoption of the Fire Prevention Code.

The 1976 edition and all subsequent and future amendments of the National Fire Prevention Code recommended by the American Insurance Association is hereby adopted in its entirety except as modified by this ordinance. Two copies of the Code shall be kept on file in the office of the City Recorder.

Section 2. Establishment and Duties of the Fire Prevention Company.

(a) The Fire Prevention Code shall be enforced by the Fire Prevention Company in the Garibaldi Fire Department which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

(b) The captain in charge of the Fire Prevention Company shall be appointed by the Fire Chief. The appointment shall continue during good behavior and satisfactory service.

(c) The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the City Council the employment of technical inspectors who shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and non-members of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause.

(d) The Fire Prevention Company shall make an annual report to the Mayor containing all proceedings under this Code and such statistics as the Chief of the Fire Department may wish to include. The Chief of the Fire Department shall also recommend necessary amendments to the Code.

Section 3. Definitions As Used in the Fire Prevention Code:

(a) "Municipality" means the City of Garibaldi.

(b) "Corporation" means the City of Garibaldi.

(c) "Bureau of Fire Prevention" means the Fire Prevention Company.

Section 4. Explosives. The storage of explosives and blasting agents referred to in Section 12.5b of the Fire Prevention Code is prohibited within the city limits.

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Section 5. Fireworks. The manufacture and storage of fireworks, referred to in Section 13.3a of this Code, are prohibited within the city limits.

Section 6. Flammable Liquids. The storage of flammable liquids in outside above-ground tanks, referred to in Section 16.22a of this Code, is restricted to waterfront development zones.

Section 7. Bulk Plants. New bulk plants for flammable or combustible liquids, referred to in Section 16.61 of this Code, are prohibited within the city limits.

Section 8. Liquefied Petroleum Gases. The bulk storage of liquefied petroleum gas, referred to in Section 21.61 of this Code, is prohibited within the city limits.

Section 9. Motor Vehicle Routes.

(a) Vehicles transporting explosives and blasting agents, referred to in Section 12.7 of this Code, are restricted to Highway 101.

(b) Vehicles transporting hazardous chemicals and other dangerous articles, referred to in Section 10.14 of this Code, are restricted to Highway 101.

Section 10. Modifications. The Captain of the Fire Prevention Company shall have the power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or a duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the Code, provided that the spirit of the Code shall be observed, public safety secured, and when granted shall be entered into the records of the Fire Department and a signed copy furnished to the applicant and to the City Council.

Section 11. Appeals. Whenever the Captain of the Fire Prevention Company disapproves an application or refuses to grant a permit, 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 Captain of the Fire Prevention Company to the City Council within 30 days from the date of the decision.

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Section 12. New Materials, Processes or Occupancies Which May Require Permits. The Mayor, the Chief of the Fire Department, and the Captain of the Fire Prevention Company shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the Code. Such a list shall be posted in a conspicuous place in the office of the Captain of the Fire Prevention Company, and copies shall be distributed to interested persons.

Section 13. Penalties. Any person who violates or fails to comply with any of the provisions of the Code hereby adopted or 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, commits an offense. The offense is punishable as a Class B misdemeanor. 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-day period that prohibited conditions are maintained constitutes a separate offense.

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

PASSED by the City Council this 15TH day of OCTOBER, 1979, and APPROVED by the Mayor this day of , 1979.

Russell Curnutt
Russell Curnutt, Mayor

ATTEST:

Harold White Harold White, City Recorder