

## CHAPTER 161

### FIRE PROTECTION

**[HISTORY: Adopted by the Board of Selectmen of the Town of Pembroke 4-6-1950. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Fire prevention — See Ch. **82**.

Hazardous materials control and containment — See Ch. **90**.

Oil-burning equipment — See Ch. **110**.

#### **§ 161-1 Prohibited acts.**

A. No person, firm, or corporation shall have in any building, or upon any premises or other place, or in or about any highway or way, whether used as a public or private thoroughfare, in close proximity to any building or buildings, any combustible or explosive matter or dangerous accumulation of rubbish, ashes, or accumulation of waste paper, boxes, shavings, or other inflammable material, which is so situated as to be a public fire hazard.

B. No person, firm, or corporation, shall obstruct any fire escape, stairs, passageway, door, or window, of any building, in such manner as to interfere with the operations of the Fire Department, or egress of occupants in case of fire.

C. No person, firm, or corporation, shall place ashes in any wood container, which is in contact with any wooden surface within any building.

D. No person, firm, or corporation, shall keep or permit to be kept, in or about any building, any oily waste or oily rags, unless, when not in actual use, such oily waste or oily rags are kept in self-closing metal container with riveted joints, no part of the body of said container to be within five inches of any inflammable surface.

#### **§ 161-2 Duties of Fire Chief.**

It shall be the duty of the Chief of the Fire Department to inspect, or cause to be inspected by such officers or members of the Fire Department as he shall designate, as often as he shall deem necessary, all buildings, premises, and public and private thoroughfares, and cause to be corrected any conditions liable to cause fire, or any violations of the provisions of this ordinance.

### **§ 161-3 Notice of violation; removal of fire hazard.**

**[Amended 7-21-2003 by Ordinance No. 03-04]**

Whenever the Chief of the Fire Department or any officer or member of the Fire Department designated as aforesaid, shall find any violation of the provisions of this ordinance, the Chief of the Fire Department shall order the removal of the fire hazard, or the conditions corrected by giving a written notice to the tenant or occupant, also to the owner of such buildings or premises. This notice shall designate a definite time limit for the correction of said hazard, and said order shall be complied with by such tenant, occupant, and owner. In case a condition contrary to the provisions of this ordinance is found in a public highway, alley or way, the Chief of the Fire Department shall immediately give written notice to the Public Works Director, who shall forthwith remove such condition.

### **§ 161-4 Service of order.**

The service of any order of the Chief of the Fire Department upon any tenant or occupant, and owner of any building or premises to whom it is directed shall be made, by delivering true copies of said order to such tenant or occupant, and owner, if within the jurisdiction of the officer making the order, otherwise, by mailing true copies of said order to the said tenant or occupant, and owner, at their last known post office address.

### **§ 161-5 Inspection of buildings or premises.**

All tenants, occupants and owners of buildings or premises, shall permit the Chief of the Fire Department, or officers or members of said Department designated by him, to inspect at any reasonable time, their buildings or premises, for the purposes of carrying out the provisions of this ordinance.

### **§ 161-6 Records of inspection; report.**

The Chief of the Fire Department shall keep a record of all inspections, and a copy of all orders issued by him, on forms provided for that purpose, which shall remain on file and of record, in the office of the Chief of the Fire Department. He shall also report monthly to the Selectmen the street number, name or location of the building inspected together with the name of the person making the inspection.

#### **§ 161-7 Violations and penalties.**

Any person, firm, or corporation, failing to comply with the order of the Chief of the Fire Department, shall be fined not more than \$20 for each offense, and each twenty-four hours of maintenance of prohibited conditions, shall constitute a separate offense.

#### **§ 161-8 Vehicles prohibited near fires and hydrants.**

No person or persons other than those having duties in connection with a fire, shall permit any motor propelled or other type of vehicle to be within two hundred yards in any direction of any fire for which an alarm has been given, nor within twenty feet of any hydrant no [sic] in any location that will interfere with the Fire Department in laying hose or in the use of any apparatus of the Fire Department. Any person violating any of the provisions of this section shall pay for the use of the town, a fine of not exceeding \$20 for each violation thereof.

#### **§ 161-9 Storage of light fuel oil or kerosene oil; fine for noncompliance.**

A. Light fuel oil or kerosene oil for use in kitchen ranges and similar heating appliances shall be stored in tight metal containers of not exceeding 150 gallons capacity for each family, and having non-leakable faucets. If kept in the building in which said oil is to be used, they shall be located in the basement or ground floor thereof, and not nearer than five feet from wooden partitions or other inflammable material, unless such partitions and inflammable material is first protected by a substantial covering of fire resisting material.

B. In mercantile or apartment building where no basement is available for use of tenants of upper floors, such containers shall be limited to ten gallon capacity per family if stored or kept above the first or ground floor thereof.

C. The Chief of the Fire Department, or such persons as he may designate, are hereby authorized to require the compliance with Sections 12 and 13 *Editor's Note: See § 161-9A and B.* of this ordinance, and failure to comply with the written order of such official shall be punishable by a fine of not exceeding ten dollars (\$10.00), for every day during which the user of such light fuel or range oil shall fail to comply with said order.

#### **§ 161-10 Effective date.**

This ordinance shall take effect May 15, 1950.