

To adopt a fire prevention code, to provide for the office of fire prevention official, to provide penalties for the violation of the provisions of this Ordinance, and to establish limits of districts in which storage of flammable liquids in outside above-ground tanks, bulk storage of liquid high petroleum gases, and storage of explosive and blasting agents is to be restricted.

BE IT ORDAINED by the mayor and board of aldermen of the Town of Elizabeth that:

Section 1. There is hereby adopted 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 1960 edition thereof and the whole thereof; save and except such portions as are deleted, modified or amended. Three copies of the code have been and are now filed in the office of the Clerk of the town, and the same are hereby adopted and incorporated as fully as if set out at length here, and from October 1, 1964, the provisions thereof shall be controlling within the limits of the town.

Section 2. Wherever the word "municipality" is used in the Fire Prevention Code, it shall be held to mean the Town of Elizabeth.

Section 3.(a) The office of the fire prevention official is hereby created, and the executive official in charge shall be known as the fire prevention official.

(b) A fire prevention official shall be appointed by the mayor and board of aldermen. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.

(c) During temporary absence or disability of the fire prevention official, the appointing authority shall designate an acting fire prevention official.

Section 4. It shall be the duty of the fire prevention official to enforce the code adopted by Section 1 of this Ordinance.

Section 5. The fire prevention official shall have the 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 fire prevention official thereon shall be entered upon a record to be kept by the fire prevention official, and a signed copy shall be furnished the applicant.

Section 6. Whenever the fire prevention official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Fire Prevention 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 fire prevention official to the mayor and board of aldermen within thirty (30) days from the date of the decision by the fire prevention official.

Section 7.(a) Any person who shall violate any of the provisions of the Fire Prevention Code 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 or specification of 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 the section and order as affirmed or modified by the mayor and board of aldermen within the time fixed, shall be punished by a fine not exceeding One Hundred Dollars, or by imprisonment for a term not exceeding thirty days or by both fine and imprisonment within the discretion of the court. 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. When not otherwise specified, each ten days that the 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. 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 53 b of the code hereby adopted, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

That portion of Main Street that lies between Longleaf Road and a line 155 feet West of the West line of Poplar Street bounded by a line 300 feet Southwest of the South line of Main Street and parallel to it, and by the main line railroad tracks to the Northeast.

Section 9. The Board of Aldermen of the Town of Elizabeth 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 Board of Aldermen 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.

Ordinance introduced at a meeting of the Mayor and Board of Aldermen held on the 7th day of July, 1964.

Public Hearing on the Ordinance held on the 30 day of July, 1964.

Ordinance adopted at a meeting of the Mayor and Board of Aldermen on the 30 day of July, 1964.

ATTEST:

Robert Reese
ROBERT REESE, Clerk

J. E. Bond
J. E. BOND, Mayor