

CHAPTER XVII
FIRE PREVENTION

17-1 Fire Hazards Prohibited; Burning Regulations.

17-1.1 *Definition.* As used in this section; "person" shall mean and include any and all domestic and foreign corporations, associations, syndicates, joint stock corporations, partnerships of every kind, clubs, schools, Massachusetts, business or common law trusts, societies and individuals. (Ord. No. 9, § 1)

17-1.2 *Combustible Material.* No person shall deposit or keep, accumulate or permit, cause or suffer, any combustible rubbish or waste matter to be deposited, kept or accumulated in the City in such a manner as to constitute a fire hazard. Provided, further, that no person shall keep, accumulate or permit to be kept or accumulated any oily rags or oily waste, in any building or enclosure in the City unless the same is kept in a metal receptacle or can be fitted with a self-closing lid or cover, said receptacle being of durable material, having riveted joints, standing on metal legs which raise the bottom of the receptacle or container at least five inches from the floor. (Ord. No. 9, § 2)

17-1.3 *Burning Rubbish.* No person shall set fire to or burn any brush, grass, lumber, trash, rubbish, leaves or other combustible material, unless such burning is done between the hours of 6:00 a.m. and 12:00 noon; and in an incinerator, without first obtaining a written permit from the City Clerk or his duly authorized agent, and then only in strict accordance with the terms of such permit. All incinerators shall have a one-quarter inch mesh screen lid or cover over the smoke stack, or equivalent thereof, and shall be permitted only when it is placed at least ten feet from any building, fence, property line, dry grass, or other combustible material. Written permission shall not be necessary when such flammable material is burned in small heaps or piles in plowed fields or not nearer than 100 feet to any house, corral, fence, structure, dry grass, brush, forest covered land, grain or stubble field, wood pile or hay stack or any other combustible material (Ord. No. 9, § 3)

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17-1.4 *Burning Odiferous Material.* No rubber scrap or any other material which produces or expels therefrom repugnant odors or other substances likely to cause an explosion shall be burned in an incinerator or within 50 feet of the property of another person unless within an incinerator which is designed and constructed to affect sufficient combustion of the material to prohibit the liberation to outside air of any substance, gases or odors which may be dangerous or harmful to health, safety or property. (Ord. No. 9, § 4)

17-1.5 *Penalty.* Any person violating any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be liable to the penalty established in chapter 1, section 1-5. Each day's violation of this section shall be deemed a separate offense hereunder for each which separate offense prosecution may be had and punishment imposed as herein provided. (Ord. No. 9, § 5)

17-2 Uniform Fire Code.

17-2.1 *Uniform Fire Code.* The Fire Code for the city consists of latest edition of the Uniform Fire Code, published by the Western Fire Chiefs Association and the California Building Standards Commission with errata and Appendix Chapters I-C, II-A, II-B, II-C, II-F, II-I, II-J, III-A, III-C, III-D, IV-A, of the "Uniform Fire Code Standards, 1997 Edition", as amended, the Fire Code is adopted by this reference is the Fire Code for the purpose of regulating the safeguarding of life, property and public welfare to a reasonable degree from the hazards of fire, hazardous materials release and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, the operation, installation, construction, location, safeguarding and maintenance of attendant equipment, and the installation and maintenance of adequate means of egress not provided for by the building code. Three copies of which are filed in the Office of the City Clerk of the City of Ridgecrest and each portion and provision thereof is hereby referred to, adopted and made a part of this chapter to the same effect as if fully set forth herein, and is hereby declared to be the Uniform Fire Code of the City of Ridgecrest for the purpose of regulating the safeguarding of life, property and public welfare to a reasonable degree from the

hazards of fire and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, the operation installation, construction, location, safeguarding and the maintenance of attendant equipment, and the installation and maintenance of adequate means of egress not provided for by the building code.

Pursuant to the foregoing, the Fire Chief, in the exercise of his discretion, may interpret, administer and enforce this code by reference to the standards set forth in Section 101.3. Any authority of the Fire Chief involving discretion, or interpretation of this code, shall be exercised in a reasonable manner. Any decision of the Fire Chief relating to the interpretation of this Code, or to the standards referred to in Section 101.3 of the Uniform Fire Code shall be subject to appeal to the City of Ridgecrest Board of Appeals and the Ridgecrest City Council.

(Ord. No. 77-15, § 1; Ord. No. 85-03, § 11; Ord. No. 85-06, § 1; Ord. No. 87-10, § 11; Ord. No. 02-04, § 2, 10-16-02)

17-2.2 *Amendment to Code.* Article 12, Fireworks, is hereby amended by the addition of subparagraph (d) to Section 12.120, as follows: 'Safe and Sane Fireworks, as defined by Health and Safety Code Section 12504 may be sold, purchased and discharged within the City in accordance with the regulations promulgated by the Kern county Fire Department. (Ord. No. 77-15, § 2; Ord. No. 91-04, § 2)

17-2.3 *Regulations Concerning Issuance of a Permit.*

a. The issuance or granting of a permit or approval of plans and specifications by the City Building Department shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorizes is lawful.

b. The issuance of a permit upon plans and specifications shall not prevent the Building Inspector from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinances or from revoking any Certificate of Approval when issued in error.

c. Every permit issued by the Building Inspector under the provisions of this Code or other Codes of the City shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within 60 days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 120 days. Before such work can be recommended a new permit shall be first obtained to do so. (Ord. No. 77-15, §3)

17-2.4 *City or Employees Not Liable for Damages.* This section shall not be construed as imposing on the City or its officers or employees any liability for damage resulting from defective work; nor shall the City or any of its officers or employees be held to assume any such liability by reason of the inspections authorized hereunder. (Ord. No. 77-15, §4)

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17-2.5 *Compliance with Requirements; Violation and Penalty.* No person, whether as owner, lessee, sublessee, or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this section or the code adopted herein or any order issued by the Building Official hereunder. Any person violating any of the provisions of this section or the code adopted herein shall be guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this section or the Code adopted hereby is committed, continued, or permitted, and upon conviction of such violation such person shall be punishable by a fine of not more than three hundred (\$300.00) dollars, or by imprisonment for a period of not more than 90 days, or by both such fine and imprisonment. (Ord. No. 77-15, §5)