

**BILL NO. 4491**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF WEST PLAINS, MISSOURI TO REPEAL AND REPLACE CHAPTER TWENTY OF THE CODE OF ORDINANCES OF THE CITY OF WEST PLAINS TITLED FIRE PREVENTION AND PROTECTION.

WHEREAS, the City of West Plains, Missouri has reviewed Chapter Twenty, Fire Prevention and Protection, of the Code of Ordinances for the City of West Plains and saw a need for an updated version.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI AS FOLLOWS:

Section 1: Chapter Twenty, Fire Prevention and Protection, will be replaced with an updated version. (EXHIBIT A).

Section 2: This Ordinance shall be in full force and in effect after the date of its passage and approval.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF MARCH 2017.

CITY OF WEST PLAINS, MISSOURI

BY: \_\_\_\_\_  
MAYOR JACK PAHLMANN

ATTEST:

\_\_\_\_\_  
CITY CLERK MALLORY PREWETT

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## **ARTICLE I - IN GENERAL**

### **Sec. 20-1. Violation Penalties.**

Any person who shall violate a provision of Chapter 20 and/or the currently adopted International Building Code, International Fire Code, and National Fire Protection Association Life Safety 101 or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by section 1-10 of this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

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## Sec. 20-2. Definitions.

As used in this chapter, the following words and terms shall have the following meanings:

**"Adopted code,"** means all codes, regulations, and statutes adopted by the City of West Plains.

**"Alarm initiating device,"** means a device designed to operate either manually or automatically to smoke, fire, or activation of a fire suppression system.

**"Apartment building,"** for the purpose of this Article shall mean a building that contains two or more dwelling units.

**"Authority having jurisdiction (AHJ),"** means the City of West Plains Fire Chief or his or her designated representative.

**"Authorized emergency vehicles,"** shall be restricted to those, which are defined and authorized under the laws of the State of Missouri.

**"Bonfire,"** means an outdoor fire burning only clean, dry firewood for pleasure, religious, ceremonial, cooking, warmth, or similar purposes.

**"Code Administrator,"** means the City of West Plains designated representative for building code and/or fire code inspectors.

**"Commercial Land Clearing,"** means areas being cleared and burned for purposes to build commercial, industrial, and residential dwellings. This does not include tree trimming, gardening, and leaves.

**"Dormitories,"** for the purpose of this Article shall be defined as buildings or spaces in buildings where group sleeping accommodations are provided for persons, not members of the same family group, in one room or in a series of closely associated rooms under joint occupancy and single management as in college dormitories, fraternity or sorority houses, military barracks or nursing homes.

**"Dwelling unit,"** means a structure, building, area, room, or combination of rooms occupied by persons for sleeping or living.

**"False fire alarm,"** means the activation of any fire alarm system, which results in a response caused by the malicious negligence or misuse of the fire alarm system by the owner, its employees, agents or any other activation of a fire alarm system not caused by heat, smoke, fire, exclusive of a nuisance fire alarm.

**"Fire alarm activation report,"** means a document issued by the AHJ indicating

an alarm was deemed to be the result of a fire alarm activation due to fire, a nuisance fire alarm, or a false fire alarm.

**"Fire alarm company,"** means any individual, partnership, corporation or other entity that is appropriately licensed in the state/jurisdiction to install, cause to be installed, permit to be installed, alter, maintain, repair, replace or service any fire alarm system.

**"Fire alarm system,"** means a system or portion of a combination system consisting of components and circuits arranged to monitor and/or annunciate the status of a fire alarm or supervisory signal-initiating devices and initiate the appropriate response to those signals.

**"Fire Pit,"** means above or below ground pits, freestanding fireplaces, and portable devices intended to contain and control small outdoor fires.

**"Fire watch,"** means an AHJ approved person or persons assigned to the premises for the sole purpose of protecting the occupants from fire or similar emergencies. A fire watch may involve at least some special action beyond normal staffing, such as assigning an additional security guard(s) to walk the premises, who are specially trained in fire prevention and in the use of fire extinguishers, in notifying the fire department, in sounding the fire alarm system located on the premises, and in understanding the particular fire safety situation.

**"Fireworks,"** as used herein shall be construed as is defined in the adopted International Fire Code.

**"Monitored system,"** means a fire alarm system by which an alarm company receives signals from a UL listed fire alarm system and notifies emergency responders.

**"Motels and hotels,"** for the purpose of this article shall mean buildings which provide overnight living accommodations for the public and which are licensed by the city as motels and hotels.

**"Nuisance fire alarm"** means the activation of any fire alarm system caused by mechanical failure, malfunction, improper installation, and lack of proper maintenance, misuse or any other response for which the fire department personnel are unable to determine the apparent cause of the alarm activation.

**"Open burning,"** means any outdoor fire or outdoor smoke producing process from which air contaminants are emitted directly into the outdoor atmosphere. *Open fires* include burning in barrels or modified barrels. Fire pits are not considered open burning as herein defined.

**"Owner/responsible,"** means any person who owns or is responsible for the premises in which a fire alarm system is installed or the person or persons who

lease, operate, occupy or manage the premises if stated in a lease agreement.

**"Owner,"** means any person, firm, partnership, corporation who alone or jointly or severally with other persons, firms, partnerships has legal title to any premises. The term does not include a lessee, sub-lessee, or other person who merely has the right to occupy or possess premises.

**"Premises,"** means any building, structure or combination of buildings and structures which serve as dwelling units such as single-family, multi-family or any other area within a building, structure or combination thereof which is used for any purpose, wherein a fire alarm system is installed.

**"Renovated,"** means new construction to an existing dwelling unit that involves the addition of new living space or the rebuilding or reconstruction of existing living space.

**"Sky Lantern,"** means (also called "Chinese lanterns or Kongming Lantern ") devices that are constructed of paper and a frame with a candle. The candle is lit and the heat causes the lantern to lift into the sky. When the flame from the candle goes out, the lantern falls from the sky. These lanterns cannot be controlled and therefore constituted a hazard to people and property.

**"Smoke detector,"** means a device which detects visible or invisible particles of combustion and shall be either ionization or photoelectric type.

**"Qualified fire alarm technician,"** means any person who inspects, installs, and repairs or performs maintenance on fire alarm systems. This person shall be factory trained and certified, and licensed or certified by state or local authority.

**"Record of completion,"** means a form, approved by the AHJ, equivalent to the record of completion form included in the national fire protection association's national fire alarm code (NFPA 72).

**"Registration"** means the notification by an owner to the AHJ that a fire alarm system has been installed and is in use.

**"Report of service/repair,"** means appropriate documentation in a format acceptable to the AHJ that verifies proper repairs or maintenance have been performed by an alarm company or the owner.

**"911 Dispatch/City of West Plains Police and Fire,"** means entities that receive calls for law enforcement, fire and emergency medical services. Personnel prioritize process and dispatch these calls professionally and promptly, while maintaining radio and telephone communications.

**"Untreated Wood,"** means lumber and other wooden materials that have not been chemically treated for resistance to moisture, fire, fungi, insects and other pests, or

has not otherwise been treated or manufactured with chemicals, or that does not contain adhesives or resins. Untreated wood does not include plywood, particleboard, chipboard, or wood with other than insignificant quantities of paint, coating, or finish.

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**Sec. 20-3. International Fire Code - Adopted.**

(a) There is hereby adopted by the City of West Plains, MO for the purpose of establishing fire control measures and other rules and regulations controlling conditions which could impede or interfere with fire suppression forces, that certain code known as the currently adopted International Fire Code, of which code not less than two copies have been and now are filed in the office of the City Clerk, and the same is hereby adopted and incorporated in the Code of the City of West Plains, Missouri, as if set out at length herein.

That certain standard code known as the International Fire Code, published by the International Code Council, is hereby adopted and incorporated by reference as the article setting forth the fire prevention standards for the city. In addition to the inspection authority provided for in the said International Fire Code, the code official shall also have the following authority:

The Code Officials shall have the right but not the responsibility to inspect all structures and premises, except single-family dwellings and dwelling units in two-family and multiple family dwellings category for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with firefighting operations, endanger life or any violations of the provisions or intent of this code or any other ordinance affecting fire safety. Whenever, in the enforcement of this code, another code or ordinance, it is determined that an inspection should be conducted and the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and/or occupants of the structure shall not be subjected to visits by numerous inspectors or multiple orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance, or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

Liability. This article shall not be constructed to relieve from responsibility or to lessen responsibility of any person liable under the provisions of this article, nor shall the city be held as assuming any liability of any nature by reasons of the inspection authority hereby issued to the Building Inspector or Fire Chief for inspection for fire prevention.

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## **Sec. 20-4. Reserved**

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### **Sec. 20-5. Burning trash, paper, wood, etc. permitted under certain conditions.**

It shall be unlawful for any person to burn, set fire to or ignite any solid waste, paper, wood, grass, leaves, weeds or any other debris or refuse. Provided, that this section shall not apply to the burning of grass, leaves, weeds, or natural vegetation generated upon a landowners property by special permit.

No burning shall be permitted on City right-of-way.

- a. Open burning of grass, leaves, weeds, or natural vegetation generated upon a landowner's property shall be permitted year round, under the terms and conditions set forth in any written or verbal permit which may be issued by the Fire Chief or his/her designee. Such written or verbal permit, issued by such Fire Chief or his/her designee, shall specify the time and place such burning shall be permitted.
- b. Open burning shall be allowed after obtaining a permit or other proper authorization from the Fire Chief or his/her designee for recognized silviculture or range or wildlife management practices, prevention or control of disease or pests, heating for warmth of outworkers, and a bonfire.
- c. A bonfire shall be no more than 5 feet by 5 feet by 5 feet in dimension and shall burn not longer than 3 hours. The size and duration of a bonfire shall only be increased by the Fire Chief or his/her designee when it is determined that fire safety requirements of the situation and the desirable duration of burn, warrant the increase.
- d. Fuel for a bonfire shall consist only of seasoned dry firewood and be ignited with a small quantity of paper. The fire shall not be used for waste disposal purposes with the intent to minimize the generation of air contaminants.
- e. Applications for open burning bonfires shall be obtained at the City of West Plains Fire and Rescue Headquarters on or before the day of bon-fire and



shall be in such form and contain such information as required by the Fire Chief or his/her designee. Such applications shall contain, at a minimum, information regarding the purpose of the proposed burning, the nature and quantities of material to be burned, the date when such burning will take place, and the location of the burning site.

- f. All permits shall be requested by and issued to the owner of the land upon which the bonfire is to be kindled.
- g. All open burning shall be constantly attended by a competent person until such open fire is extinguished. This person shall have a garden hose connected to the water supply or other fire extinguishing equipment readily available for use. Land clearing operations must obtain a permit from the Missouri Department of Natural Resources.
- h. Commercial land clearing and or land clearing operations must be pre-approved by a vegetative or untreated wood permit obtained through the Missouri Department of Natural Resource, in conjunction with the City of West Plains Fire & Rescue.
- i. Open burning shall be allowed without prior notification to the Fire Chief or his/her designee for highway safety flares, railroad smudge pots and similar occupational needs.
- j. The Fire Chief or his/her designee shall prohibit open burning which will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous. The Fire Chief or his/her designee shall order the extinguishment, by the permit holder or the fire department, for any open burning, which creates or adds to a hazardous or objectionable situation.
- k. Open burning shall be allowed with prior notification to the Fire Chief or his/her designee and upon receipt of written permission from the jurisdictional EPA (Environmental Protection Agency) authority and/or Missouri Department of Natural Re-

sources, provided that any conditions specified in the permission are followed, for:

1. disposal of hazardous or toxic material where the EPA determines that there is no practical alternative method of disposal,
2. instruction in methods of firefighting or for research in control of fires, in emergency or other extraordinary circumstances research in control of fires,
3. In emergency or other extraordinary circumstances for any purpose determined to be necessary by the EPA, disposal of landscape waste other than residential
4. Agricultural waste, and recognized agricultural or horticultural management purposes to maintain or increase the quantity or quality of agricultural or horticultural production.

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### **Sec. 20-6. Fire Pits.**

A "fire pit" includes above and below ground pits, freestanding fireplaces, and portable devices intended to contain and control outdoor fires.

- a. All above and below ground fire pits shall be at least four inches in depth and shall be surrounded on the outside, above ground, by a non-combustible material such as steel, brick, or masonry. The minimum required distance from a structure shall be 25 feet where the pile size is 3 feet or more in diameter and 2 feet or more in height.
- b. Burning of lumber, pallets, scrap wood, paper, cardboard, garbage and similar items is not permitted.
- c. Fire pits and freestanding fireplaces must be located a minimum of 15 feet away from any structure or combustible material.

- d. The fire must be constantly attended and supervised until the fire has been completely extinguished
  - e. A portable fire extinguisher or other approved extinguishing equipment, such as a garden hose, must be readily available
  - f. Resident should remember common courtesy needs to be extended to neighbors with the consideration of weather, noise, and smoke. The Fire Chief or his/her designee may have the fire extinguished at any time upon their discretion.
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## **Sec. 20-7. Fire Alarm Systems**

No person shall maliciously turn in or cause to be turned in a false alarm of fire.

### **20.7.010. Purpose.**

- a. The purpose of this chapter is to encourage owners and alarm businesses to properly install, use, and maintain the operational effectiveness of alarm systems in order to improve the reliability of alarm systems and reduce or eliminate false fire alarms and nuisance fire alarms.
- b. This chapter governs fire alarm systems intended to summon fire department personnel, for excessive false fire alarms and nuisance fire alarms, provides procedures for repeat offenders, and provides an effective date.

### **20.7.020. Registration of fire alarm system.**

- a. A registration to the Codes Administrator shall be required for fire alarm systems whenever a record of completion is prepared, in accordance the adopted codes. This will be conducted by submitting plans of the fire alarm system to the Code Administrator.
- b. Registrations shall not be transferable from one premise to another or from one owner to another.
- c. Every fire alarm company shall notify the AHJ of the existence of a fire alarm system prior to the fire alarm system being put into operation. It shall be the responsibility of the installer to provide the owner with notice of the existence of this chapter, the approved plans, and a copy

of the fire alarm system operation instructions in accordance with the adopted codes, and the manufacturer's instructions.

- d. The approval plans shall include the following information:
  1. The name(s), address of the premises, mailing address (if different from the address of the premises), business and home telephone number of the owner, lessee, operator, manager or person in possession of the premises wherein the fire alarm system is installed;
  2. The name, address and telephone number of a minimum of two persons who can notified by the AHJ, in the event of the activation of the fire alarm system, and who shall be capable of responding to the premises within one-half hour of notification, and who are authorized to enter the premises.
  3. The name, address, and telephone number of the fire alarm company which has contracted to service the fire alarm system and proof of proper state licensing/registration with the City of West Plains Fire and Rescue, if required. Proof of proper state licensing may be a valid state licensing number;
  4. The date the fire alarm system is placed in operation;
  5. Any other documentation relevant to the property or required by AHJ.
- e. The fire alarm installer shall complete and deliver the fire alarm system registration in the required format to the AHJ before the fire alarm system is activated or placed into service.

**20.7.030. System certification and key boxes.**

- a. Prior to installation or alteration of equipment or wiring of a fire alarm system, the owner or installer must submit complete plans and specifications for the proposed system to the Code Administrator for review.
- b. All newly installed or re-certified commercial and residential (three or more living units) fire alarm systems shall be approved by the AHJ. The certification shall indicate the fire alarm system is in compliance with adopted codes. The certification shall be signed by a qualified fire alarm technician.
- c. Approved key boxes shall be installed on all commercial and residential (three or more living units) buildings with a fire alarm system.

**20.7.040. Inspection, testing and maintenance.**

- a. The owner shall ensure all fire alarm systems are inspected and tested by a certified company at

least once per year in accordance with adopted codes.

- b. The owner shall ensure all fire alarm systems are maintained per manufacturer specifications and adopted codes.

**20.7.050. Fire alarm activation – Response.**

- a. The owner shall be responsible for the activation of a fire alarm system.
- b. A response to the activation of a fire alarm system shall occur from any officer or member of the fire department being dispatched to the premises where the fire alarm system has been activated.
  - 1. At the time of response, fire dispatch shall notify any person identified as designated key holder of the activation of the fire alarm system and, at that time, such person is required to respond to the premises.
  - 2. In the event the fire alarm system is a monitored system, it is the responsibility of the company monitoring the fire alarm system to notify any person identified as designated key holder of the activation of the fire alarm system and, at that time, such person is required to respond to the premises.

**20.7.060. Nuisance fire alarms.**

- a. In the event the activation of a fire alarm system is deemed by the AHJ to be a nuisance fire alarm and the system requires repair, the owner will be provided a fire alarm activation report by an officer or member of the fire department, indicating that the activation was deemed to be the result of a nuisance fire alarm. This report will be provided the third business day after the activation.
  - 1. Upon receipt of a fire alarm activation report the owner shall return to the AHJ a completed report of service/repair within fifteen business days of receipt of the fire alarm activation report to verify, to the reasonable satisfaction of the AHJ, that:

- a. The fire alarm system has been examined by a qualified fire alarm technician; and
- b. A bona fide attempt has been made to identify and correct any defect of design, installation or operation of the fire alarm system which was identified as the cause of the nuisance fire alarm.

**20.7.070. False Fire Alarm.**

- a. No violations shall be assessed for the first three false fire alarms at the same premises responded to by the fire department during a running three month period. Thereafter, the owner shall be considered in violation of this article/ordinance.
  - 1. In determining the number of false fire alarms, multiple alarms occurring in any twenty-four hour period shall be counted as one false fire alarm to allow the owner time to take corrective action unless the false fire alarms are directly caused by the owner.
  - 2. False fire alarms activated by any components connected to the fire alarm system shall be included in computing the total number of false fire alarms for purposes of this subsection.
  - 3. The activation of a fire alarm system will not be considered a false fire alarm if the alarm is activated due to causes beyond the control of the owner.

**20.7.080. Remedies and penalties.**

- a. The AHJ has the authority to bill the owner of actual cost incurred by the city to respond, and order a fire watch in accordance with adopted codes, due to repetitive nuisance fire alarms and/or false

fire alarms, until the system is restored, and for any of the following reasons:

1. Failure to meet the requirements required by this chapter.
2. Failure of the owner to provide a written report of service/repair required by this chapter;
3. A fourth false fire alarm or nuisance fire alarm at a premises within the running three month time frame for which a violation is assessed is charged pursuant to this chapter as a result of the failure of the owner to take corrective action to eliminate the cause of the false fire alarm or nuisance fire alarm; or
4. The failure of a person notified pursuant to subsection 20.7.050(b) (1) (2) of this chapter to appear within one-half hour after being notified to respond, if such failure to respond occurs four or more times within a calendar year.

**20.7.090. Reserved**

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**Sec. 20-8. Reserved**

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**Sec. 20-9. Fire safety zones established; parking within such zones prohibited, exceptions.**

It shall be unlawful for any person to park a vehicle within the following described areas of the public streets, hereby designated as "fire safety zones," unless such vehicle is being then and there loaded with or unloaded of goods, wares, merchandise or other personal property, or is being loaded with passengers or is being used for the discharge of passengers therefrom.

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**Sec. 20-10 to 20-23. Reserved.**

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## **ARTICLE II - FIRE DEPARTMENT**

### **Sec. 20-24. Created.**

A department to be hereafter known as the City of West Plains Fire & Rescue, the object of which shall be the prevention of fire and the protection of life and property within the limits of the city is hereby created.

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### **Sec. 20-25. Composition.**

The department shall consist of a Fire Chief, Assistant Fire Chief, Captain, Lieutenant, Firefighters, and other administrative personnel deemed necessary and prudent as the council may from time to time determine.

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### **Sec. 20-26 to 20-27. Reserved**

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### **Sec. 20-28. Regulation of use, housing, etc., of equipment; mutual aid agreements.**

The department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire; all equipment of the department shall be safely and conveniently housed and no person shall use any fire apparatus or equipment for any purely private purpose and while such equipment is in charge and control of a regular member of the department, and no person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the department unless accompanied by or having the special permission of an officer or authorized member of the department. No fire calls will be answered outside the corporate limits of the city; provided however, that call for assistance of mutual/automatic aid may be answered when the absence of such equipment from the city will not jeopardize protection of property within the corporate limits of the city.

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### **Sec. 20-29 to 20-37. Reserved**

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## **ARTICLE III - FIREWORKS**

### **Sec. 20-38. Sale of fireworks, etc., permitted on certain days.**

No person shall at any time sell, offer or expose for sale or give away any firecracker, potash or Sulphur tablet or pellet, or any device for exploding any tablet or pellet, or any torpedo, aerial salute or aerial reporting shell, or any display bomb shell or any other article commonly known as fireworks within the corporate limits of the City of West Plains, MO, except in accordance to Missouri Code of Standard Regulations 11 CSR 40-3, and adopted International Fire Code.

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### **Sec. 20-39. Wholesale sale of fireworks - Permitted.**

Wholesale sale of fireworks is hereby permitted within the city limits of the City of West Plains, Missouri, herein. All such wholesale sales shall comply with the conditions and requirements contained herein.

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### **Sec. 20-40. Permit - Required.**

No wholesale sale shall be made by any seller who does not have a valid permit.

- a. A business license and certificate of occupancy for the wholesale sale of fireworks shall be obtained from the City of West Plains.
  - b. No business license or certificate of occupancy shall be issued except upon proof offered by the applicant of complete compliance of all provisions of state statutes and city ordinances relating to safety requirements for the sale of fireworks.
  - c. If, after inspection, the Code Administrator determines that the proposed conditions of sale constitute a fire hazard, no business license or certificate of occupancy shall be issued.
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### **Sec. 20-41 to 20-43 (Reserved)**

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**Sec. 20-44. Discharge of Fireworks.**

- a. No individual or organization may discharge fireworks as herein defined, without a permit. Discharging of "Display fireworks" (as defined in the Missouri Revised Statutes Section 320.106.1) will need to be approved by City Council, no later than the June council meeting of said year. All state and local applications, permits, and inspections must be completed as well. (Missouri Revised Statutes Section 320.126.1)
- b. No fireworks shall be discharged within 100 feet of any stand, booth, or other location where fireworks are being sold.
- c. Every person who shall sell fireworks in accordance with this Chapter shall post notice at their place of sale warning that no fireworks shall be discharged within 100 feet of such place of sale as per city ordinance.
- d. Indoor Pyrotechnics displays are prohibited in establishments, which are licensed to serve alcohol within the City of West Plains. A special use permit would be required through the Missouri Division of Fire Safety and the City of West Plains Fire & Rescue for any other Pyrotechnic displays in the City Limits of West Plains.
- e. Unless a permit has been approved by the Fire Chief or his/her designee, the uses of Sky Lanterns, are prohibited in the City of West Plains. They are constructed from oiled rice paper on a bamboo frame, and contain a small candle or fuel cell composed of a waxy flammable material. When lit, the flame heats the air inside the lantern, causing the lantern to rise into the air. The sky lantern is only airborne for as long as the flame stays alight, after which the lantern floats back to the ground.

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**Sec. 20-45 to 20-50. Reserved.**

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**ARTICLE IV - SMOKE DETECTORS REQUIRED IN CERTAIN BUILDINGS AND DWELLINGS**

**Sec. 20-51.** Reference currently adopted International Code Council.

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**Sec. 20-52 to 20-60. Reserved.**

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**ARTICLE V - FIRE CONTROL MEASURES AND REGULATIONS**

**Sec. 20-61. Adoption of fire control measures and regulations.**

There is hereby adopted by the City of West Plains the fire control measures and regulations as herein set forth for the purposes of controlling conditions, which could impede or interfere with fire suppression forces.

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**Sec. 20-62. Authority at fires and other emergencies.**

The fire official or duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The fire official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the fire department. The fire official may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the fire official.

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**Sec. 20-63. Interference with fire department operations.**

It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of, or block the path of travel of any fire department emergency vehicle in any way, or to interfere with, attempt to interfere, conspire to interfere with, obstruct or hamper any fire department operation.

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**Sec. 20-64. Vehicles crossing fire hose.**

A vehicle shall not be driven or propelled over any unprotected fire hose of the fire department when laid down on any street, alleyway, private drive or any other vehicular roadway without the consent of the fire official in command of said operation.

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**Sec. 20-65. Operation of vehicles on approach of authorized emergency vehicles.**

Upon the approach of any authorized emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by the fire official or a police officer.

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**Sec. 20-66. Vehicles following fire apparatus.**

It shall be unlawful for the operator of any vehicle, other than one on official business, to follow closer than 500 feet from any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

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**Sec. 20-67. Unlawful boarding or tampering with fire department emergency equipment.**

A person shall not without proper authorization from the fire official in charge of said fire department emergency equipment, cling to, attach himself to, climb upon or into, board or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of , any fire department emergency vehicle.

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**Sec. 20-68. Damage, injury - Fire department equipment or personnel.**

It shall be unlawful for any person to damage or deface, or attempt, or conspire to damage or deface any fire department emergency vehicle at any time, or to injure, or attempt to injure or conspire to injure fire department personnel while performing departmental duties.

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**Sec. 20-69. Emergency vehicle operation.**

- a. The driver of any emergency vehicle, as defined in Section 20-65 of this Ordinance, shall not sound the siren thereon or have the front red and/or blue light on or disobey any existing traffic regulation, except when said vehicle is responding to an emergency call or when responding to, but not upon returning from a fire.
- b. The driver of an emergency vehicle may:
  - 1. Park or stand irrespective of the provision of existing traffic regulations;
  - 2. Proceed past a red or stop signal or other sign, but only after stopping for safe operations;
  - 3. Exceed the prima facie speed limit so long as the action does not endanger life or property;
  - 4. Disregard regulations governing direction of movement or turning in specified directions;
- c. The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red and/or blue light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle.

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**Sec. 20-70. Blocking fire hydrants and fire department connections.**

- 1. Pursuant to Missouri Revised Statutes and currently adopted International Fire Code, it shall be unlawful for posts, fences, vehicles, growth, trash, storage, and other material or objects to be placed or kept near fire hydrants, fire department inlet connections, or fire prevention system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discerni-

ble. In addition no person shall park within 15 feet of a fire hydrant per Missouri Revised Statutes 300.440.1

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**Sec. 20-71. Hydrant use approval.**

A person shall not use or operate any fire hydrant intended for use of the fire department for fire suppression purposes unless such person first secures authorization from The City of West Plains.

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**Sec. 20-72. Fire Department Connection - Fire Department Connection (FDC) Requirements**

The City of West Plains requires the Fire Department Connection (FDC) to be a standalone connection. The connection must follow currently adopted International Fire Code and NFPA requirements. The FDC connection shall meet all test requirements.

- a. The fire department connection FDC shall be a free standing and remote from the building at a distance from the building equal to half the height of the exterior wall.
- b. The FDC shall be equipped with a 2-2½ inch National Standard Thread connection. The FDC piping underground shall be equipped with a ball drip valve to ensure there is no standing water in the connection and that the piping does not freeze.
- c. The FDC shall be arranged to face a paved roadway, sidewalk or other approved area and shall be installed so that it will not interfere with access to the building when hoses are laid from the closest public hydrant to the FDC. The FDC shall be located on the same side of the lot/or building as the closet public fire hydrant or a maximum of one hundred (100) feet.
- d. The FDC shall be arranged so that the connection is no more than (48) inches above the finished grade, sidewalk or location of the connection.

- e. A Knox brand locking cap with a chain or cable shall be approved for the FDC. A Knox application can be obtained at the City of West Plains Fire & Rescue.
  - f. Where the FDC is subject to vehicle damage, the connection shall be protected per the fire code.
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### **Sec. 20-73. Key Box**

Where Required - The Knox Company is the only provider of Key Boxes used by the City of West Plains.

- a. The owner and/or management agents of any new commercial construction shall install a key box, of a type and in a location approved by the Fire Chief or his/her designee.
  - b. Owners and operators of controlled vehicle parking areas which use mechanical parking gates to control motor vehicle ingress and egress shall install and maintain an emergency override control on each gate. Said emergency override control devices shall contain a master key-operated type switch approved by the proper official of the local fire department.
  - c. For all buildings where installation is not required under the above listed provisions of such installation shall be permissible but not required. If the owner or management agent of a property which is not required to install a key box elects to do so, said owner or management agent shall be obligated to meet all criteria specified for buildings where key box installation is required.
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### **Sec. 20-74. Key Box System Installation**

- a. The lock or key box to be installed in the structure shall meet the following specifications:

1. Key box shall be installed at the location as agreed upon by the owner of the property and the Fire Chief or his/her designee.
  2. UL 437--Standard for safety key lock;
  3. UL 1610--Standard for central station alarm units for use with UL listed alarm systems;
  4. UL 1037--Standard for anti-theft alarms and devices.
- b. The fire department shall adopt procedures for protecting the integrity and security of the master keys system, which allow access to key boxes within the City of West Plains.

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**Sec. 20-75. Key Box System Content Requirements**

- a. Key boxes shall include individually labeled keys.
- b. Keys to the locked point of egress whether on the interior or exterior of such buildings, mechanical rooms, electrical rooms, fire alarm panels, elevator controls, if elevators are present and equipped with a fire department bypass switch, keys to other areas in the building as directed by the proper official of the fire department.
- c. In addition, the key box shall contain the following:
  - (1.) A current list of personnel and telephone numbers for call back purposes in the event of an emergency.
- d. In the event that locks on the subject building are changed after the installation of the key box, the proper official of the local fire department shall be notified of such change in writing, and a key(s) to the new lock(s) shall be provided immediately.

Enforcement of this section shall be performed by the authority having jurisdiction.

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**Sec 20-76. Lock Sprinkler Cap System.**

The Knox Company is the only provider of locking sprinkler caps used by the City of West Plains.

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**Sec. 20-77. Reserved.**

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