

CODIFIED ORDINANCES OF BRIDGEPORT
PART FIFTEEN - FIRE PREVENTION CODE

Art. 1505. West Virginia State Fire Code.

Art. 1511. Local Standards.

Art. 1515. BOCA National Fire Prevention Code.

CODIFIED ORDINANCES OF BRIDGEPORT
PART FIFTEEN - FIRE PREVENTION CODE

ARTICLE 1505
West Virginia State Fire Code

1505.01 Adoption.

1505.99 Penalty.

CROSS REFERENCES

Adoption by reference - see W. Va. Code 8-11-4
Authority to regulate - see W. Va. Code 8-12-5(14),(15)
State Fire Code - see W. Va. Code 29-3-5

1505.01 ADOPTION.

There is hereby adopted and incorporated by reference as if set out at length herein for the purpose of safeguarding life and property from the hazards of fire and explosion that certain code known as the West Virginia State Fire Code, as promulgated by the State Fire Commission, effective March 30, 1984.

1505.99 PENALTY.

(EDITOR'S NOTE: See Section 101.99 for general Codified Ordinances penalty.)

ARTICLE 1511
Local Standards

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| <p>1511.01 Obstructing or hindering Fire Department.</p> <p>1511.02 Obstruction of fire hydrants.</p> <p>1511.03 Unauthorized use of Fire Department equipment.</p> <p>1511.04 Unauthorized riding upon Fire Department apparatus.</p> <p>1511.05 Duty of spectators and authority of firemen and police, at scene of fire.</p> <p>1511.06 Bonfires and other outdoor fires.</p> <p>1511.07 Burning waste materials at construction or repair site.</p> <p>1511.08 Fires on property of other persons.</p> <p>1511.09 Wilfully and maliciously setting fire on lands.</p> <p>1511.10 Smoking.</p> <p>1511.11 Torches for removing paint and sweating pipe joints.</p> | <p>1511.12 Hot ashes and other dangerous materials.</p> <p>1511.13 Accumulations of waste materials.</p> <p>1511.14 Handling readily combustible materials.</p> <p>1511.15 Storage of readily combustible materials.</p> <p>1511.16 Flammable materials in mercantile and institutional buildings.</p> <p>1511.17 Open flames or lights.</p> <p>1511.18 Maintenance of chimneys, vents, heat producing appliances and exhaust systems.</p> <p>1511.19 Administration and enforcement of article.</p> <p>1511.20 Conflicts of law.</p> <p>1511.99 Penalty.</p> |
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CROSS REFERENCES

Authority of local departments - see W. Va. Code Art. 29-3A
 Following emergency vehicles - see TRAF. 349.06
 False alarms or reporting an emergency incident - see
 GEN. OFF. 501.03, 501.08
 Fireworks - see GEN. OFF. 545.04

1511.01 OBSTRUCTING OR HINDERING FIRE DEPARTMENT.

No person shall obstruct or hinder the operation of any apparatus of the Fire Department while going to a fire, answering an alarm of fire or returning therefrom. (1976 Code Sec. 8-1)

1511.02 OBSTRUCTION OF FIRE HYDRANTS.

No person shall obstruct any fireplug or hydrant or prevent or delay access thereto. (1976 Code Sec. 8-2)

1511.03 UNAUTHORIZED USE OF FIRE DEPARTMENT EQUIPMENT.

No person shall use any fire apparatus or equipment of the City for any private purpose, nor shall any person wilfully and without proper authority remove, take away, tamper with, keep or conceal any tool, equipment, appliance or other article used in any way by the Fire Department. (1976 Code Sec. 8-3)

1511.04 UNAUTHORIZED RIDING UPON FIRE DEPARTMENT APPARATUS.

No unauthorized person shall ride upon any fire apparatus of the City at any time; and no person other than those assigned to such apparatus shall be authorized to ride thereon while such apparatus is responding to a fire alarm except by authority of the Fire Chief. (1976 Code Sec. 8-4)

1511.05 DUTY OF SPECTATORS AND AUTHORITY OF FIREMEN AND POLICE, AT

(a) Every person present at the scene of a fire shall be subject and obedient to the orders of any police officer or member of the Fire Department there present as to any matter relating to extinguishment of the fire, the removal and protection of property or the maintenance of order; and no person present at the scene of any fire shall disobey any such lawful order of any police officer or member of the Fire Department there present.

(b) Firemen and police officers present at the scene of any fire shall have power to arrest any person for disobedience of the lawful order of a police officer or fireman given pursuant to this section and to hold the offender in custody until the fire has been extinguished, at which time he shall be taken before an appropriate judicial officer to be dealt with according to law. (1976 Code Sec. 8-5)

1511.06 BONFIRES AND OTHER OUTDOOR FIRES.

(a) No person shall openly burn or cause or permit to be openly burned upon any property within the City any tires, tar paper, solid waste, garbage, paper, leaves, limbs, branches, brush or any other substance whatsoever; provided, that it shall not be unlawful to burn charcoal for the purpose of outdoor cooking; provided further, that it shall not be unlawful to burn a small open attended fire for protection during an emergency situation; and provided further, that Council may, upon application, grant a special permit to burn notwithstanding the above provisions upon good cause shown and upon such terms and conditions as Council may deem proper; and Council may delegate to the Fire Chief authority to issue such permits in the name of Council; and no person shall violate or fail to comply with any permit issued hereunder by Council or by the Fire Chief in the name of Council.

(b) Location Restricted. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained unless the location is not less than fifty feet from any structure and adequate provision is made to prevent fire from spreading to within fifty feet of any structure, or the fire is contained in a waste burner, of a type approved by the Fire Chief, located safely not less than fifteen feet from any structure; provided, that no bonfire or rubbish fire shall be kindled or maintained on any part of the streets, sidewalks, public squares or other public places in the City.

(c) Attendance of Open Fires. Bonfires and rubbish fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply, or other fire extinguishing equipment readily available for use.

(d) Fire Chief May Prohibit. The Fire Chief may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous. (1976 Code Sec. 8-6)

1511.07 BURNING WASTE MATERIALS AT CONSTRUCTION OR REPAIR SITE.

During construction or demolition of buildings or structures no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or other proper authorization from the Fire Chief; and the safety provisions of Section 1511.06 shall be applicable to any fire authorized by the Fire Chief. (1976 Code Sec. 8-7)

1511.08 FIRES ON PROPERTY OF OTHER PERSONS.

No person shall kindle or maintain any fire upon the property of another without authority of the owner of such property, nor shall any person wilfully or through neglect permit any fire on his own property to spread to the property of another. (1976 Code Sec. 8-8)

1511.09 WILFULLY AND MALICIOUSLY SETTING FIRE ON LANDS.

No person shall maliciously set fire to any woods, fence, grass, straw or other substance or liquid capable of spreading fire on lands within the City. (1976 Code Sec. 8-9)

1511.10 SMOKING.

(a) "Smoking" means the carrying of a lighted pipe, cigar, cigarette, tobacco, marijuana or other substance in any form.

(b) Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Fire Chief is empowered and authorized to order the owner or occupant in writing to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Fire Chief shall designate specific safe locations, if necessary, in any building, structure or place in which smoking may be permitted.

(c) "No Smoking" signs of approved-sized lettering and location required in accordance with subsection (b) hereof shall read "By Order of the Fire Chief."

(d) No person shall remove any legally required "No Smoking" sign or smoke in any place where such signs are posted. (1976 Code Sec. 8-10)

1511.11 TORCHES FOR REMOVING PAINT AND SWEATING PIPE JOINTS.

(a) Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one fire extinguisher, of a type approved by the Fire Chief, or water hose connected to a water supply in the area where such burning is done. In all cases, a fire watcher shall remain on the premises for one hour after the torch or flame-producing device has been used.

(b) 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 such approved fire extinguisher or water hose connected to a water supply. Combustible material in the close proximity of flame shall be protected against ignition by shielding, wetting or other approved means. In all cases, a fire watcher shall remain in the vicinity of the sweating operation for one-half hour after the torch or flame-producing device has been used.

(1976 Code Sec. 8-11)

1511.12 HOT ASHES AND OTHER DANGEROUS MATERIALS.

No person shall deposit hot ashes or cinders, or smouldering coals, or greasy or oily substances liable to spontaneous ignition, into any combustible receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case shall be kept at least two feet away from any combustible wall or partition or exterior window opening. (1976 Code Sec. 8-12)

1511.13 ACCUMULATIONS OF WASTE MATERIALS.

Roofs, courts, yards, sidewalks, alleys, vacant lots and open spaces shall be kept free and clear of deposits or accumulations of waste paper, hay, grass, straw, weeds, litter or combustible waste or rubbish of any kind. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property. (1976 Code Sec. 8-13)

1511.14 HANDLING READILY COMUSTIBLE MATERIALS.

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

(1976 Code Sec. 8-14)

1511.15 STORAGE OF READILY COMBUSTIBLE MATERIALS.

(a) Generally. No person shall keep or permit to be kept on any premises owned or occupied by him any oily waste and oily rags, unless at all times, when not actually in use, such oily waste and oily rags be kept in a metal can with self-closing cover and riveted joints.

(b) When Permit Required. No person shall store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material without a written permit from the Fire Chief.

(c) Storage Requirements. Storage in buildings shall be orderly, shall not be within two feet of the ceiling, shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly. (1976 Code Sec. 8-15)

1511.16 FLAMMABLE MATERIALS IN MERCANTILE AND INSTITUTIONAL BUILDINGS.

Highly flammable materials such as cotton batting, straw, dry vines, leaves, trees, artificial flowers or shrubbery and foam plastic materials shall not be used for decorative purposes in show windows or other parts of mercantile and institutional occupancies unless first rendered flameproof. Electric light bulbs in mercantile and institutional occupancies shall not be decorated with paper or other combustible materials unless such materials shall first have been rendered flameproof. (1976 Code Sec. 8-16)

1511.17 OPEN FLAMES OR LIGHTS.

(a) No person shall take an open flame or light into any building, barn or any other place where highly flammable, combustible or explosive material is kept, unless such light or flame shall be well secured in a glass globe, wire mesh cage or similar approved device.

(b) No heating or lighting apparatus or equipment capable of igniting flammable material of the type stored or handled shall be used in the storage area of any warehouse storing rags, excelsior, hair or other highly flammable or combustible material; nor in the work area of any shop or factory used for the manufacture, repair or renovating of mattresses or bedding; nor in the work areas of any establishment used for the upholstering of furniture. (1976 Code Sec. 8-17)

1511.18 MAINTENANCE OF CHIMNEYS, VENTS, HEAT PRODUCING APPLIANCES AND EXHAUST SYSTEMS.

(a) Chimneys, flues or similar devices for conveying products of combustion or hot gases to the exterior of the building shall be maintained in a manner as not to create a hazardous condition.

- (1) Existing masonry chimneys which, upon inspection, are found to be without flue liner and with open mortar joints which will permit smoke or gases to be discharged into the building, or which are cracked as to be dangerous shall be made safe by means of a fire clay liner, fire brick, a corrosion resistant metal pipe and otherwise repaired if necessary, or the chimney shall be removed. Metal pipe liners shall be one inch less in diameter than the least dimension of the flue and entire space between the metal liner and the walls of the chimney filled with cement mortar.

- (2) Existing chimneys and vents of metal which are corroded or improperly supported shall be replaced, unless suitable repairs are made.
- (3) Existing chimney and vent connectors of metal which are corroded or improperly supported shall be replaced.

(b) All heat producing appliances, including boilers, furnaces, incinerators, ovens and restaurant-type cooking appliances shall be installed and maintained in an approved manner.

(c) Exhaust systems provided for restaurant cooking equipment shall be maintained in a manner such as not to create a hazardous condition.

- (1) Hoods, grease removal devices, fans, ducts and other devices shall be inspected periodically and cleaned as needed to remove grease and deposits of residues.
- (2) Fire extinguishing systems shall be inspected periodically and checked for proper operation. These inspections shall include a check that the supply of extinguishing agent in the system is adequate, and all actuation components are operating satisfactorily. Fusible links, if employed, shall be replaced or properly cleaned. Instructions for manually operating the system shall be posted conspicuously in the kitchen and employees checked for their knowledge of procedures.
- (3) Any fire dampers shall be tested periodically to insure proper functioning of all parts.

(d) Commercial, industrial and flue-fed incinerators shall be provided with approved spark arrestors or other effective means for arresting sparks and fly ash. (1976 Code Sec. 8-18)

1511.19 ADMINISTRATION AND ENFORCEMENT OF ARTICLE.

The provisions of this article shall be administered and enforced by the Fire Chief, with the cooperation of the Chief of Police.
(1976 Code Sec. 8-20)

1511.20 CONFLICTS OF LAW.

In the event of a conflict between any provision of this article with any statute of the State or any rule, regulation or order of the State Fire Marshal promulgated or given pursuant to statute, the statute, rule, regulation or order shall prevail. (1976 Code Sec. 8-21)

1511.99 PENALTY.

(EDITOR'S NOTE: See Section 101.99 for general Codified Ordinances penalty.)

ARTICLE 1515
BOCA National Fire Prevention Code

1515.01 Adoption. 1515.03 Conflict of laws.
1515.02 Amendments and insertions.

CROSS REFERENCES

Adoption by reference - see W. Va. Code 8-11-4
Authority to regulate - see W. Va. Code 8-12-5(14), (15)

1515.01 ADOPTION.

There is hereby adopted and incorporated by reference as if set out at length herein that certain code known as the BOCA National Fire Prevention Code/1987 as published by the Building Officials and Code Administrators International, Inc. to establish minimum requirements and controls to safeguard life, property or public welfare from the hazards of fire and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property or public welfare in the use and occupancy of all buildings and structures located within the City.
(Ord. 18-87. Passed 10-13-87.)

1515.02 AMENDMENTS AND INSERTIONS.

The BOCA National Fire Prevention Code as adopted herein is hereby amended as follows: The City of Bridgeport shall be inserted on the second line of Section F-100.1 on page 3 of the Code.
(Ord. 18-87. Passed 10-13-87.)

1515.03 CONFLICT OF LAWS.

In the event of any conflict between any provisions of this article and any provision of any other City ordinance, that provision which establishes the higher or stricter standards shall prevail.
(Ord. 18-87. Passed 10-13-87.)