

TITLE VI.

FIRE PROTECTION AND PREVENTION

CHAPTERS:

- 6-01. International Fire Prevention Code.
- 6-02. Public Conduct in Case of Fire.

CHAPTER 6-01

INTERNATIONAL FIRE PREVENTION CODE

SECTIONS:

- 6-0101. Adoption of International Fire Prevention Code.
- 6-0102. Definitions.
- 6-0103. RESERVED FOR FUTURE USE.
- 6-0104. Storage of Flammable Liquids.
- 6-0105. RESERVED FOR FUTURE USE.
- 6-0106. Non-Conforming Uses.
- 6-0107. Modifications by Chief of Volunteer Fire Department.
- 6-0108. Appeals.
- 6-0109. Validity.
- 6-0110. Penalties.

6-0101. **ADOPTION OF INTERNATIONAL FIRE PREVENTION CODE.** There is hereby adopted by reference by the City Council, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the provisions of the Code known as the International Fire Code, excluding all appendices, as the same are now established in said Code, save and except such portions as are hereinafter deleted, modified, or amended by ordinance, or in accordance with other provisions of this title. A copy of said Code is on file in the office of the Chief of the volunteer fire department of the City of Harwood, and the same is hereby adopted and incorporated as fully as if set out in length herein, along with any amendments thereto, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City as well as for any area within the extraterritorial zoning jurisdiction of the City. The Fire Prevention Code is also adopted as part of the Building Code of the City of Harwood.

Source: Ord. 2023-34, Sec. 1

6-0102. **DEFINITIONS.**

1. Whenever the word "municipality" or "City" is used in the International Fire Code, as hereinbefore more specifically identified in Section 6-0101, they shall be held to mean the City of Harwood.
2. Whenever the word "jurisdiction" is used in the International Fire Code, which code is hereinbefore more specifically identified in Section 6-0101, it shall be held to mean the corporate limits of the City of Harwood, North Dakota, as well as any area within the extraterritorial zoning jurisdiction of the City.
3. Whenever the term "corporate counsel" is used in the International Fire Code, as hereinbefore more specifically identified in Section 6-0101, it shall be held to mean the City Attorney for the City of Harwood, North Dakota.

4. Whenever the term "chief" is used in the International Fire Code, as hereinbefore more specifically identified in Section 6-0101, the same shall be construed to mean the chief of the volunteer fire department of the City of Harwood, North Dakota.

6-0103. RESERVED FOR FUTURE USE.

6-0104. **STORAGE OF FLAMMABLE LIQUIDS.** The limits referred to in the International Fire Code, in which storage of flammable or combustible liquids in outside above-ground tanks is prohibited, are hereby established as follows: "The corporate limits of the City of Harwood, North Dakota, except for property zoned C-1 - Light Commercial, C-2 - General Commercial, I-1 - Light Industrial for which a conditional use permit has been granted."

The limits referred to in the International Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: "The corporate limits of the City of Harwood, North Dakota."

6-0105. RESERVED FOR FUTURE USE.

6-0106. **NON-CONFORMING USES.** The regulations prescribed in Section 6-0104 shall not be construed to require the removal or any other change or alteration of outside above ground storage tanks in which flammable or combustible liquids are maintained not conforming to said prohibitions as of the effective date hereof, or otherwise interfere with the continuance of any such non-conforming use, nor shall they be construed to prohibit or otherwise preclude the construction of outside above ground tanks for the storage of flammable or combustible liquids on the following-described premises: None - provided, however, that any application for a building permit for the construction of outside, above ground tanks for the storage of flammable or combustible liquids on the hereinbefore described premises shall provide for designated, unobstructed access ways and/or fire hydrants sufficient to provide adequate fire protection as determined by the building official. Nothing contained in Section 6-0104 shall require any change in the construction, alteration, or intended use of any such structure if the construction or alteration was begun prior to the effective date of this ordinance, and is diligently prosecuted and completed within one year thereof.

6-0107. **MODIFICATIONS BY CHIEF OF VOLUNTEER FIRE DEPARTMENT.** The chief of the volunteer fire department of the City of Harwood, North Dakota, shall have the power to modify any of the provisions of this chapter upon application in writing by the owner or lessee, or his duly authorized agent, when there are particular difficulties in the way of carrying out the strict letter of the provisions of this chapter, provided that the spirit of this chapter 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 volunteer fire department of the City of Harwood, North Dakota, thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

6-0108. **APPEALS.** Whenever the chief of the volunteer fire department of the City of Harwood, North Dakota, shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of this chapter do not apply or that the true intent and meaning of this chapter have been misconstrued or wrongly interpreted, the applicant may appeal from the

decision of the chief of the volunteer fire department of the City of Harwood, North Dakota, to the City Council of the City of Harwood, North Dakota. The appeal must be filed in writing with the City Auditor within thirty (30) days from the date of the decision appealed.

6-0109. **VALIDITY.** The City Council of the City of Harwood, North Dakota, hereby declares that should any section, paragraph, sentence, or word of this ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the City Council of the City of Harwood, North Dakota, 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.

6-0110. **PENALTY.** Any person violating any provision of the fire code adopted by this title or any section of this title shall be guilty of an infraction and shall be subject to the penalties set forth in Section 1-0211. Each day such violation continues shall be considered a separate offense.

CHAPTER 6-02

PUBLIC CONDUCT IN CASE OF FIRE

SECTIONS:

- 6-0201. Persons Allowed on Fire Fighting Vehicles.
 - 6-0202. Persons Allowed to Proceed to Fire Hall.
 - 6-0203. Persons Allowed to Assist in Fire Extinguishment.
 - 6-0204. Fire Chief May Command Assistance.
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6-0201. **PERSONS ALLOWED ON FIRE FIGHTING VEHICLES.** No person except members of the fire department or such persons as are authorized by the Fire Chief or Chief in charge shall ride on the fire truck or other vehicle containing fire apparatus.

6-0202. **PERSONS ALLOWED TO PROCEED TO FIRE HALL.** In cases when the fire siren on the fire hall has sounded, no persons except members of the fire department or such persons as are authorized by the Fire Chief or Chief in charge shall proceed to the fire hall.

6-0203. **PERSONS ALLOWED TO ASSIST IN FIRE EXTINGUISHMENT.** No persons except members of the fire department or such persons as are authorized by the Fire Chief or Chief in charge shall assist in the extinguishment of fires or preservation of property exposed to fire during the time the fire department is engaged in the extinguishment of a fire or preservation of property exposed to a fire, nor shall any person hinder or delay the fire department or any member thereof in performing his duty in the extinguishment of a fire or preservation of property exposed to a fire.

6-0204. **FIRE CHIEF MAY COMMAND ASSISTANCE.** The Fire Chief or Chief in charge shall have the power to command such assistance from persons in attendance at any fire in the extinguishment of fires and for the preservation of property exposed to fire as may, in his judgment, be required.