# CHAPTER VII: FIRE

Article

# FIRE DEPARTMENT

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# § 7-101 FIRE DEPARTMENT ESTABLISHED.

1. It is deemed advisable by the city and the township to join in the maintenance of a fire department for the prevention of fires and the fighting of fires within the boundaries of the township this agreement is entered into.
2. The Fire Department as now organized and maintained by the city is hereby declared to be the Fire Department of the city and township, provided that hereafter inhabitants of the township may become members of the Department in the manner hereinafter provided.
3. The supervision and control of the Department shall be in and remain with the city, but the operation shall be in accordance with the rules and regulations upon which the city and township jointly agree.

(Ord. 236, passed 8-9-1984)

# § 7-102 FIRE EQUIPMENT.

1. To provide additional equipment including a fire truck or trucks with which to fight fires in the township and in the city shall be pro-rated and paid for as follows:
	1. City of Ransom: 50%; and
	2. Nevada Township: 50%.
2. Such equipment may be purchased from time to time as agreed upon by the parties, and that all fire equipment shall be housed in a building or buildings furnished by the city and shall be under the supervision and control of the city.

(Ord. 236, passed 8-9-1984)

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# § 7-103 FUND.

The city and township shall pay into a fund to be maintained by the city as a separate Fire Department fund, the amount of money raised by the tax levy for fire purposes.

(Ord. 236, passed 8-9-1984)

# § 7-104 FIRE CALLS.

The Fire Department shall answer fire calls as received; provided however, that all of the fire equipment of the Department shall not be taken from the city at the same time.

(Ord. 236, passed 8-9-1984)

# § 7-105 DEPARTMENT DISSOLVED.

The Fire Department may be dissolved whenever the city or the township shall, by ordinances of the city or resolution of the township, determine that the Department shall be dissolved. Any equipment furnished by the city shall remain the property of the city upon dissolution of the district. Any equipment furnished by the township shall remain the property of the township upon the dissolution of the district. Any equipment furnished by both the city and the township shall be purchased by one of the parties, and if not so purchased, shall be sold. All money in the Fire Fund shall be divided between the city and the township, after payment of all outstanding accounts of the Department.

(Ord. 236, passed 8-9-1984)

**ARTICLE 2: FIRE PREVENTION**

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# § 7-201 FIRE PREVENTION CODE INCORPORATED.

There is hereby adopted by the governing body of the city, for the purpose of prescribing regulations, governing conditions hazardous to life and property from fire or explosion, that certain code and standards known as the International Fire Code, 2015 Edition, including all the Appendix chapters, published by the International Code Council, one copy shall be filed in the office of the Clerk of the city, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this article shall take effect, the provisions thereof shall be controlling within the limits of the city.

# § 7-202 SAME; ENFORCEMENT.

The code hereby adopted shall be enforced by the Chief of the Fire Department.

# § 7-203 SAME; AMENDMENTS.

1. Wherever the word ***MUNICIPALITY*** is used in the code hereby adopted, it shall be held to mean the City of Ransom.
2. All sections of the Uniform Fire Code relating to fireworks are hereby deleted in their entirety.

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# § 7-204 RESERVED.

**§ 7-205 ACCUMULATION OF RUBBISH AND TRASH.**

It shall be unlawful for any person to allow to accumulate or to keep in any part of any building or outside of and adjacent to any building or in any alley, sidewalk, street or premises within 30 feet of any building any rubbish, trash, waste paper, excelsior, empty boxes, barrels or other combustibles that shall constitute a fire hazard.

# § 7-206 STACKING OF HAY OR STRAW.

It shall be unlawful for any person to deposit, stack or store any hay or straw within 500 feet of any building located inside the fire limits of the city.

# § 7-207 KEEPING OF PACKING MATERIALS.

It shall be unlawful to keep excelsior or other packing material in any other than metal or wood metal lined boxes or bins having self-closing or automatic covers. All refuse and trash from rooms where packing or unpacking is done shall be removed daily.

# § 7-208 STORAGE OF ASHES.

It shall be unlawful to store ashes inside of any non-fire-proof building unless they are stored in a noncombustible container or receptacle, and a clearance of at least five feet shall be maintained between such container or receptacle and any combustible materials not placed therein. Ashes shall not be stored outside of any building in wooden, plastic or paper product receptacles or dumped in contact with or in close proximity to any combustible materials.

# § 7-209 FILLING GASOLINE TANKS OF MOTOR VEHICLES.

The engines of motor vehicles shall be stopped when the gasoline tanks of such vehicles are being filled with gasoline at service stations or other places where gasoline is supplied to motor vehicles. The driver or person in control of such vehicle when the gasoline tank of same is being filled who refuses, neglects or fails to stop the engine of such vehicle shall likewise be guilty of a violation of this code.

**Fire Prevention**

# § 7-210 FIRE HAZARDS GENERALLY.

It is unlawful for any person to cause or create anywhere within the city, or to permit on any premises under his or her control, any situation or condition that is conducive to or likely to cause or permit the outbreak of fire or the spreading of fire. Any situation or condition conducive to the outbreak of or spreading of fire is declared to be a fire hazard. The violation of or failure to comply with any law pertaining to the storage, handling or use of inflammable oils, explosives, liquefied petroleum gases or fertilizers and all wires and other conductors charged with electricity, is declared to be a fire hazard. The placing of stools, chairs or any other obstruction in the aisles, hallways, doorway or exit of any theater, public hall, auditorium, church or other place of indoor public assemblage, or the failure to provide any

such place of public assemblage with sufficient, accessible and unobstructed fire exits and escapes is also declared to be a fire hazard. The obstruction of any street, avenue, alley, fire hydrant or any other condition that might delay the Fire Department in fighting fire is declared to be unlawful.

# § 7-211 SAME; INSPECTIONS TO DISCOVER.

It shall be the duty of the Fire Chief to inspect or cause to be inspected by Fire Department officers or members, as often as may be necessary, all buildings, particularly all mercantile buildings, manufacturing plants, warehouses, garages, hotels, boarding houses, rooming houses, theaters, auditoriums and all places of public assemblage, for the purpose of discovering the violation of any fire preventive law or any fire hazard and ascertaining and causing to be corrected any conditions liable to cause fires and to see that all places of public assemblage, hotels and rooming houses have sufficient and unobstructed facilities for escape therefrom in case of fire.

# § 7-212 ABATEMENT OF FIRE HAZARDS; ISSUING ORDER.

Whenever any officer or member of the Fire Department shall find or discover any fire hazard or shall find in any building or upon any premises combustible or explosive material or dangerous accumulation of rubbish or unnecessary accumulation of paper, boxes, shavings or any other inflammable material, so situated as to endanger property by the probability of fire, or shall find or discover any violation of this chapter or any other law hazardous to public safety from fires, the Fire Chief shall order the fire hazard or danger from the fire forthwith abated and remedied and such order shall be complied with immediately by the owner or occupant of such buildings or premises. If the hazard or condition ordered abated and remedied is a violation of, or a failure to comply with any law, the Fire Chief shall report the matter to the City Attorney and he or she shall, if he or she deems it advisable, prosecute the offender.

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# § 7-213 SAME; SERVICE OF ORDER; RECORDS.

Any order made under § 7-212 shall be in writing and may be served personally upon the owner or occupant of the premises or by leaving it with any person in charge of the premises or if the premises are unoccupied and the owner is a nonresident of the city, then by mailing a copy to the owner’s last known post office address. One notice to either the occupant or owner shall be sufficient. The Fire Chief shall keep a record of and copies of all such orders and notices and shall follow up such notices at the expiration of the time for compliance therewith and when complied with make proper entry, and if not complied with, file complaint with the Municipal Court against the property owner and/or occupant.

# ARTICLE 3: FIREWORKS

Section

* 1. Fireworks defined
	2. Fireworks prohibited

 7-303 Same: exceptions; discharges

7-304 Same: exception; sale of fireworks

7-305 Permit for sale of fireworks required; fee; issuance

7-306 Permit for public fireworks display required

7-307 Approved fireworks; bottle rockets prohibited 7-308 Limits on discharge of fireworks

7-309 Throwing prohibited

7-310 Sale of fireworks; where prohibited 7-311 Retail display of fireworks

7-312 Fire extinguishers required

7-313 Restrictions as to gasoline installations 7-314 Authority of Fire Chief

# § 7-301 FIREWORKS DEFINED.

For the purpose of this article, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***FIREWORKS.*** Those items as defined by the rules and regulations of the Kansas State Fire Marshal, and shall include, but not be limited to: firecrackers, torpedoes, sparklers, Roman candles, sky rockets, pin wheels, cap or toy pistols (except such pistols or any like device designed to discharge paper caps containing not more than 0.25 grains of explosive mixture), canes, bombs, cannons or other like devices and all classes of fireworks that may be shot into the air or propelled over the ground by explosive discharges or any device using blank cartridges.

(Ord. 289, passed 5-1-2013)

# § 7-302 FIREWORKS PROHIBITED.

1. Except as provided in §§ 7-303 through 7-306, it shall be unlawful for any person to keep, store, display for sale, fire, discharge or explode any fireworks.
2. Nothing in this article shall be construed as applying to:

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* 1. Toy paper caps containing not more than 0.25 of a grain of explosive composition per cap;
	2. The manufacture, storage, sale or authorized use of signals necessary for the safe operation of railroads or other classes of public or private transportation;
	3. The military or naval forces of the United States or of this state while in the performance of official duty;
	4. Law enforcement officers while in the performance of official duty; or
	5. The sale or use of blank cartridges for ceremonial, theatrical or athletic events. (Ord. 289, passed 5-1-2013)

# § 7-303 SAME: EXCEPTIONS; DISCHARGES.

1. Section 7-302 of this article shall not apply to the firing or discharge of fireworks in the city between the hours of 8:00 a.m. and 12:00 midnight on July 1 through July 4.
2. The governing body of the city may, in its discretion, grant permission at any time for the public display of fireworks by responsible individuals or organizations when such display or displays shall be of such a character and so located, discharged and fired as shall not be a fire hazard or endanger persons or surrounding property.
3. It shall be unlawful for any person, firm or corporation to give any public display of fireworks without having first obtained a permit thereof.
4. During a county-wide burn ban declared by the County Commission, it shall be unlawful for any person, firm or corporation to sell or discharge fireworks within the city limits. A county-wide burn ban nullifies the exceptions provided in §§ 7-303 through 7-306.

(Ord. 289, passed 5-1-2013)

# § 7-304 SAME: EXCEPTION; SALE OF FIREWORKS.

Any person who has first obtained a valid permit to sell fireworks within the city may do so between the hours of 8:00 a.m. and 12:00 midnight commencing July 1 and through July 4 of each year. (Ord. 289, passed 5-1-2013)

# § 7-305 PERMIT FOR SALE OF FIREWORKS REQUIRED; FEE; ISSUANCE.

It shall be unlawful for any person to sell, display for sale, offer to sell or give away any type of fireworks within the city without first paying a fee of per establishment or premises to the City Clerk and applying for and securing a permit therefor on or before June 27 of the permit year. Permit fees will be passed by resolution of the governing body, published and distributed to citizens, and posted in the City Office.

(Ord. 289, passed 5-1-2013)

# § 7-306 PERMIT FOR PUBLIC FIREWORKS DISPLAY REQUIRED.

1. It shall be unlawful for any person to give or provide a fireworks display for the public or for organized groups without first obtaining a permit to do so by making application at least 30 days in advance of the desired display. Approval of the permit shall be by the governing body. No permit shall be approved unless the applicant furnishes a certificate of public liability insurance for the display in a minimum amount of $5,000,000, written by an insurance carrier licensed to do business in the state, conditioned as being non-cancellable except by giving ten days’ advance written notice to the City Clerk. In the event of cancellation of the insurance prior to the display, the permit shall automatically be revoked and void.
2. The application for the permit shall clearly state:
	1. The name of the applicant;
	2. The group for which the display is planned;
	3. The location of the display;
	4. The date and time of the display;
	5. The nature or kind of fireworks to be used;
	6. The name of the person, firm or corporation that will make the actual discharge of the fireworks; and
	7. Anticipated need for police, fire or other municipal services.
3. No permit shall be issued if the location, nature of the fireworks or other relevant factor is such as to create an undue hazard or risk of harm or damage to persons or property.

(Ord. 289, passed 5-1-2013)

# § 7-307 APPROVED FIREWORKS; BOTTLE ROCKETS PROHIBITED.

1. All fireworks offered for sale and discharged within the city shall be of a type that has been tested and approved for sale and use within the state by the State Fire Marshal.
2. Bottle rockets and other similar self-propelled firework or fireworks devices consisting of a tube and attached guiding stock or rod shall not be sold or discharged in the city.

(Ord. 289, passed 5-1-2013)

# § 7-308 LIMITS ON DISCHARGE OF FIREWORKS.

It shall be unlawful for any person to discharge, ignite or fire any fireworks in any park or public place within the city.

(Ord. 289, passed 5-1-2013)

# § 7-309 THROWING PROHIBITED.

It shall be unlawful for any person to throw, cast or propel fireworks of any kind in the direction of or into the path of any animal, person or group of persons, or from, in the direction of or into any vehicle of any kind.

(Ord. 289, passed 5-1-2013)

# § 7-310 SALE OF FIREWORKS; WHERE PROHIBITED.

1. It shall be unlawful for fireworks to be stored, sold or displayed for sale in a place of business where paint, oils, varnishes, turpentine or gasoline or other flammable substances are kept, unless such fireworks are in a separate and distinct section or department of the premises.
2. Where the Fire Chief deems there is a fire hazard, he or she is hereby authorized to have such hazard abated.

(Ord. 289, passed 5-1-2013)

# § 7-311 RETAIL DISPLAY OF FIREWORKS.

1. All retailers are forbidden to expose fireworks where the sun shines through glass on the merchandise displayed, except where such fireworks are in the original package.
2. All fireworks displayed for sale must remain in original packages, except where an attendant is on constant duty at all times where such fireworks are on display; provided, that fireworks in open stock may be kept in show cases or counters out of the reach of the public without an attendant being on duty.
3. Signs reading “Fireworks for Sale–No Smoking Allowed” shall be displayed in the section of a store or premises set aside for the sale of fireworks.

(Ord. 289, passed 5-1-2013)

# § 7-312 FIRE EXTINGUISHERS REQUIRED.

1. Two functioning and approved fire extinguishers must be provided and kept in close proximity to the stock of fireworks in all permanent buildings where fireworks are stored, sold or displayed for sale.
2. Small stands, temporarily erected to be used as a place for storing and selling fireworks only, shall have one such fire extinguisher, or in lieu of the fire extinguisher, a pressurized water hose with nozzle end within five feet of the fireworks stand.

(Ord. 289, passed 5-1-2013)

# § 7-313 RESTRICTIONS AS TO GASOLINE INSTALLATIONS.

It shall be unlawful to store, keep, sell, display for sale or discharge any fireworks within 50 feet of any gasoline pump, gasoline filling station, gasoline bulk station or any building in which gasoline or volatile liquids are sold in quantities in excess of one gallon, except in stores where cleaners, paints and oils are handled in sealed containers only.

(Ord. 289, passed 5-1-2013)

# § 7-314 AUTHORITY OF FIRE CHIEF.

The Chief of the Fire Department is authorized to seize and confiscate all fireworks which may be kept, stored or used in violation of any section of this article, and all of the rules of the State Fire Marshal. He or she shall dispose of all such fireworks as may be directed by the governing body. (Ord. 289, passed 5-1-2013)