

Fire Prevention approved 5-18-1967

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A FIRE PREVENTION CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY AND PROVIDING A PENALTY, SAVINGS AND PUBLICATION DATE OF EFFECT CLAUSES AND APPEAL OF CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUNDAY, TEXAS

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, Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the 1965 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 **City Secretary** of the **City of Munday, Texas** as a public record and duly authenticated by the **City Secretary** 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 **city** limits of the **City of Munday, Texas**.

SECTION 2. ENFORCEMENT

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

SECTION 3. DEFINITION

Wherever the word "municipality" is used in the code hereby adopted, it shall be held to mean the **City of Munday, Texas**.

SECTION 4. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVEGROUND TANKS, BULK STORAGE OF LIQUEFIED PETROLEUM GASES AND STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE RESTRICTED.

The limits referred to in Section 73 of the code hereby adopted in which storage of flammable liquids in outside aboveground tanks is prohibited, the limits referred to in Section 103 of the code hereby adopted, in which bulk storage of liquefied petroleum gas is restricted, and the limits referred to in Section 53b of the code hereby adopted, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Includes the S/4 of Blocks 10, 9, 4, all of Blocks 11, 8, 5, 2, 140, 150, 1, 6, 22 and 23 plus the S/4 of Block 12, streets bounding district on the south at X Street, on east by the Wichita Valley Railway tracks, on north at "C" Street, north to include S/4 Blocks 4, 9, 10 and 24th Avenue on west plus 10th Avenue only at west of S/4 Block 12, original term, City of Munday, Texas.

SECTION 5. MODIFICATIONS

The Chief of the Fire Department 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 modifications 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.

Ordinance No. _____

SECTION 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 have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department within 30 days from the date of the decision appealed.

SECTION 7. 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 Fire Inspector 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 Dollars nor more than \$200.00 Dollars. 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 8. 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 9. VALIDITY

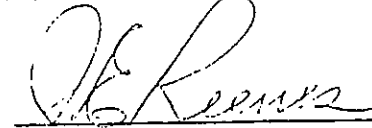
The invalidity of any section or provision of this ordinance or of the code hereby adopted shall not invalidate other sections or provisions thereof.

SECTION 10. PUBLICATION

That the City Secretary is hereby authorized and directed to order publication of the descriptive caption of this ordinance together with the penal provision for the time and manner provided by law, as an alternate method of publication.

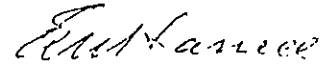
SECTION 11. DATE OF EFFECT

It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist by reason of which this ordinance shall be in force and effect from and after its date and approval.

Signed: 

J. E. Reeves, Mayor

Date Passed: 18 May 1967

Attest: 

E. W. Farrell, City Secretary