

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 528

AN ORDINANCE PROVIDING FOR THE ELECTION OF A FIRE MARSHAL, PRESCRIBING HIS DUTIES, AND FIXING HIS COMPENSATION, PROVIDING FOR THE PREVENTION OF FIRES IN THE CITY OF SHERWOOD, OREGON; AND PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: Office of Fire Marshal Created. The office of fire marshal of the city of Sherwood, Oregon, is hereby created, said officer to be appointed by the mayor and confirmed by the city council of said city, to serve until the 1st of January following the biennial election of officers of said city, and, unless sooner removed, until his successor is appointed and qualified. Said fire marshal shall be under the supervision of the mayor and city council, and the same person may be both fire marshal and fire chief. The fire department of the city and the fire marshal shall work in close harmony and cooperation for the prevention and extinguishing of fires.

Section 2: The fire marshal shall receive such compensation for his services as may be fixed by the council by resolution.

Section 3: It shall be the duty of the fire marshal to enforce the provisions of this ordinance and all other ordinances pertaining to the protection of the city from fire.

Section 4: Right of Entry. The fire marshal shall have the right to enter upon any premises, at all reasonable hours, for the purpose of inspecting the same.

Section 5: The fire marshal shall submit, annually and not later than December 31 of each year, a detailed report of his official actions to the city council.

Section 6: Inspection. The fire marshal shall inspect all buildings upon which any fire escapes have been or may be erected or installed and shall see that fire escapes are kept in good order and repair. It shall be unlawful for any person to place any incumbrance or obstruction of any kind upon any fire escapes or in any passageway constructed or intended for the escape of persons in the event of a fire.

Section 7: Spark Arresters on Steam Engines. It shall be unlawful to run or operate any steam engine which exhausts in the smokestack unless said smokestack is equipped with a spark arrester, to be approved by the fire marshal, whenever he shall consider it necessary for the protection and safety of surrounding property.

Section 8: Ashes in Wooden Receptacles. It shall be unlawful to

deposit or permit or cause or suffer any ashes to be deposited or placed or to remain in any wooden vessel or receptacles or in any receptacles or vessels composed or made of combustible material. All ashes shall be placed in a vessel or receptacle made of galvanized iron or other non-combustible material and kept not less than two inches from any woodwork or shall be deposited on the ground not less than ten feet from any wooden building or structure.

Section 9: Combustible Waste Material to be Disposed of Daily.

Any person making, using, or having the charge or control of ashes, hay, straw sacks, bags, litter, or any other combustible waste material or fragments shall, at the close of each day, cause the same to be securely disposed of or removed, so as to be safe from fire.

Section 10: Receptacles to be Incombustible. All receptacles for

waste, rags, paper or other substances, liable by spontaneous combustion to cause fire, must be made of incombustible material.

Section 11: Combustible Material Not to Obstruct Passageways.

No explosive or inflammable compound or combustible material of any kind shall be kept, stored, or placed near any doorway or stairway of any building or used in such place or manner as to obstruct or render egress hazardous in the event of fire.

Section 12: Roof to be Kept Cleared. It shall be unlawful to allow or permit to remain upon any roof any accumulation of paper, hay, moss, or any other inflammable or combustible rubbish or material.

Section 13: Throwing Burning Material Where Fire Hazard Exists;

"No Smoking" Signs. It shall be unlawful to throw a lighted cigar, cigarette, pipe ashes, or anything that is on fire on streets or lots where grass is growing or on premises where "No Smoking" signs are posted. The owner of any mill, factory, or place where a fire hazard exists shall post, in conspicuous places "No Smoking" notices in such positions that they may be easily read. It shall be unlawful to carry a lighted cigar, cigarette, pipe, or anything that is on fire, in or upon premises where a fire hazard is known to exist.

Section 14: Bonfires, etc., Forbidden Without Permits. No person shall light

or kindle a bonfire or any fire for the purpose of consuming waste material within the limits of the city of Sherwood, at any time of the year, regardless of whether the same be lighted on a public street or other public ground or on private property, without first having obtained a written permit so to do, signed by the fire marshal, and no permit shall be granted to build any such fire within the city limits, except as may be approved by the fire marshal. The fire marshal shall in all cases, when requested so to do, grant permits therefor and note in said permit the conditions under which the same is granted, except when in his judgment the kindling of such fires will endanger life or property.

Section 15: False Alarms. It shall be unlawful for any person, mischievously, wilfully, or wantonly or without having reasonable grounds for believing that a fire exists to give, send, or cause to be given or sent, transmit, or

cause to be transmitted to the fire department of the city of Sherwood any alarm of fire, either by telephone or by any other means whatsoever.

Section 16: Fire Hazard Unlawful. It shall be unlawful for any person, firm, or corporation to maintain, cause, or suffer to exist in, on, or upon any premises in the city of Sherwood owned, leased, occupied or controlled by such person, firm or corporation any condition which constitutes a fire hazard.

Section 17: Abatement of Fire Hazard. Whenever the fire marshal of the city of Sherwood shall ascertain that there exists on or in any premises or place in said city a condition or a situation which constitutes a fire hazard, said fire marshal shall notify, either verbally or in writing, the owner, lessee, tenant, occupant, agent, or person having control or charge of said place or premises or any part thereof that such condition or situation or hazard exists and that it constitutes a fire hazard, and he shall also direct that immediate steps be taken to eliminate such fire hazard.

Section 18: Definitions. Whenever used in this ordinance, the following words shall have the meanings herein specified unless otherwise indicated by the text:

(1) The term "gasoline" shall mean any product of petroleum or other volatile liquid that will flash or emit an inflammable vapor when subjected to a temperature of 110 degrees Fahrenheit or less, (Tag Closed Cup Tester,) and including the following liquids: ether, carbon bisulphide, naphtha, collodion, benzole, hydrocarbon (gas drips,) liquefied petroleum gas, lacquer, acetone, alcohol, amyl acetate, toluol, ethyl acetate, methyl acetate.

(2) The term "person" shall mean any person, firm, or corporation, and the masculine pronoun shall include the feminine, and the singular number shall include the plural, unless otherwise indicated by the text.

(3) The term "approved container" shall mean any fireproof non-explosive container approved by the fire marshal of the city of Sherwood.

(4) The term "gasoline filling station" shall mean any place where gasoline is stored and kept for the purpose of filling tanks of automobiles or aeroplanes.

(5) The term "dry-cleaning works" shall mean any place where wearing apparel, clothing, or other fabrics or textiles are cleaned or renovated by use of gasoline and where more than one quart of gasoline is kept or used for such purposes.

Section 19: Gasoline Storage; Garages and Filling Stations.
The storage, sale, and use of gasoline in garages and filling stations shall be subject to the following regulations:

(1) One approved five-gallon can of gasoline may be kept or installed inside of any garage or gasoline filling station.

(2) All other gasoline shall be stored in tanks underground.

(3) Whenever a greater quantity than five gallons of gasoline is to be stored or kept within the corporate limits of the city of Sherwood, Oregon, except when the same shall be stored in the tank of a motor-propelled vehicle or is in the act of being transported, said gasoline shall be stored in metal tanks of approved weight and thickness, the top of said tank to be not less than four feet underground and properly vented.

(4) Applications to install gasoline storage tanks shall be made in writing to the city council for approval or rejection.

(5) When a greater quantity than one quart or a lesser quantity than five gallons of gasoline is to be stored or kept within the corporate limits of the city of Sherwood, Oregon, said gasoline shall be in a container approved by the fire marshal.

Section 20: Dry-Cleaning Works. The construction and operation of dry-cleaning works within the corporate limits of the city of Sherwood, Oregon, shall conform to the laws of the state of Oregon and to the rules and regulations of the fire marshal of the said state.

Section 21: Penalties. Any person who is convicted of a violation of any of the provisions of this ordinance shall be punished by a fine not exceeding \$50.00 nor less than \$2.50 or by imprisonment in the city jail not to exceed 25 days, nor less than one day or by both fine and imprisonment.

Section 22: Effective Date. This ordinance shall be in full force and effect on and after the 31st day after its passage by the City Council and approval by the Mayor.

PASSED: By ^{Majority} ~~unanimous~~ vote of all Council members present, after being read by title twice, and read in sections and in full upon its third reading, this 22nd day of December, 1963.

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Ray J. Lien
Mayor - City of Sherwood

ATTEST:

N. H. Albert
City Recorder