

ARTICLE II. FIRE PREVENTION CODE

Sec. 9-16. Adoption.

There is hereby adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion that certain code known as the National Fire Protection Association 101 Life Safety Code, 2003 Edition. Thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended of which code not less than three (3) copies have been and are now filed in the office of the city clerk and the same are hereby adopted and incorporated as fully as if set out at length herein.

(Code 1965, § 7-1; Ord. No. 2135, 2-24-92; Ord. No. 2674, 6-25-01; Ord. No. 2816, 2-28-05)

State law references: Authority to adopt codes by reference, R.S. 33:1368.

Sec. 9-17. Enforcement.

The Fire Prevention Code hereby adopted shall be enforced by the chief of the fire department.

(Code 1965, § 7-2)

Sec. 9-18. Definition.

Wherever the word "municipality" is used in the Fire Prevention Code hereby adopted, it shall be held to mean the City of Gonzales .

(Code 1965, § 7-3)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 9-19. Establishment of limits of districts in which storage of certain materials can be made.

The limits referred to in section 12.5b of the Fire Prevention Code hereby adopted in which the limits of explosive and blasting agents is prohibited and the limits referred to in section 16.22a of the Fire Prevention Code hereby adopted in which storage of class 1 liquids in outside above ground tanks is prohibited, and the limits referred to in section 21.6a of the Fire Prevention Code hereby adopted, in which bulk storage of liquified petroleum gas is restricted, are hereby established as follows:

All that certain portion of the city that is not zoned limited industrial on the latest official zoning map of the city on file with the city clerk shall be deemed to be included within such limits defined above.

(Code 1965, § 7-4)

Sec. 9-20. Fire hydrants.

- (a) All fire hydrants installed in the city shall be constructed and installed in accordance with the standards on record at the City of Gonzales Fire Department .
- (b) The property owners of all apartment complexes, townhouses, condominiums, multifamily dwellings, shopping centers, and other commercial or industrial buildings or portions thereof exceeding two thousand (2,000) square feet in building area and situated one hundred fifty (150) feet or more from the street right-of-way shall install and maintain, at the owner's expense, an adequate number of fire hydrants the location and number of which shall be determined by the chief of the paid fire department or his representative.
- (c) The required hydrants shall be Gonzales Standard on a fire service line of at least eight (8) inches in diameter and of materials meeting the standards of American Water Works Association, and the hydrants must be installed and ready for fire department use before building construction begins.
- (d) All property owners obligated by this code to install fire hydrants shall contact the chief of the fire department or his representative to inspect and approve fire hydrants before building construction begins.
- (e) If a fire hydrant does not meet the standards established by the City of Gonzales Fire Department , the owner is obligated at his cost to remove the fire hydrant and replace it with one meeting city standards.

(Ord. of 6-28-76; Ord. No. 1714, 3-11-85; Ord. No. 2135, 2-24-92; Ord. No. 2674, 6-25-01)

Sec. 9-21. Pyrotechnics.

- (a) *Definition.* The term "pyrotechnics" whenever used in this section, shall be held to mean any sparkler, squib, rocket, firecracker, Roman candle, signal lights, fireworks, or other devices or composition used to obtain visible or audible pyrotechnic display.
- (b) *Sale , possession, etc., prohibited.* It shall be unlawful for any person to have, store, use, manufacture, sell, offer to sell, handle or transport any pyrotechnics within the city limits except as provided for in this section, it being the intention of this section to prohibit the sale of, distribution of or discharge of pyrotechnics of any kind or description whatsoever within the city limits.
- (c) *Exceptions.* Nothing in this section shall be held to apply:

(1) *Signaling devices.* To the possession or use of signaling devices for current daily consumption by railroads, trucks or vessels requiring them.

(2) *Authorized display.* To pyrotechnics display of fireworks in public parks or other open places where a permit for such display has been issued by the mayor, but before such permits are issued by the mayor, he shall have determined that provisions have been made for the proper safeguarding of life and property, and he shall further provide proper police protection in connection with any authorized display.

(d) *Confiscation authorized.* The chief of police, his officers and the fire chief are hereby authorized to seize and confiscate all pyrotechnics sold, exchanged or possessed in violation of the terms and provisions of this section.

(Code 1965, §§ 7-13--7-16; Ord. of 2-10-69; Ord. No. 2674, 6-25-01)

Sec. 9-22. Modifications.

The chief of the fire department shall have power to modify any of the provisions of the Fire Prevention Code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the chief of the fire department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

(Code 1965, § 7-6)

Sec. 9-23. Appeals.

Whenever the chief of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief of the fire department to the mayor and board of aldermen within thirty (30) days from the date of the decision appealed.

(Code 1965, § 7-7)

Sec. 9-24. Violations.

(a) Any person who shall violate any of the provisions of this article or 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 of 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 order as affirmed or modified by the mayor and board of aldermen or by a court of competent jurisdiction, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor and punishable as provided in section 1-11. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violation or defects.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(Code 1965, § 7-8; Ord. of 10-8-79)