

CHAPTER 7 – FIRE REGULATIONS

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CHAPTER 7 – FIRE REGULATIONS

Article 1. Fires

§7-101 FIRES; DISORDERLY SPECTATOR.

It shall be unlawful for any person during the time of a fire and for a period of 36 hours after its extinguishment to hinder, resist or refuse to obey the Fire Chief or to act in a noisy or disorderly manner. The Fire Chief and Assistant Fire Chief shall have the power and authority during such time to arrest or command any such person to assist them in the performance of their official duties. (Ref. 28-908 RS Neb.)

§7-102 FIRES; EQUIPMENT.

It shall be unlawful for any person except the Fire Chief and the members of the Fire Department to molest, destroy, handle or in any other way to interfere with the use and storage of any of the fire trucks and other apparatus.
(Ref. 28-519 RS Neb.)

§7-103 FIRES; INTERFERENCE.

It shall be unlawful for any person or persons to hinder or obstruct the Fire Chief or the members of the Fire Department in the performance of their duty. (Ref. 28-908 RS Neb.)

§7-104 FIRES; OBSTRUCTION.

It shall be unlawful for any person to obstruct the use of a fire hydrant or have or place any material within 15 feet of the said hydrant. Any vehicle or material found as an obstruction may be immediately removed by the Fire Chief or any member of the Fire Department at the risk, cost, and expense of the owner or claimant. (Ref. 39-672 RS Neb.)

§7-105 FIRES; ASSISTANCE.

It shall be unlawful for any person to refuse, after the command of the Fire Chief or Assistant Fire Chief, to aid in extinguishing a fire or to assist in the removal and protection of property.
(Ref. 28-908 RS Neb.)

§7-106 FIRES; DRIVING OVER HOSE.

It shall be unlawful for any person, without the consent of the Fire Chief or Assistant Fire Chief, to drive any vehicle over unprotected hose of the Fire Department. (Ref. 60-6,184 RS Neb.)

§7-107 FIRES; TRAFFIC.

Every vehicle already stationary when the fire alarm shall have been sounded must remain so

for a period of five minutes after the sounding of the fire alarm. No vehicle, except by the specific direction of the Fire Chief or Assistant Fire Chief, shall follow, approach or park closer than 500 feet to any fire vehicle or to any fire hydrant to which a hose is connected. Nothing herein shall be construed to apply to emergency vehicles or those carrying doctors or members of the Fire Department. (Ref. 60-6,183 RS Neb.)

§7-108 FIRES; FALSE ALARM.

It shall be unlawful for any person to intentionally and without good and reasonable cause raise any false alarm of fire. (Ref. 28-907, 35-520 RS Neb.)

§7-109 FIRES; PEDESTRIANS.

It shall be unlawful for any pedestrian to enter or remain in any street after a fire alarm shall have sounded until the fire trucks shall have completely passed. (Ref. 28-908 RS Neb.)

Article 2. Fire Prevention

§7-201 FIRE PREVENTION; OPEN BURNING BAN.

Except as otherwise provided in this article, it shall be unlawful for any person to burn or cause to be burned any combustible material including, but not limited to, garbage, trash, animal matter, vegetable matter, straw, hay, leaves or brush within the city limits.

§7-202 FIRE PREVENTION; OPEN BURNING BAN; WAIVER; PERMIT FOR OPEN BURNING.

The Fire Chief may, upon application on forms to be provided by the City Clerk, issue a written permit allowing the open burning of straw, hay, leaves, or brush under conditions prescribed by the said Chief between the hours of 7:00 A.M. and 8:00 P.M.; provided, however, the Chief shall not issue a permit for open burning unless:

- A. Burning is done while attended by one or more persons at all times;
- B. The burning shall be located at least 20 feet from any building;
- C. Garbage, whether in the form of animal or vegetable matter, will not be burned.

§7-203 FIRE PREVENTION; BURNING DURING THE COURSE OF A TRADE.

All fires created in the course of a trade shall be built and maintained in the manner prescribed by the Fire Chief; provided, however, disposal of garbage, trash, unused articles or substances by burning shall not be considered "in the course of a trade".

Article 3. Fireworks

§7-301 FIREWORKS; DEFINED.

“Fireworks” shall mean any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation and which meets the definition of common or special fireworks set forth by the United States Department of Transportation in Title 49, Code of Federal Regulations. (Ref 28-1241 RS Neb.)

§7-302 FIREWORKS; PERMITTED FIREWORKS.

A. It shall be unlawful for any person to ignite or cause to be exploded fireworks or firecrackers of any description whatsoever, except sparklers, Vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells without explosive charges for the purpose of making a noise, color wheels, lady fingers, firecrackers up to and including the maximum size as permitted by state laws.

B. The provisions of this section shall not apply to any fireworks to be used for purposes of public exhibitions or displays under authorization of the City Council or to fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal.

(Ref. 17-556, 28-1241, 28-1244, 28-1245 RS Neb.)

§7-303 FIREWORKS; THROWING FIRECRACKERS.

It shall be unlawful for any person to throw any firecracker or any object which explodes upon contact with another object (A) from or into a motor vehicle; (B) onto any street, highway, or sidewalk; (C) at or near any person; (D) into any building; or (E) into or at any group of persons. (Ref 17-556, 28-1242 RS Neb.)

§7-304 FIREWORKS; SALE.

A. No person shall utilize a building containing residential living space, in whole or part, for commercial sale, storage or distribution of fireworks.

B. No person shall sell, hold for sale, or offer for sale as distributor, jobber, or retailer any fireworks without providing a copy of the State Fire Marshal's license to the city office and obtaining a city permit. The cost of such permit is \$10.00 and can be obtained during normal business hours of the city office.

(Amended by Ord. No. 573, 2/11/02)

Article 4. Penal Provision

§7-401 VIOLATION; PENALTY.

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at full length herein or incorporated by reference, shall be deemed guilty of an offense and upon conviction thereof shall be fined not more than \$100.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.

