

ORDINANCE NO. 3109

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2740 AS AMENDED PROVIDING FOR SPECIAL DUTIES IN THE AREA OF FIRE PREVENTION AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Section 2 of Ordinance No. 2740 as amended to read as follows:

"Section 2: Establishment of Duties of Bureau of Fire Prevention.

A Division of the Fire Prevention in the Fire Department of the City of Albany, Oregon is hereby established which shall be operated under the supervision of the Chief of the Fire Department.

The Chief of the Fire Department shall designate an officer (or member) of the Fire Department who has been certified for appointment to this position by the Albany Civil Service Commission as Fire Marshal of the Bureau of Fire Prevention, who shall hold office at the pleasure of the Chief of the Fire Department, subject to rules and regulations of the Albany Civil Service Commission.

The Chief of the Fire Department may in accordance with Civil Service rules and regulations also designate such number of Assistant Fire Marshals as shall from time to time be authorized by the City Council.

The duties of the Fire Marshal shall be generally as follows:

- A. The Fire Marshal shall administer his Division in conformity with the overall policy of the City and Chief of the Department, and shall formulate and put into effect a program of operation governing the functions of all personnel under his direction.
- B. He shall prescribe the duties of all members under his charge in order to effect the highest operating efficiency.
- C. He shall be in charge of all inspections of buildings and property conducted under his direction as well as all investigations of fire and suspicious causes of fire in accordance with State Laws and Ordinances of the City of Albany.
- D. He shall establish and cause to be kept records of licenses, permits, violations and statements, and all other matters pertaining to the Fire Prevention Division.
- E. He shall initiate, stimulate and direct Public Fire Prevention Education in the City of Albany.
- F. He shall provide for and direct assignment of the Fire Prevention Division personnel as fire guards in places of Public Assembly when necessary.
- G. He shall respond to all greater alarms, and report for fire fighting duty in case of disaster or other emergencies.
- H. He shall submit an Annual Budget for the operation and maintenance of the Fire Prevention Division to the Chief.
- I. He shall submit an Annual Report of all activities of the Fire Prevention Division to the Fire Chief.
- J. He shall perform such other duties as the Fire Chief may direct and as otherwise described in this ordinance and as prescribed by the Civil Service Commission.

Section 2a: It shall be the duty of the officers of the Division of Fire Prevention to enforce all laws and ordinances of the State, County and City covering the following:

1. The prevention of fires;
2. The storage and use of explosives and flammables;
3. The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment;
4. The maintenance and regulation of fire escapes;
5. The means and adequacy of exit in case of fire, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theatres, amphitheatres, and all other places in which

numbers of persons work, live, or congregate, from time to time, for any purpose;

6. The investigation of the cause, origin and circumstances of fires.

They shall have such other powers and perform such other duties as are set forth in other sections of this ordinance, and as may be conferred and imposed from time to time by law. The Chief of the Fire Department may delegate any of his powers or duties under this ordinance to the Fire Marshal.

Section 2b: It shall be the duty of the Chief of the Fire Department to investigate and to recommend to the City Council such additional ordinances, as he may deem necessary for safeguarding life and property against fire.

Section 2c: The Chief of the Fire Department shall prepare instructions for the Fire Marshal and his assistants, and forms for their use in the reports required by this ordinance.

Section 2d: The Chief of the Fire Department, Fire Marshal or an Assistant specially designated thereto shall inspect, as often as may be necessary, but not less than four times a year, all specially hazardous manufacturing processes, storages or installations of acetylene or other gases, chemicals, oils, explosives and flammable materials, all interior fire alarms and automatic sprinkler systems, and such other hazards or appliances as the Chief of the Fire Department shall designate, and shall make such orders as may be necessary for the enforcement of the laws and ordinances governing the same and for safeguarding of life and property from fire.

Section 2e: It shall be the duty of the Chief of the Fire Department to inspect, or cause to be inspected by the Division of Fire Prevention, or by the Fire Department officers and members, as often as may be necessary, but not less than twice a year in outlying districts and four times a year in the closely built portions of the City all buildings, premises and public thoroughfares except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of any ordinance of the City affecting the fire hazard.

Whenever any Fire Marshal, as defined above, shall find in any building, or upon any premises or other place, combustible or explosive matter or dangerous accumulations of rubbish or unnecessary accumulation of waste paper, boxes, shavings, or any highly flammable materials especially liable to fire, and which is so situated as to endanger property; or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within twenty-four hours to the Chief of the Fire Department, as provided in Section 2f of this ordinance.

Section 2f: The Chief of the Fire Department or Fire Marshal of the Division of Fire Prevention, upon the complaint of any person or whenever he or they shall deem it necessary, shall inspect all buildings and premises within their jurisdiction.

Whenever any of said officers shall find any buildings or other structure which, for want of repairs, lack of or insufficient fire escapes, automatic or other fire alarm apparatus or fire-extinguishing equipment or by reason of age or dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property or the occupants thereof, and whenever such officer shall find in any building combustible or explosive matter or flammable conditions dangerous to the safety of such building or the occupants thereof, he or they shall order such dangerous conditions or materials to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises or building. If such order is made by the Fire Marshal or any of his Assistant Inspectors, such owner or occupant may within twenty-four hours appeal to the Chief of the Fire Department, who shall, within five days, review such order and file his decision thereon, and unless by his authority the order is revoked or modified it shall remain in full force and be complied with within the time fixed in said order or decision of the Chief of the Fire Department.

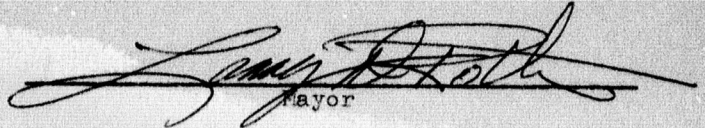
Provided, however, that any such owner or occupant may, within five days after the making or affirming of any such order by the Chief of the Fire Department, file his petition with the Construction Board of Appeals, praying a review of such order and it shall be the duty of such board to hear the same within not less than five days nor more than ten days from the time the petition is filed, and to make such order in the premises as right and justice may require, and such decision shall be final."

Section 2: All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance, are hereby repealed.

Section 3: Whereas, it is in the betterment of the public health, interest, safety and general welfare of the City of Albany that this matter be disposed of at the earliest possible moment, therefore an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: February 26, 1964

Approved by the Mayor: February 26, 1964


Mayor

Effective Date: February 26, 1964

ATTEST:


Ernestell Isham
City Recorder