

## CHAPTER 8

### FIRE PREVENTION

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#### **Article 1. Fire Prevention.**

##### **Section 8-1. Volunteer Fire Department.**

1. There is hereby established for the City of Elk City, Oklahoma, a Volunteer Fire Department under the provisions of the Oklahoma Volunteer Firemen's Act. (See Chapter 1, Sections 1-42 and 1-43, this Code of Ordinances.)

2. The Elk City, Oklahoma Volunteer Fire Department shall consist of not less than eight (8) and not more than twenty five (25) members. Members of Elk City, Oklahoma, Fire Department may continue as members of the Volunteer Fire Department established under this Code of Ordinances without probation, but shall be subject to the by-laws authorized under this Code of Ordinances.

3. All new members shall be on probation for one (1) year after their appointment to the department and shall not become regular members of the department upon completion of their probation period, until the approval by the majority of the regular members of the Elk City, Oklahoma, Volunteer Fire Department.

4. The Elk City, Oklahoma, Volunteer Fire Department shall adopt by-laws (a copy of which shall be deposited with the City Clerk), which shall include the following:

- a. Any applicant must be of reasonable health and character and a minimum age of 18;
- b. The Secretary-Treasurer shall be elected by a majority vote of members present;
- c. All volunteer fire fighters are required, when notified, to respond to alarms of fire and other emergencies, also are required to stay at the scene of the emergency until permission to leave is granted by the chief of officer in

charge. Those who are at the station shall remain until they are granted permission to leave by the officer in charge;

- d. All volunteer fire fighters are required to be present at all regular meetings, call meetings and school presented for the benefit of the fire fighters;
- e. There shall be two (2) regular business meetings and drills each month, to be held on the 1st and 3rd Mondays;
- f. Any volunteer fire fighter missing 25% of the meetings, drills or schools in one year will be dropped from the Department rolls;
- g. Volunteer fire fighters leaving City for an extended period of time will be required to notify the Fire Chief or officer in charge;
- h. Any volunteer fire fighter refusing to attend training classes provided for him will be dropped; and
- i. Any volunteer of the Fire Department shall be dropped from the rolls for any of the following offenses: (1) conduct unbecoming a fire fighter; (2) any act of insubordination; (3) neglect of duty; (4) violation of rules and regulations governing the fire department; or (5) conviction of a felony.
- j. All members will assist in rolling hose and performing whatever duties are necessary to get the fire apparatus back in service as soon as possible.
- k. Any new volunteer member of the Fire Department must be examined by a physician selected by the Fire Department, and must be recommended and certified physically fit for duty by that physician.

5. Copies of this Code of Ordinances and any amendments thereto relating to the Volunteer Fire Department of the City of Elk City, Oklahoma, shall be submitted to the State Insurance Commission.

**Section 8-2. Fire Prevention Code: Enforcement; Variances.**

1. The Fire Prevention Code adopted by the City Commission shall be enforced by the Elk City, Oklahoma Fire Department under the supervision of the Fire Chief; members of said department may be detailed as inspectors by the Fire Chief, if he deems it necessary. (See also Chapter 4, this Code of Ordinances.)

2. The Chief of the Elk City, Oklahoma Volunteer Fire Department, with the approval of the City Commission shall have the power to grant a variance to any of the provisions of the Fire Prevention Code, upon application in writing by the owner or lessee (or his duly authorized agent),

when there are practical difficulties in carrying out the strict letter of said Code; provided that the spirit of the Code shall be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Fire Chief thereon, shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

**Sections 8-3 through 8-9. (Reserved for future use.)**

**Article 2. Fire Protection Fees**

**Section 8-10. Fire Calls.**

1. Any person, firm or corporation for whom the Elk City, Oklahoma Fire Department answers a call to property or premises located outside the corporate limits of the City of Elk City, Oklahoma, shall pay the fee of two hundred and fifty dollars (\$250.00) per truck, per hour. A fee of five hundred dollars (\$500.00) per truck, per hour shall be charged for any fire involving hazardous materials, (which are materials requiring placards per state and federal law), plus the cost of foam used.

2. There shall be no charge for fire calls made to premises or property within the corporate limits of the City of Elk City, Oklahoma, unless a fire involves hazardous materials (which are materials requiring placards per state and federal law), in which case a fee of five hundred dollars (\$500.00) per truck, per hour, plus the cost of foam used, shall be charged.

3. All monies collected shall be placed in the General Fund of the City of Elk City, Oklahoma.

**Sections 8-11 through 8-19. (Reserved for future use.)**

**Article 3. Liquefied Petroleum Gas**

**Section 8-20. Definition.**

The term "liquefied petroleum gas", as used in this article, shall mean and include any material which is composed predominately of any of the following hydrocarbons or mixtures thereof: propane, propylene, butanes (normal butane or iso- butane), and butylenes, regardless of by what names any such substances may be hereafter known.

**Section 8-21. Application.**

(a) The term "liquefied petroleum gas equipment", as herein referred to, shall be construed to embrace all devices, piping and equipment pertinent to the use of liquefied petroleum

gas, except gas-burning appliances.

(b) The term "appliances", as herein referred to, shall be construed to embrace all gas-burning appliances intended for use with liquefied petroleum gas.

**Section 8-22. Installation: Notice; Approval.**

1. No temporary system for the use or dispensation of liquefied petroleum gases shall be installed within the City of Elk City, Oklahoma, until written notice thereof is given to the fire marshal of the City, and the plans and specifications for such system have been submitted to such fire marshal and approved by him. Every such system shall be limited to two (2) containers not to exceed a combined 50 gallons. Every such system installed or used in the City shall have been tested and listed either by the Underwriters Laboratories, Inc., or by a nationally recognized testing laboratory, and shall be approved by the State Liquefied Petroleum Gas Administrator of Oklahoma. Every such system shall meet the regulations set forth in NFPA 58, Liquefied Petroleum Gas Code, current edition.

2. Trailer mounted containers shall be permitted within the boundary limits of the city for the purpose for supplying fuel for area heating of buildings under construction, and for the purpose of roofing application. Trailer mounted containers shall be limited to three hundred (300) gallons water capacity. Trailer mounted containers shall be located a minimum of twenty five feet (25') from all structures while in use. Trailer mounted containers shall be attended at all times during operating. All trailer mounted containers shall have the valves closed in the off position when unattended, and all valves shall be locked to prevent tampering.

**Section 8-23. Records of Installation.**

Every person, firm or corporation installing liquefied petroleum gas equipment, other than gas burning appliances and replacing of portable cylinders, shall keep a record of each installation showing the name and address of the customer at whose place the liquefied petroleum gas equipment has been installed and the date of installation. Such records shall be disclosed to the fire marshal of the City at any time upon his request during regular business hours; provided, however, that the fire marshal shall, at any time he deems it necessary as a precautionary measure, inspect such records. The fire marshal may, at any reasonable time, inspect the installation of liquefied petroleum gas equipment.

**Section 8-24. Standards for Use and installation of Liquefied Petroleum Gas Equipment.**

The use and installation of liquefied petroleum gas equipment shall be in conformity with the provisions of this article, with the statutes of the State of Oklahoma, and with any orders, rules or regulations issued by authority thereof, and with generally recognized standards for safety to persons and property. Where no specific standards are prescribed by this article or by statutes of Oklahoma, or by any orders, rules or regulations issued by authority thereof, conformity with the standards of the National Insurance Association for the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied gases, as amended, as

recommended by the National Fire Protection Association, shall be prima facia evidence of conformity with generally recognized standards for safety to persons and property.

**Section 8-25. Permit Required.**

Before any person, firm or corporation shall install any equipment in the City for the storage, dispensation nor handling of liquefied petroleum gases, such person, firm or corporation shall first obtain a permit therefore and pay a onetime permit fee of One Hundred (\$100.00). In granting or refusing such permit, the City shall consult with the fire marshal, who shall take into consideration the proposed location of such equipment and the probable hazards involved by reason of the proposed location thereof.

**Section 8-26. Permit Required to have Vehicle Repaired.**

Before the owner or operator of any vehicle on which is mounted a tank used in the transportation of any liquified petroleum gas shall deliver such vehicle or cause the same to be delivered, to any garage or other establishment for repair, he shall first submit the liquified petroleum gas tank for inspection by the fire marshal of the City, who shall require that such tank be virtually depleted of its contents, and the pressure therein reduced to the satisfaction of the fire marshal, and upon compliance with such orders of the fire marshal, the City shall issue a permit to the owner or operator of such vehicle authorizing the delivery of such vehicle to a garage or other institution for repair.

**Section 8-27. Permit to be Exhibited.**

No person, firm or corporation engaged in the repair of vehicles shall receive into his or its place of business any vehicle in which a liquified petroleum gas transport tank is mounted unless the owner or operator of such vehicle shall then and there exhibit the permit referred to in Section 8-25.

**Section 8-28. When Vehicle may not be kept in Shop.**

During the hours when any repair shop or garage having possession of any vehicle on which a liquified petroleum gas transport tank is mounted is not open for business, no such vehicle shall be kept within the garage or repair shop building.

**Section 8-29. Parking Prohibited; Exception.**

No person shall park, or cause to be parked, any liquified petroleum gas transport truck or vehicle on any public street or alley, or on any public or private property or driveway, within the corporate limits of the City of Elk City, Oklahoma, whether or not any such transport truck or

vehicle is carrying liquified petroleum gas on board, except when any such transport truck or vehicle is actually engaged in dispensing liquified petroleum products into any tank or tanks then being serviced and under conditions meeting the minimum safety standards provided for by ordinance of the City and by the laws of the State of Oklahoma.

**Section 8-30. Requirements for the Storage of Flammable and Combustible Liquids.**

1. Storage of flammable and combustible liquid is prohibited in all residential zoning districts.

2. Below ground fuel tanks within the limits of the City of Elk City, for the storage of flammable and combustible liquids class one, two, and three, and with a capacity of 110 gallons or more shall be regulated by the Oklahoma Corporation Commission.

3. Above ground fuel tanks, with a capacity of 2100 gallons or more, within the limits of the City of Elk City, for the storage of flammable and combustible liquids class one, two, and three shall be regulated by the Oklahoma Corporation Commission.

4. Above ground fuel tanks, with a capacity of less than 2100 gallons, within the limits of the City of Elk City, for the storage of flammable and combustible liquids class one, two, and three shall be regulated by the City of Elk City and shall meet regulations set forth in NFPA 30, Flammable and Combustible Liquids Code current edition, Chapter 22.

a. There shall be a onetime permit fee of Two Hundred (\$200.00) and application that will apply to any newly installed, or existing un-permitted above ground fuel tanks with a capacity of less than 2100 gallons. The permit application and fee shall be submitted to the City of Elk City and must be approved for each installation of any such above ground fuel tanks."

**Section 8-31 through 8-39. (Reserved for future use.)**

**Article 4. Miscellaneous Provisions**

**Section 8-40. Sale or Possession of Fireworks Prohibited.**

It shall be unlawful and an offense for any person, firm or corporation to sell or to discharge, ignite or in any manner aid, assist or abet in the discharging or igniting of any firecrackers of any size, type or description, skyrockets, pistols, torpedoes, roman candles, flash salutes, flash crackers, balloons or other fireworks or substances designed and intended for pyrotechnic display, or small display ground pieces, canes, cannons or

other appliances using caps containing chlorate or potash mixture within the corporate limits of the City of Elk City, Oklahoma; provided that the firing and discharging of such fireworks may be permitted, in the sole discretion of the City Manager, within Ackley Park and Ackley Park West only, between the hours of 6:00 PM and 11:59 PM on July 4, when the same is supervised by a municipal official. Public displays of fireworks shall be ordered or permitted by the City Manager provided by properly qualified individuals under the direction of experts in the handling of such fireworks."

**Section 8-41. Explosives.**

1. It shall be unlawful for any person to store, keep, have on their premises or in their possession, any explosive materials of any kind or nature without first having complied with the Laws of the State of Oklahoma for the purpose of selling, storing or keeping such articles.

2. It shall be unlawful for any person to keep or store any explosive on any premises which are occupied as a dwelling or school. Any person storing explosives for sale to the general public must comply with the Laws of the State of Oklahoma concerning the sale and storage of said explosives.

**Open Burning Prohibited**

It shall be unlawful for any individual to do any open burning, within the corporate limits. Bon fires for community activities shall only be held by permission of the Fire Chief.

**Sections 8-43 through 8-49. (Reserved for future use.)**

**Article 5. Penalty**

**Section 8-50. Penalty.**

Any person, firm or corporation who shall violate any provision of this Chapter shall be guilty of any offense and, upon conviction thereof, shall be punished by fine and costs as provided for in Section 1-40 of this Code, unless a separate and distinct penalty is otherwise specifically set forth in this Chapter . Each day's continuation of any such violation shall constitute a separate offense.