

ORDINANCE NO. 187 N. S.

AN ORDINANCE ADOPTING A FIRE PREVENTION CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES.

SECTION 1. ADOPTION OF FIRE PREVENTION CODE.

There is hereby adopted by the City Council 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 recommended by the National Board of Fire Underwriters, being particularly the 1953 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 now are filed in the office of the Clerk of the City of El Paso de Robles and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of El Paso de Robles.

SECTION 2. ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

(a) The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of El Paso de Robles which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

(b) The Chief in charge of the Bureau of Fire Prevention shall be appointed by the City Council on the basis of examination to determine his qualifications. His appointment shall continue during good behavior and satisfactory service, and he shall not be removed from office except for cause after public trial.

(c) The Chief of the Fire Department may detail such members of the fire department as inspectors as shall from time to time be

necessary. The Chief of the Fire Department shall recommend to the City Council the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and non-members of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

SECTION 3. DEFINITIONS.

Wherever the word "Municipality" is used in the Fire Prevention Code, it shall be held to mean the City of El Paso de Robles.

SECTION 4. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVE-GROUND TANKS IS TO BE PROHIBITED.

(a) The limits referred to in section 15.201 of the Fire Prevention Code in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as follows:

All R Zones and all C Zones as established by the zoning ordinances of the City of El Paso de Robles.

(b) The limits referred to in section 15.401 of the Fire Prevention Code, in which new bulk plants for flammable liquids are prohibited, are hereby established as follows:-

All R Zones and all C Zones as established by the zoning ordinances of the City of El Paso de Robles.

SECTION 5. ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.

The limits referred to in section 20.06a of the Fire Prevention Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows:-

All R Zones and all C Zones as established by the zoning ordinances of the City of El Paso de Robles.

SECTION 6. MODIFICATIONS.

The Chief of the Bureau of Fire Prevention shall have power to modify any of the provisions of the Fire Prevention Code 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 Bureau of Fire Prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

SECTION 7. APPEALS.

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a license or 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 City Council of the City of El Paso de Robles within 30 days from the date of the decision of the appeal.

SECTION 8. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

The City Coordinator, the Chief of the Fire Department and the Chief of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

SECTION 9. PENALTIES.

(a) Any person who shall violate any of the provisions of the code hereby adopted 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 an order as affirmed or modified by the Chief of the Fire Department or by a court of competent

jurisdiction, within the time fixed herein shall severally for each and every such violation and noncompliance respectively be guilty of a misdemeanor, punishable by a fine of not less than \$ 10.00 nor more than \$ 100.00 or by imprisonment for not less than 5 days nor more than 30 days or by both such fine and imprisonment. 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 violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

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

SECTION 10. REPEAL OF CONFLICTING ORDINANCES.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code hereby adopted are hereby repealed.

SECTION 11. VALIDITY.

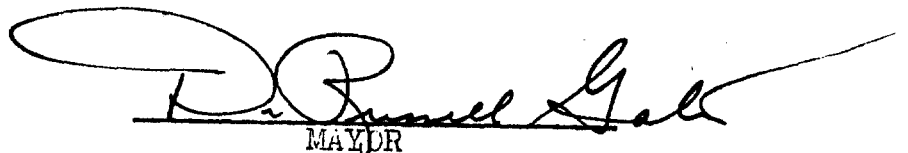
The City Council hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION 12. DATE OF EFFECT.

This ordinance shall take effect and be in force from and after its approval as required by law.

PASSED AND ADOPTED this 4th day of April,
1955.

CITY OF EL PASO DE ROBLES


MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
CITY OF EL PASO DE ROBLES

} SS.


I, S. S. Tucker, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing ORDINANCE No. 187, N.S. was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 4th day, of April 1955, by the following vote:

AYES: Councilmen Appleton, Gates, Mandella, Smart and Sturgeon

NOES: Councilmen None

ABSENT: Councilmen None

Dated this 4th day of April, 1955


City Clerk and Ex. Officio Clerk of the City Council,
City of El Paso de Robles, State of California.