

## ORDINANCE NO. 122

AN ORDINANCE PROVIDING FOR FIRE LIMITS AND THE CONSTRUCTION AND EQUIPMENT OF BUILDINGS IN CANBY AND PROVIDING FOR THE ISSUING OF PERMITS FOR CONSTRUCTION PURPOSES AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

Canby does ordain as follows:

Section 1. FIRE LIMITS. The following shall be and is hereby declared to be the fire limits of Canby: all that part of the city of Canby platted as Canby.

Section 2. PERMIT REQUIRED. No wall, structure, building, or part thereof shall hereafter be built, enlarged or altered until a plan of the proposed work, together with a statement of the materials to be used, shall have been submitted to the committee on streets and public property, who shall, if in accordance with the provisions herein contained, issue a permit for the proposed construction.

Structures hereafter erected without permit or not in conformity with this ordinance shall be removed.

No building shall be moved until such permit has been obtained, and such permit shall not issue if the proposed new location of the building would seriously increase the fire hazard of the surrounding buildings.

Each building permit shall recite this section.

Section 3. ROOF COVERING. Every building hereafter erected within the corporate limits for business purposes shall have an incombustible roof covering, and no existing wooden shingle roof if damaged more than 25 percent shall be renewed or repaired with other than incombustible roof covering.

Section 4. In every building hereafter erected, except in private dwellings, each floor area above the first shall be provided with at least two means of egress remote from each other, or a doorway in a fire wall leading to another floor area separately provided with adequate stairs or other independent means of exit. Such doorway serving as an emergency exit in a fire wall shall be protected by an automatic and self-closing fire door. No portion of any floor area shall be more than 100 feet from a place of egress. Elevators shall not be considered as a means of egress as specified in this section.

The total width of stairway, interior and exterior, provided for the occupancy of each floor and those above, shall be not less than 44 inches for the first 50 persons and 12 inches for each additional 50 persons to be accommodated thereby. The stair treads shall be not less than  $9\frac{1}{2}$  inches wide and the risers not more than  $7\frac{3}{4}$  inches high. Winders in such required stairways are prohibited.

Every school, hospital, and theatre, over one story high, shall have at least two stairways constructed entirely of incombustible material, located remote from each other, and continuous from grade line to the topmost story.

All exit doors in schools, hospitals, theatres, and other places of public assemblage shall open outward.

Section 5. CHIMNEYS AND FIREPLACES. Except as herein provided, all chimneys in every building hereafter erected and all chimneys hereafter altered or rebuilt shall be constructed of brick, stone, or reinforced concrete. No masonry chimney shall have walls less than 8 inches thick unless it be lined on the inside with well burned terra-cotta or fire-clay chimney tile set in Portland cement mortar. The lining shall be continuous.

No chimney shall be corbeled out more than 8 inches from a brick wall, and such corbeling shall consist of at least five courses of brick.

All chimneys shall project at least 3 feet above the point of contact with a flat roof or 2 feet above the ridge of a pitched roof.

Portland cement mortar only shall be used in the construction of chimneys.

No chimney in any building shall have wooden supports of any kind. Supports shall be incombustible and shall rest upon the ground or the foundation.

All chimneys which are dangerous from any cause shall be repaired and made safe or taken down.

All flue holes when not in use shall be closed with tight-fitting metal covers.

Section 6. WOODEN BEAMS SEPARATED FROM MASONRY CHIMNEYS. No wooden beams or joints

(joists) shall be placed within 2 inches of the outside face of a chimney or flue, whether the same be for smoke, air, or any other purpose.

No woodwork shall be within 4 inches of the back wall of any fireplace.

All spaces between the chimney and the wooden beams shall be solidly filled with mortar, mineral wood, or other incombustible materials.

Woodwork fastened to plaster which is against the masonry of a chimney shall have a layer of asbestos board at least 1/8-inch thick placed between the woodwork and the plaster.

Section 7. SMOKE PIPES. No smoke pipe shall be within 9 inches of any woodwork, or any wooden lath and plaster partition, or ceiling.

Nor shall any smoke pipe pass through any floor or combustible roof of any building.

The use of any flue or chimney heretofore or hereafter built which does not conform to the requirements of this ordinance or smoke pipes or stovepipes now or hereafter used which do not meet the requirements of this ordinance shall be deemed and they hereby are declared to be a nuisance, and any person maintaining such a nuisance shall be punishable as provided in this ordinance.

Section 8. The committee on fire and water and the chief of police shall at all times have the right to enter and examine any building within the city, to discover violations of this ordinance or to decide if flues and chimneys heretofore built and all stovepipes or smoke pipes used at the time of inspection are sufficiently safe and secure; and if, in the judgment of the committee on fire and water, such flues or chimneys shall be deemed unsafe or such buildings inspected do not meet the requirements of this ordinance, it shall be its duty to notify the occupant, owner, or agent of the premises of the fact, in writing, and order that such flues or chimneys be immediately repaired or that such stovepipes or smoke pipes be removed; and if the parties so instructed and notified refuse or neglect to make the required repairs within five days from the service of such notice, they shall, in addition to the fine imposed for violation of this ordinance, be liable in the further sum of \$1 for each day such imperfect flue or chimney shall remain in use unrepaired after notice shall have been given to repair the same as above stated.

Section 9. It shall be the duty of the owner or agent of any building, upon receiving notice from the committee on fire and water or the chief of police, to remove from the roofs of said buildings all moss, dirt, or combustible matter of whatever description that would likely endanger the property and buildings by fire; and if such owner or agent shall fail, refuse, or neglect to remove said moss or other combustible matter within three days after the service of such notice, the same shall be removed or caused to be removed by the committee on fire and water at the expense of the owners of said buildings; and the cost of same shall be made a lien upon such building; and the city recorder is hereby authorized and directed to enter it upon the lien docket against said property upon receiving instructions from the said committee so to do; and such owner or agent shall be deemed guilty of a violation of this ordinance and subject to its penalties.

Section 10. It shall not be lawful within the limits of the city of Canby for the owner, occupant, or other person having the control of any steam sawmill or planing mill or steam laundry or factory of any kind or foundry, machine shop, or other establishment, to erect any smoke stack or chimney in connection therewith, of less height than 10 feet above the highest building within a radius of 100 feet; he shall securely brace or stay the same and shall have on such stack or chimney a bonnet or spark arrester to be approved by the committee on fire and water.

Section 11. It shall be the duty of every fireman to give the chief of police notice of every violation of this ordinance which may come to his knowledge, and it shall be the duty of the chief of police to see that the provisions of this ordinance are strictly enforced.

Section 12. Any person or persons found guilty of violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction before the mayor or recorder, shall be fined in a sum not exceeding \$100 or by imprisonment for a term not exceeding fifty days or by both fine and imprisonment.

Passed by the common council November 1, 1915.