

CODIFIED ORDINANCES OF FOLLANSBEE
PART FIFTEEN - FIRE PREVENTION CODE

Art. 1505. Local Provisions.

Art. 1515. West Virginia State Fire Code.

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ARTICLE 1505
Local Provisions

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CROSS REFERENCES

- Fire Prevention and Control Act - see W. Va. Code Art. 29-3
 Authority of local fire departments - see W. Va. Code Art. 29-3A
 False alarms - see GEN. OFF. 501.03
 Fireworks - see GEN. OFF. 545.04
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1505.01 GAS AND OIL WELLS.

No person shall drill or maintain an oil or gas well within two hundred fifty feet of any residence or other building within the City.
 (1970 Code Sec. 10-1)

1505.02 CONDUCT AT FIRES.

Every person who shall be present at a fire shall be subject and obedient to the orders of the Chief or senior officer of the Fire Department or any fireman or police officer in any matter relating to the extinguishing of fire and the removal and protection of property. Every person who neglects or refuses to obey any such order shall be guilty of a violation of this section. All Fire and Police Department officers shall have the power to arrest any person so neglecting or refusing to obey any such lawful order as aforesaid, to hold him in custody until after the fire has been extinguished and then taken before the Municipal Court Judge to be dealt with according to law. (1970 Code Sec. 10-2)

1505.03 FIRE PREVENTION REGULATIONS.

(a) The Chief of the Fire Department shall prepare rules and regulations, not inconsistent with State law or rules or regulations of the State Fire Marshal promulgated pursuant to law, for the purpose of prohibiting, limiting or regulating the storage or use of flammable or explosive substances, liquids or gases within the City, or for any combination of such purposes.

(b) Such rules and regulations may provide, among other requirements, that City permits be required for specified purposes, and that specified activities, conditions or premises shall be subject to inspection by the City; and that reasonable permit and inspection fees may be charged and that revenue from such fees shall be devoted primarily to defray the costs of administration of the rules and regulations.

(c) Such rules and regulations, when concurred in by the City Manager and approved by ordinance or resolution of Council, shall be placed and maintained on file in the office of the City Clerk, and shall there be available to the public for inspection and use during all regular business hours; and no person shall violate or fail to comply with any rule or regulation so approved by Council. (1970 Code Sec. 10-3)

1505.04 TRANSPORTATION OF FLAMMABLE OR EXPLOSIVE SUBSTANCES.

No person shall transport within or through the City any flammable or explosive substance, gas or liquid except as may be authorized by Federal or State law. (1970 Code Sec. 10-4)

1505.05 BONFIRES AND OTHER OUTDOOR FIRES.

(a) No person shall openly burn or cause or permit to be openly burned upon any property within the City any tires, tar paper, solid waste, garbage, paper, leaves, limbs, branches, brush or any other substance whatsoever; provided, that it shall not be unlawful to burn charcoal for the purpose of outdoor cooking; provided further, that it shall not be unlawful to burn a small open attended fire for protection during an emergency situation; and provided further, that Council may, upon application, grant a special permit to burn notwithstanding the above provisions upon good cause shown and upon such terms and conditions as Council may deem proper; and Council may delegate to the Fire Chief authority to issue such permits in the name of Council; and no person shall violate or fail to comply with any permit issued hereunder by Council or by the Fire Chief in the name of Council.

(b) Location Restricted. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained unless the location is not less than fifty feet from any structure and adequate provision is made to prevent fire from spreading to within fifty feet of any structure, or the fire is contained in a waste burner, of a type approved by the Fire Chief, located safely not less than fifteen feet from any structure; provided, that no bonfire or rubbish fire shall be kindled or maintained on any part of the streets, sidewalks, public squares or other public places in the City.

(c) Attendance of Open Fires. Bonfires and rubbish fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply, or other fire extinguishing equipment readily available for use.

(d) Fire Chief May Prohibit. The Fire Chief may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

(e) Time Restrictions. No person shall conduct any open burning at any time prohibited by Council.

1505.99 PENALTY.

(EDITOR'S NOTE: See Section 101.99 for general Codified Ordinances penalty.)

ARTICLE 1515
West Virginia State Fire Code

1515.01 Adoption.

1515.99 Penalty.

CROSS REFERENCES

Adoption by reference - see W. Va. Code 8-11-4
Authority to regulate - see W. Va. Code 8-12-5(14), (15)
State Fire Code - see W. Va. Code 29-3-5

1515.01 ADOPTION.

There is hereby adopted and incorporated by reference as if set out at length herein for the purpose of safeguarding life and property from the hazards of fire and explosion that certain code known as West Virginia State Fire Code, as promulgated by the State Fire Commission, effective March 30, 1984.

1515.99 PENALTY.

(EDITOR'S NOTE: See Section 101.99 for general Codified Ordinances penalty.)

