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FIRE PROTECTION AND PREVENTION

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**ARTICLE I
IN GENERAL**

Sec. 11-1. False Fire Alarm.

Any person within the City who makes or gives any false alarm of fire, shall be guilty of a misdemeanor. (1975 Code)

Sec. 11-2. Unauthorized use of Warning Equipment.

Any person within the City who has for use upon any vehicle any siren or bell, the sound of which is like unto the siren or bell of the fire department, shall be guilty of a misdemeanor. (1975 Code)

Sec. 11-3. Use of Equipment Restricted.

It shall be unlawful for any person to use any equipment or apparatus of the fire department except as authorized by the Chief of the Fire Department. (1975 Code)

Secs. 11-4 to 11-13. Reserved.

CROSS REFERENCES:

Buildings, Ch. 5, Fire protection in mobile home park, Ch. 5, Art. Iv.

STATE LAW REFERENCES:

Authority to purchase fire fighting equipment, RSMo. §77.190.

**ARTICLE II
VOLUNTEER FIRE DEPARTMENT**

Sec. 11-14. Created.

There is hereby created in and for the City a Volunteer Fire Department. (1975 Code)

Sec. 11-15. Composition.

The Volunteer Fire Department shall consist of not less than eight (8), nor more than eighteen (18) members selected by the department, subject to the advice of the Mayor and Board of Aldermen. (1975 Code)

Sec. 11-16. Officers.

The officers of the Volunteer Fire Department shall be a Chief of the Fire Department and such assistant chiefs as may be selected by the Department and subject to the advice of the Mayor and Board of Aldermen. (1975 Code)

Sec. 11-17. Qualifications for Chief.

Before any member of the Fire Department of the City shall be elected chief, he shall have had at least five (5) years active experience as a fireman in the fire department. (1975 Code)

Sec. 11-18. Removal of Chief.

The Chief of the Fire Department may be removed from office by the Mayor and the Board of Aldermen for good cause shown. (1975 Code)

Sec. 11-19. Qualifications for Assistant Chiefs.

Before any member of the Fire Department of the City shall be elected to the office of assistant chief he shall have had reasonable active experience as a fireman with said department. (1975 Code)

Sec. 11-20. Removal of Members.

In the event any member of the Fire Department shall fail to attend any meeting or drill, any fire, obey the order of the Chief of the Fire Department or his duly appointed assistant, or shall violate any rule or regulation of the fire department without a reasonable excuse therefore, may be removed as a member of the department by the Chief. (1975 Code)

Sec. 11-21. Supervision, Maintenance of Equipment.

It shall be the duty of the Chief of the Fire Department to see that the appliances and equipment of the fire department are at all times in repair, convenient and ready for use. (1975 Code)

Sec. 11-22. Training of Members.

It shall be the duty of the Chief of the Fire Department to have the members of the department trained and disciplined to a full understanding of their duties. (1975 Code)

Sec. 11-23. Control of Equipment of Fires.

During the progress of a fire within the City, the Chief of the Fire Department shall have absolute control of all fire fighting equipment and appliances. (1975 Code)

Sec. 11-24. Conduct of Citizens at Fire.

During the progress of any fire within the City, all citizens present shall be subject to and obey all orders of the Chief of the Fire Department. (1975 Code)

Sec. 11-25. Establishment of Fire Lanes.

(a) If the Chief of the Fire Department deems it necessary, he may order and cause a rope to be stretched about a burning building. After such rope is so stretched, it shall be unlawful for any person to enter the space enclosed by such rope, except as to those who may be authorized to enter by the Chief or some authorized officer of the Fire Department. This section shall not apply to any vehicle of the Police Department, or Mayor, or members of the Board of Aldermen, or owners or occupants of the burning building, or buildings, or adjacent buildings thereto.

(b) During the progress of any serious fire, it shall be the duty of the Chief of the Fire Department to establish fire lanes and to prohibit anyone from going within such lanes; and it shall be the duty of all persons, except members of the Fire Department and the Police Department, the Mayor and Board of Aldermen, and other persons authorized by the Chief of the Fire Department, to remain to the outside of such fire lanes. (1975 Code)

Sec. 11-26. Report.

It shall be the duty of the Chief of the Fire Department to report to the Board of Aldermen annually or when requested by the Board the number of fires occurring in the City since his last report, the names of the owner or owners of the property, cause of fire, if known, the estimated amount of damage sustained by the owner by reason of the fire, and the name of all members of the department who attended said fire. (1975 Code)

Sec. 11-27. Rules and Regulations.

The members of the Fire Department shall adopt such rules and regulations that shall be necessary for the government and action of the department as they deem necessary or expedient, except said rules and regulations shall not be inconsistent with any of the provisions of this Chapter. 1975 Code)

Sec. 11-28. Duties of Members Generally.

All members of the Fire Department shall attend all meetings for drill, all fires, and obey all order of the Chief of the Fire Department or his assistant, and to obey and observe all rules and regulations of the Fire Department. (1975 Code)

Secs. 11-29 to 11-39. Reserved.

**ARTICLE III
FIRE PREVENTION**

Sec. 11-40. Adopted.

There is hereby adopted by the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code, abbreviated Edition, recommended by the American Insurance Association, being particularly the 1965 edition thereof, together with the October 1966 Revision of Amendments thereto, and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which code not less than two (2) copies have been and now are 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, and the provisions thereof shall be controlling within the limits of the City; provided, however, in the event of any conflict between the provisions of such code and the provisions of this Code of Ordinances, State law or City ordinances, rules or regulations, the provisions of this Code of Ordinances, state law or City ordinances, rules or regulations shall prevail and be controlling. (1975 Code)

Sec. 11-41. Enforcement.

The Code adopted by this Article shall be enforced by the Chief of the Fire Department. (1975 Code)

Sec. 11-42. Definition.

Whenever the word “municipality” is used in the Code adopted by this Article, it shall be held to mean the City. (1975 Code)

Sec. 11-43. Modifications.

The Chief of the Fire Department shall have power to modify any of the provisions of the Code adopted by this Article 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. (1975 Code)

Sec. 11-44. 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 provision of the Code adopted by this Article 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 Board of Aldermen within thirty (30) days from the date of the decision appealed.

Sec. 11-45. Sale of Fireworks Prohibited – Exception.

It shall be unlawful for any person to sell, offer for sale or have in his possession for sale, fireworks of any description within the City of Iberia, Missouri, excepting for a period beginning June 1, and ending July 5, of each year, and then only providing that said persons shall possess a valid City license for engaging in said business. (1975 Code)

Sec. 11-46. Pyrotechnic Displays.

Pyrotechnic displays shall be allowed and permitted within the City only upon written permit therefore from the Chief of the Fire Department, and then subject to such rules and regulations as he may prescribe therefore. (1975 Code)

Sec. 11-47. Exploding of Fireworks Prohibited.

It shall be unlawful for any person to directly or indirectly fire, set off, or cause to explode, any fireworks within the City of Iberia, excepting for a period from July 1, through July 4 of each year, and only then so as not to disturb the peace of any of the residents of the City of Iberia, Missouri, or to do so in a dangerous or reckless manner so as to endanger the life, limb, or property of any other, and provided that the same shall be done only upon the property of the person so exploding or causing to be exploded said fireworks. Violation of this Section shall result in punishment as provided by law. (1975 Code)

Secs. 11-48 to 11-56. Reserved.