

FIRE LIMITS**§ 92.01 FIRE LIMITS BOUNDARIES.**

The following described boundaries shall be the fire limits of the city: Beginning where the west line of Madison Street intersects the south line of the Baltimore & Ohio railway grounds; thence westerly along the south line of the railway grounds to the west line of Locke Street; thence north to the north line of Lincoln Street; thence east to the intersection of Clark Street; thence north to the intersection of Walnut Street; thence east to the intersection of Elm Street; thence south to the north line of the railway grounds; thence easterly along the railway grounds to the intersection of Madison Street; thence south to the place of beginning.

(`83 Code, § 6-16)

§ 92.02 CONSTRUCTION IN FIRE LIMITS; MATERIALS RESTRICTED.

No person shall erect or cause to be erected on any lot or part of lot within the space enclosed within the above-described fire limits, any building or addition to any building before erected, unless the outer wall thereof be composed of brick, stone, or cement with mortar, and the roof of all buildings within these limits shall be composed of slate, metal, or what is known as gravel, or other fireproof material. Any person or persons convicted of having violated any provision of this section shall be fined, and in an additional fine for each day's continuation of the violation after the first conviction.

(`83 Code, § 6-17) Penalty, see § 10.99

§ 92.03 REMOVAL OF FRAME BUILDINGS.

Whenever any frame or wooden building heretofore erected within the fire limits shall be removed, the same shall not be relocated within these limits, but shall be removed to without the same, and any person convicted of having relocated this type of building within these limits shall be fined therefor equally as for the first erection of this type of building, and the building shall be removed as provided for in this section.

(`83 Code, § 6-18) Penalty, see § 10.99

UNLAWFUL ACTS**§ 92.15 LEAF BURNING ON PUBLIC PROPERTY PROHIBITED.**

No person shall initiate, cause, or allow to be fired or burned any form of leaf, rubbish, straw, or other combustible substance on public property at any time within the city.

(`83 Code, § 6-47) Penalty, see § 10.99

§ 92.16 STORAGE OF GASOLINE, NAPHTHA, AND BENZINE RESTRICTED.

It shall be unlawful for any person(s), firm, or corporation to keep or store within any residential district of the city any gasoline, naphtha, or benzine, other than in underground storage tanks, in any greater quantity than five gallons.

(`83 Code, § 6-55) Penalty, see § 10.99

§ 92.17 BURNING OF COMBUSTIBLE SUBSTANCES PROHIBITED.

(A) No individual, firm or entity may condone, initiate or otherwise possess a fire on private property within the city other than for cooking purposes in approved grill containers or recreational fires which recreational fires shall utilize only wood or paper products as combustible materials and which shall be located in such a manner that they do not pose a fire hazard to any existing structures. For the purposes of this chapter, leaves are not included among permissible combustible materials.

(B) All cooking and recreational fires must be attended by an adult, of legal age, at all times, and must be fully and completely extinguished prior to the fire site being vacated.

(C) A violation fo this chapter may result in the imposition of a fine not to exceed the sum of \$300 per violation. Each fire in violation of this chapter shall constitute a separate violation.
(Ord. 1366, passed 8-2-04)

INCINERATORS

§ 92.30 DEFINITION.

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

COMMERCIAL OR INDUSTRIAL INCINERATOR. A combustion apparatus designed for high temperature operation in which solid, semi-solid, liquid, or gaseous combustible wastes are ignited and burned efficiently and from which the solid residues contain little or no combustible material.

(`83 Code, § 6-31)

§ 92.31 PERMIT REQUIREMENTS.

(A) Any person, firm, or corporation desiring to install or use a commercial or industrial incinerator for elimination of solid or liquid material, rubbish, or other refuse including, but not limited to, garbage, ashes, dead animals, offal, and other commercial, industrial, or institutional waste shall file a written application therefor upon forms provided by the city and in the office of the duly acting Zoning Administrator of the city.

(B) The fee to be paid upon submission of this application is specified in § 38.15 of this code.

(C) No incinerator permit shall be issued or granted by the Zoning Administrator of the city unless and until all reports, plans, and specifications of the incinerator shall have been approved by the Air Pollution Control Board of the state, its administrative agencies, or other boards, and upon proof of compliance with all statutes and regulations of the state Environmental Management Board, the Air Pollution Control Board, or the successors thereof, of the state.

(D) A commercial or industrial incinerator may be constructed and installed only in a B District or an M District as defined by the Zoning Ordinance adopted by Title XV of this code, for which a permit is issued in manner and form hereinafter provided.

(E) No permit for the installation of a commercial or industrial incinerator shall be granted if the same is located less than 100 feet from any part of any R Districts as defined by the Zoning Ordinance. The Zoning Administrator is ordered and directed, prior to the issuance of the permit, to investigate and inspect the proposed premises and to insure the compliance with the provisions hereof prior to, during, and subsequent to the installation of the incinerator.

([^]83 Code, § 6-32)

§ 92.32 VIOLATIONS; REMEDIES.

The city Plan Commission is authorized and empowered to institute any suits for injunctive or other equitable procedures and for removal of any structure or incinerators erected in violation of any of the provisions of this subchapter or the requirements hereof. In addition to this remedy, any person, firm, or corporation who shall violate any of the provisions of this subchapter or fail to comply therewith without first procuring a permit shall be guilty of a misdemeanor and, upon conviction, shall be fined. ([^]83 Code, § 6-33) Penalty, see § 10.99

§ 92.33 APPLICATION.

The terms and provisions of this subchapter shall have application only for industrial or commercial uses and shall have no application with respect to domestic or residential burning, incineration, or disposition of household wastes.

([^]83 Code, § 6-34)