

ORDINANCE NO. 2584

AN ORDINANCE to amend The Code of the City of Alexandria, Virginia, 1963, as amended, by adding a new chapter numbered 14A; which new Chapter 14A relates to FIRE PREVENTION.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding a new Chapter 14A to read as follows:

CHAPTER 14A.

FIRE PREVENTION.

Sec. 14A-1. Title.

This chapter shall be known as the Fire Prevention Code of the City of Alexandria, Virginia.

Sec. 14A-2. Adoption of BOCA Basic Fire Prevention Code.

There is hereby adopted and incorporated as if fully set out at length herein that certain code promulgated and published by the Building Officials and Code Administrators International, Inc., known as the BOCA Basic Fire Prevention Code/1981, and the whole thereof, except such portions as are herein deleted, modified or amended by section 14A-12 of this chapter.

Sec. 14A-3. Same--Official copy.

One (1) copy of the said BOCA Basic Fire Prevention Code and any ordinances adopting deletions, modifications and/or amendments thereto shall be manually signed on its cover by the mayor and the fire marshal and shall be filed and kept at all times in the office of the fire marshal.

Sec. 14A-4. Same--Copies for public inspection.

At least two (2) copies of the BOCA Basic Fire Prevention Code and any ordinances adopting deletions, modifications and/or amendments thereto shall be placed in the office of the fire marshal, 319 Prince Street, Alexandria, Virginia, where they may be viewed, examined and obtained between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, inclusive, of each week, except holidays.

Sec. 14A-5. Definition of fire official or fire marshal.

Whenever the words "fire official" or "fire marshal" are used in this code, they shall be held to mean the fire marshal, the deputy fire marshals or any other person authorized to enforce the provisions of the fire prevention code.

Sec. 14A-6. Establishment and duties of the fire marshal and deputy fire marshals.

(a) The office of fire marshal is hereby established. The fire prevention code shall, except where otherwise indicated, be enforced by the fire marshal and deputy fire marshals.

(b) The city manager shall appoint the fire marshal and deputy fire marshals.

(c) The chief of the fire department of the city may designate any members of the fire department as he deems necessary as temporary fire inspectors to make fire safety inspections pursuant to the fire prevention code.

(d) In order to exercise the powers granted by chapter 3, title 27 of the Code of Virginia (1950), as amended, the city council shall appoint such persons as shall be recommended to it by the city manager as the fire marshal and one or more assistant or deputy fire marshals as provided for by sections 27-30 and 27-36 of the Code of Virginia (1950), as amended. Upon such appointment by the city council, the fire marshal and deputy fire marshals are hereby authorized and shall have, in addition to such other powers and duties as may be prescribed by law, all powers and duties set forth in chapter 3 of title 27 (section 27-30, et seq.) of the Code of Virginia (1950), as amended. Said powers include, but are not limited to, the authority set forth in section 27-34.2 of the Code of Virginia to arrest, to procure and serve warrants of arrest and to issue summons in the manner authorized by general law for violation of local fire prevention and fire safety and related ordinances.

The authority granted in this subsection shall not be exercised by the fire marshal or any deputy fire marshal until such person has satisfactorily completed a training course designed for local fire marshals and their assistants/deputies, which course shall be approved by the Virginia State Fire Services Commission.

Sec. 14A-7. Unlawful boarding or tampering with fire department vehicles.

It shall be unlawful for any person, without proper authorization from the department officer-in-charge of the vehicle, to cling to, attach himself to, climb upon or into, board or swing upon any fire department vehicle, whether such vehicle is in motion or at rest, or to sound any warning device thereon or to manipulate, tamper with or destroy any lever, valve, switch, starting device, brake, pump or any equipment, protective clothing or tool on or a part of such fire department vehicle.

Sec. 14A-8. Tampering with fire protection devices.

It shall be unlawful for any person to tamper with, damage, destroy, use without just cause or authorization or hinder the use of any fire protection system or fire extinguisher installed in any building or structure within the city.

Sec. 14A-9. Fire hydrants and water mains.

(a) It shall be unlawful for any person to use, tamper with, damage or destroy any fire hydrant, valve or water main within the city; except that fire departments may use the hydrants for firefighting or training purposes, and persons who have obtained a permit as provided for in this section from the fire marshal may use the fire hydrants in accordance with the terms of the permit.

(b) Application for a permit for use of fire hydrants may be made at the fire marshal's office on forms provided for this purpose. Any permit shall be subject to the conditions and specifications imposed by the fire marshal for the purpose of protecting equipment and preventing water leakage. No permit shall be issued unless approval to use water shall first have been obtained from the Virginia-American Water Company. A separate permit shall be required for each hydrant used and each time a hydrant is used. A fee of twenty dollars (\$20.00) will be charged for each permit issued. A permit holder shall be liable to the city for the costs of labor and materials for any repair or replacement needed after hydrant use. Any permit must be in the possession of the actual user at the time of use.

(c) No person shall plant or erect any obstruction within four (4) feet of any hydrant.

Sec. 14A-10. Impersonation.

It shall be unlawful for any unauthorized person to use a

firefighter's badge, uniform or credentials or to falsely identify himself or herself as either the fire marshal or one of his or her authorized representatives.

Sec. 14A-11. Loading and unloading of tank vehicles.

(a) It shall be unlawful for any person, during loading or unloading of flammable and combustible liquids or liquid petroleum, to smoke, light matches or use any other flame- or spark-producing device in, on or around any tank vehicle used in the loading or unloading operation.

(b) At any time when a tank vehicle is loading or unloading LP gas or a flammable or combustible liquid, the following procedures shall be followed.

(1) The driver shall:

a. Exit from the vehicle and not return until loading or unloading has been completed;

b. Inform the receiver of the amount of gallons he can deliver and obtain from the receiver the amount of gallons he is capable of receiving; and

c. Comply with the provisions of section F-2907.0 of the BOCA Basic Fire Prevention Code.

(2) During such operations, the driver and/or attendant shall:

a. Extinguish all cigarettes, pipes and cigars;

b. Prevent other persons from smoking, lighting matches or other flame- or spark-producing devices or carrying any flame or lighted cigar, pipe or cigarette by informing those persons that this conduct is unlawful; if the conduct continues, the loading or unloading operation shall immediately stop;

c. Place himself in such a position as to be able at all times to observe the delivery hose so he can prevent overflow; and

d. Not leave the vehicle unattended during the loading and unloading operation.

Sec. 14A-12. Changes in BOCA Basic Fire Prevention Code.

The BOCA Basic Fire Prevention Code is deleted, modified or amended in the following respects:

(a) Part A, Article 1, Section F-100.0, Subsection F-100.1 is amended to read:

F-100.1. Title.

These regulations as set forth herein shall be known as the Fire Prevention Code of the City of Alexandria, Virginia, and are herein referred to as such or as "this code."

(b) Part A, Article 1, Section F-102.0, Subsection F-102.1 is amended to read:

F-102.1. Enforcement officer.

The provisions of the fire prevention code shall be enforced by the fire marshal's office, and the enforcement officer of this code is herein referred to as the fire marshal.

(c) Part A, Article 1, Section F-102.0, Subsection F-102.3 is amended to read:

F-102.3. Investigation of fires.

The fire marshal shall investigate, or cause to be investigated, every fire or explosion occurring within the city that is of a suspicious nature or which involves the loss of life or causes injury to persons or causes destruction of or damage to property. Such investigation shall be made at the time of the fire or at a subsequent time, depending on the nature and circumstances of the fire. The fire marshal or his authorized representative shall take charge immediately of the physical evidence and, in order to preserve any physical evidence relating to the cause or origin of such fire or explosion, take means to prevent access by any person or persons to the building, structure or premises until such evidence has been properly processed. The city police department, upon request of the city fire marshal, shall assist the investigation as needed. The results of any such investigation, if deemed suspicious, shall be forwarded by the fire marshal to the commonwealth's attorney for proper disposition.

(d) Part A, Article 1, Section F-102.0 is amended by adding the following new subsection numbered F-102.8 to read:

F-102.8. Accepted agencies, standards and tests.

In the absence of provisions not expressly contained in this code, the regulations, specifications, standards, tests and agencies as listed in Appendix A and Appendix B of the BOCA Basic

Fire Prevention Code shall be deemed to represent the accepted regulation, specification, standard, test or agency.

(e) Part A, Article 1, Section F-102.0 is amended by adding a new subsection numbered F-102.9 to read:

F-102.9. Notification of fire department.

In any building subject to inspection under any provision of the fire prevention code, when a fire or evidence of there having been a fire is discovered, even though it has apparently been extinguished, it shall immediately be reported to the chief of the fire department or his designee. This shall be the duty of the owner, manager, occupant or person in control of such building at the time of discovery. This requirement shall not be construed to forbid the owner, manager, occupant or person in control of said building from using all diligence necessary to extinguish such fire prior to the arrival of the fire department.

(f) Part A, Article 1, Section F-103.0, Subsection F-103.7 is amended to read:

F-103.7. Fees.

A permit shall not be issued until the required fees have been paid to the director of finance of the city or as he or she shall direct. The following fees shall be charged for permits required by the designated article; provided, however, the fire marshal may waive any fee payable by the city or its agents.

Article 3--Bonfires and other outdoor burning.....	\$ 10.00
Article 3--Use of open flame device to remove paint and sweating pipe.....	10.00
Article 3--Storage of combustible or flammable materials (in excess of 2,500 cubic feet).....	10.00
Article 4--Installation, modification or repairing of fire protection systems.....	50.00
Article 6--Operation of airport, heliport or helistop.....	20.00
Article 7--Application of flammable finishes (in excess of 1 gallon per day).....	25.00
Article 8--Bowling establishments, pin and lane refinishing.....	15.00

Article 9--Dry cleaning plants.....	15.00
Article 10--Dust-producing processes.....	10.00
Article 11--Fruit-ripening processes.....	10.00
Article 12--Fumigation and thermal insecticidal fogging.....	10.00
Article 13--Lumberyards and woodworking plants (storage or use of more than 100,000 board feet).....	15.00
Article 15--Ovens and furnaces (operation of industrial types).....	10.00
Article 16--Places of assembly (Those solely religious are excepted.).....	100.00
Article 17--Service stations and garages.....	15.00
Article 18--Tents and air-supported structures (over 120 square feet).....	10.00
Article 19--Tire rebuilding plants.....	10.00
Article 20--Wrecking and junkyards and waste-handling plants.....	10.00
Article 21--Welding and cutting, acetylene generators, storage of calcium carbide.....	15.00
Article 22--Cellulose nitrate motion picture film (use or storage).....	10.00
Article 23--Cellulose nitrate plastics (use or storage).....	10.00
Article 24--Combustible fibers (storage or handling).....	10.00
Article 25--Compressed gases (use, storage or handling).....	15.00
Article 26--Cryogenic liquids (production, use, storage or sales).....	10.00
Article 27--Explosives, ammunition and blasting agents: Storage and transportation.....	20.00
Use (each site).....	20.00

Article 28--Fireworks display.....	100.00
Article 29--Flammable and combustible liquids (manufacture, use, transportation or storage).....	20.00
Article 30--Hazardous materials and chemicals (use, handling and storage).....	20.00
Article 31--Liquified petroleum gases (installation of containers over 2,000 gallons water capacity and all installation at public places).....	10.00
Article 32--Magnesium (working of more than 10 pounds per day).....	10.00
Article 33--Matches (manufacture of or storage of more than 25 cases).....	10.00
Article 34--Organic coatings (manufacture of more than 1 gallon per day).....	15.00

(g) Part A, Article 1, Section F-103.0 is amended by adding the following new subsection numbered F-103.8 to read:

F-103.8. Period of validity for permits.

All permits, except for bowling alley resurfacing, shall be valid for a period of one (1) year from the date of issuance and must be renewed at that time. For explosive and blasting agent use and for burning sites, a new permit must be obtained for each new site that is used subject to annual renewal. A separate permit is required for each resurfacing operation at bowling alleys.

(h) Part A, Article 1, Section F-104.0 is deleted.

(i) Part A, Article 1, Section F-105.0, Subsection F-105.5 is amended to read:

F-105.5. Failure to correct violations.

The fire marshal and deputy fire marshals are authorized to enforce the provisions of this code pursuant to section 14A-6(d) of the city code if the notice of violation is not complied with within the time specified by the fire marshal. If the notice of violation is not complied with within the time specified by the fire marshal, the fire marshal may request the city attorney to institute the appropriate legal proceedings to restrain, correct or abate such violation or to require removal or termination of

the unlawful use of the building or structure which is in violation of the provisions of this code or of any order or direction made pursuant thereto.

(j) Part A, Article 1, Section F-105.0, Subsection F-105.5.1 is deleted.

(k) Part A, Article 1, Section F-106.0, Subsection F-106.2 is amended to read:

F-106.2. Frequency.

In educational occupancies, fire drills shall be held once a week for the first month school is in session and at least once a month each month thereafter. In institutional occupancies, fire drills shall be held at least once every two (2) months on each work shift. During severe weather fire drills may be postponed.

(l) Part A, Article 3, Section F-301.0, Subsection F-301.1 is amended to read:

F-301.1. General.

No person shall kindle or authorize to be kindled any fire outside a building, on any public or private property, except as specifically permitted and under the conditions specified by the air pollution control code of the city.

(m) Part A, Article 3, Section F-301.0, Subsection F-301.2 is amended to read:

F-301.2. Permit required.

If, under the requirements of the city's air pollution control code, a bonfire or controlled burning is allowed, a permit for each such fire shall be obtained from the fire marshal. This permit requirement does not apply to campfires, fires used for the cooking of food, the training of firefighters under the direction of the chief of the fire department or fires set by a public health or safety officer where a health or fire hazard cannot be abated by any other means.

(n) Part A, Article 3, Section F-301.0, Subsection F-301.3 is amended to read:

F-301.3. Location restrictions.

No person shall kindle or authorize to be kindled any permitted fire except in such location as may be authorized by the air pollution control officer and the fire marshal.

(o) Part A, Article 3, Section F-301.0, Subsection F-301.4 is amended to read:

F-301.4. Materials.

Fuel for permitted fires shall be only those allowed by the city's air pollution control code.

(p) Part A, Article 3, Section F-301.0 is amended by adding a new subsection numbered F-301.7 to read:

F-301.7. Endangering other property.

No person shall kindle or authorize to be kindled or maintain any permitted fire in such a manner that it constitutes a danger to public health and safety as determined by the fire marshal.

(q) The title to Section F-303.0, Article 3, Part A is amended to read:

F-303.0. Torches for removing paint and sweating pipe joints.

(r) Part A, Article 3, Section F-303.0 is amended by adding a new subsection numbered F-303.3 to read:

F-303.3. Sweating joints.

Any person using a torch or other flame-producing device for sweating pipe joints in any building or structure shall have available in the immediate vicinity where the sweating is done one (1) approved fire extinguisher or water hose connected to a water supply. Combustible material in close proximity to the work shall be protected against ignition by shielding, wetting or other approved means. In all cases, a fire watch shall remain in the vicinity of the sweating operation for one-half (1/2) hour after the torch or flame-producing device has been used.

(s) Part A, Article 3, Section F-304.0, Subsection F-304.1 is amended to read:

F-304.1. General.

Accumulations of waste paper, wood, hay, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot, alley, parking lot or open space. All weeds, grass, vines or other growth which endangers property shall be cut down and removed by the owner or occupant of the property. All combustible rubbish, oil rags or waste material, when kept within a

building, shall be stored in noncombustible containers equipped with tight-fitting lids approved by the fire marshal.

(t) Part A, Article 3, Section F-305.0 is amended by adding a new subsection numbered F-305.5 to read:

F-305.5. Handling readily combustible materials.

No person making, using, storing, having charge of or having under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or other combustible waste material, shall fail or neglect at the close of each day to cause all such material, which is not compactly baled and/or stacked in an orderly manner, to be removed from the building or stored in suitable vaults or in metal or metal-lined and covered receptacles or bins. The fire marshal shall require suitable baling equipment to be installed in stores, apartment buildings, factories and other buildings where accumulations of paper and waste material are not removed at least every second day.

(u) Part A, Article 3, Section F-308.0, Subsection F-308.2.1 is amended to read:

F-308.2.1. Unauthorized seal removal.

It shall be a violation of this code for any person or user, firm or agent to continue the use of any device or appliance which has been sealed or ordered sealed under subsection F-308.2 of this code, unless written authority to remove the seal is given by the fire marshal. The removal or breaking of the seal shall also be deemed a violation of this code.

(v) Part A, Article 4, Section F-400.0 is amended by adding a new subsection numbered F-400.7 to read:

F-400.7. Notification.

The fire marshal shall be notified before initiating any test, repair, alteration or modification which reduces any fire protection system regardless of whether the system is required by the building code, this code or other law or ordinance.

(w) Part B, Article 16, Section F-1602.0 is amended by adding a new subsection numbered F-1602.2.3 to read:

F-1602.2.3. Acceptable alternate.

As an alternative to the field test as described in subsection F-1602.2, the fire official may accept certification as described in subsection F-1801.3.

(x) Part C, Article 27, Section F-2701.0 is amended by adding a new subsection numbered F-2701.5 to read:

F-2701.5. Reports.

The fire marshal's office shall immediately be notified of the loss or theft of any explosives. This verbal notification shall be immediately followed by a letter to the fire marshal's office giving complete details as to type, amounts, manufacturer and all other relevant facts.

(y) Part C, Article 27, Section F-2703.0 is amended by adding a new subsection numbered F-2703.9 to read:

F-2703.9. Class II magazines.

Class II magazines may be used for temporary storage of explosives at the site of blasting operations where the amount constitutes not more than one (1) day's supply for use in current operations. All explosives not used in the day's operation shall be returned to a Class I magazine at the end of the work day for overnight storage. In no case shall a Class II magazine be used for overnight storage. Class II magazines shall be allowed only in I-2 zones.

(z) Part C, Article 27, Section F-2703.0 is amended by adding a new subsection numbered F-2703.10 to read:

F-2703.10. Records.

Daily records shall be kept as to the amount of explosives received from a supplier and delivered to the magazine. Also, a daily record shall be kept of the explosives removed from the magazine for daily use and the amount of explosives returned. This record will be kept within the magazine so that on inspection of the magazine an accountability for all explosives can be made. The accountability of explosives shall be broken down as to the different types stored and used. Forms for these records shall be approved by the fire marshal.

(aa) Part C, Article 27, Section F-2708.0, Subsection F-2708.2 is amended to read:

F-2708.2. Personnel.

The handling and firing of explosives shall be performed by a person possessing a permit to use explosives and having certification as a blaster. This certification shall be approved by the fire marshal. A certified blaster on a job site can direct the

handling and firing of explosives by persons under his direct supervision who are at least twenty-one (21) years of age. A certified blaster must be capable of reading and writing the English language. A person shall not handle explosives while under the influence of narcotics or intoxicants. A person shall not smoke or carry matches while handling explosives or while in the vicinity thereof. An open flame shall not be used in the vicinity of explosives.

(bb) Part C, Article 28 is amended and reordained to read:

Article 28. Fireworks.

Section F-2800.0. General.

F-2800.1. Scope.

(1) This article shall apply to fireworks as hereinafter defined in subsection F-2800.2.

(2) Nothing in this article shall be construed to prohibit any resident wholesaler, dealer or jobber to sell, at wholesale, any fireworks as are not herein prohibited; or the sale of any kind of fireworks provided they are to be shipped directly out of state in accordance with the Department of Transportation (DOT) regulations covering the transportation of explosives and other dangerous articles; or the use of fireworks by railroads or other transportation agencies for signal purposes or illumination; or the sale or use of blank cartridges for a show or theater or for signal or ceremonial purposes in athletics or sports or for use by military organizations. Such wholesalers, dealers and jobbers shall store their supplies of fireworks in accordance with section F-2705.0.

F-2800.2. Definitions.

"Fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, model rockets, Roman candles, Daygo bombs, sparklers or other devices containing any explosive or flammable compound, or any tablets or other devices of like construction and any devices containing any explosive; except that the term "fireworks" shall not include auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap

manufactured in accordance with the DOT regulations for packing and shipping as provided therein, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times. Pyrotechnics (special fireworks) shall comply with the applicable provisions of article 27.

F-2800.3. Manufacture, sale and discharge of fireworks.

(1) The manufacture of fireworks is prohibited within the city.

(2) It shall be unlawful for any person to store, offer for sale, expose for sale, sell at retail or use or explode any fireworks except as otherwise provided in subsections (3) through (6) of subsection F-2800.3.

(3) The fire marshal may adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks. Such permits shall be issued upon application to the fire marshal after approval of the chief of police and the filing of a bond by the applicant as provided in subsection F-2800.4. Every such display shall be handled by an experienced and competent operator approved by the fire marshal and the chief of police and shall be of such composition, character and so located, discharged or fired as will, in the opinion of the fire marshal after proper inspection and of the chief of police, not be dangerous or hazardous to any property or person.

(4) Applications for permits shall be made in writing at least thirty (30) days in advance of the date of the display. After such privilege has been granted, sale, possession, use and distribution of fireworks for display purposes shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

(5) The sale, possession, use and distribution of fireworks for display purposes shall be conducted so as to be reasonably safe to persons and property. Evidence that the sale, possession, use and distribution of fireworks for display purposes has been conducted in accordance with the applicable provisions of this chapter of the city code, and the applicable standards contained in Appendix A shall be evidence that such sale, possession, use and distribution of fireworks for display purposes provides reasonable safety to persons and property.

(6) The fire marshal may adopt reasonable rules and regulations for the use of model rockets. The design, construction and use of model rockets shall be reasonably safe to persons and property. Evidence that the design, construction and use of

model rockets is in accordance with the applicable provisions of this chapter of the city code and the applicable standards contained in Appendix A shall be evidence that such design, construction and use provides reasonable safety to persons and property.

**F-2800.4. Bond and responsibility for fireworks display required.**

(1) The fire marshal shall require a bond from the permittee in a sum not less than one thousand dollars (\$1,000.00) conditioned on compliance with the provisions of this article.

(2) Before any permit for a pyrotechnic display shall be issued, the person, firm or corporation making application therefor shall furnish proof of responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person, firm or corporation or any agent or employee thereof in such amount, character and form as the fire marshal determines to be necessary for the protection of the public.

**F-2800.5. Disposal of unfired fireworks.**

Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a manner safe for the particular type of fireworks remaining.

**F-2800.6. Seizure of fireworks.**

The fire marshal shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered for sale, stored or held in violation of article 28.

**Sec. 14A-13. Modifications.**

The fire marshal 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 his duly authorized agent, when there are practical difficulties in carrying out the strict letter of this code; provided that the spirit and intent of this code shall be observed and the public safety and welfare assured. The particulars of such modification when granted shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

**Sec. 14A-14. Appeals.**

Any person aggrieved by an order, decision or interpretation of the fire marshal in the administration and enforcement of any

provision of this code may appeal to the city council; provided, the applicant shall, within thirty (30) days from the date of the order, decision or interpretation appealed from, file in the office of the city clerk a signed, written notice of appeal setting forth a brief statement of the reasons therefor. In the event such appeal is filed, the city council shall schedule at least one (1) public hearing on the matter. The city council may affirm, reverse or modify the decision of the fire marshal. An appeal shall not stay the effect of the fire marshal's order, decision or interpretation unless and until so allowed by the city council or, when there are more than thirty (30) days from the date of the appeal until the next regularly scheduled meeting of the city council, by the city manager.

Sec. 14-15. Penalties and injunctions.

(a) Any person, firm or corporation who shall violate any of the provisions of the fire prevention code or who shall fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement, specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order within the time fixed therein, shall separately for each and every such violation and noncompliance respectively, be guilty of a violation of this article, and shall, upon conviction, be punished by imprisonment not to exceed thirty (30) days or by a fine not to exceed five hundred dollars (\$500.00), or both. Each day that a violation continues, after service of notice as provided for in this code, shall be deemed a separate offense.

(b) Violations of the provisions of this code may, notwithstanding or in addition to any other remedy or penalty provided for, be restrained, prohibited or enjoined by an appropriate proceeding instituted in a court of competent jurisdiction by the city attorney.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the

second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: June 13, 1981