

CHAPTER 3-6 FIRE PREVENTION CODE

3-6-1 ADOPTION OF FIRE CODE

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 Nation Board of Fire Underwriter, now the American Insurance Association, being particularly the 1965 edition thereof and the whole thereof, or amended, of which code not less than three (3) copies 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.

Authority: SDCL 9-33-4.1, 9-33-4.2, 34-29-16

3-6-2 ENFORCEMENT

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

Authority: SDCL 9-14-1

3-6-3 OPEN BURNING

No person, firm, corporation or association shall burn or cause to be burned any trash, lumber, leaves, straw, filth, manure, garbage, sweepings, grass, paper or rubbish of any kind within the city limits of the City of Howard.

Ordinance #357; 6/7/76; SDCL 9-33-1

3-6-4 PENALTY

Any person, firm, partnership, corporation or association who shall violate any of the provisions of Chapter 3-6-3 shall be deemed guilty of a misdemeanor, punishable by a fine of not more than \$100 and by imprisonment for not more than 30 days, or by both such fine and imprisonment.

Ordinance #357; 6/7/76

3-6-5 LOCAL MODIFICATIONS OF FIRE CODE

The Chief of the Fire Department, with the approval of the Council, shall have power to modify any of the provisions of the 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.

Authority: SDCL 9-33-4.1

3-6-6 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 has been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the City Council within 30 days from the date of the decision appealed.

Authority: SDCL 9-33-9