

An Ordinance Concerning The Fire Department and Fires.

Be it ordained by the City Council of the city of Grand Junction:

ARTICLE 1.—OFFICERS.

SEC. 1.—On the last Thursday of the month of April in each year, the active firemen connected with the fire department of Grand Junction shall nominate a chief and assistant chief engineer of the fire department.

SEC. 2.—The person receiving a majority of all the votes cast respectively for the office of Chief and Assistant Chief Engineer at such election, shall be deemed the nominees of the Fire Department to the office of Chief Engineer and Assistant Chief Engineer and such nominees, when confirmed by the City Council, as hereinafter provided, shall be declared as such Chief and Assistant Chief Engineer for the term of one year from the first Thursday in June of each year and until his successor is duly elected and confirmed.

SEC. 3.—The persons so nominated shall present proper proof of such nomination to the City Council at their meeting in the month of May thereafter in each year and the City Council shall thereupon confirm or reject such nominees and the name or names of the person or persons so rejected shall be by the City Clerk at once returned to the Fire Department, whereupon the officers in charge of the Fire Department shall immediately order an election to fill the place of the nominee so rejected, and the name or names of such person or persons so nominated shall in like manner be presented to the City Council at their first meeting thereafter for confirmation or rejection, and if confirmed the nominee or nominees so confirmed shall hold his or their offices for one year from the first Thursday in the month of June preceding, and until his successor is elected and confirmed, provided the person so rejected may be again nominated for the same position during the same year by the Fire Department, but only on his receiving an actual majority of all the active members of the Fire Department. All officers of the Fire Department shall be subject to removal from office by the City Council for dereliction of duty in the manner of other appointed officers.

SEC. 4.—In case a vacancy shall occur in the office of Chief or Assistant Chief Engineer, the officers in charge of such Fire Department shall, within ten days after such vacancy occurs, cause a meeting of all active firemen and proceed to nominate a person to fill such vacancy, which person, when confirmed by the City Council, shall fill such office. Provided, that should the members of the Fire Department fail to nominate a person when and as provided in the preceding sections for any of said offices then the City Council may, in the first instance, fill such offices by appointment.

SEC. 5.—The Chief Engineer shall have the immediate direction and control of the Fire Department, fire bell and fire alarms of the City, subject to the rules and regulations provided by the City Council. It shall be his duty to make a quarterly report to said City Council at the first regular meetings of that body in the months of January, April, July and October of each year, of the state and efficiency of the Fire Department and apparatus, and also to give, as nearly as possible, the number and causes of fires, alarms, damages, etc., together with such recommendations as he may deem for the interest of the department; and he shall also at least once every three months examine and test all fire plugs or hydrants, and make a test of the fire pressure, and ascertain whether or not the same is sufficient to properly protect the city from fire; and said chief engineer shall perform such other duties pertaining to the welfare of the department and the public good as the city council may direct.

SEC. 6. It shall be the duty of the assistant chief engineer to aid the chief in the discharge of the obligations of his office, and in his absence he shall have the same power as the chief engineer, and perform all the duties of his office.

SEC. 7. In the absence of the chief engineer and his assistant, the foreman of the oldest organized company present shall take command and have the same powers as the chief engineer.

SEC. 8. The chief engineer shall be distinguished while on duty by a white coat and a banner shaped silver badge bearing the words and letters, "Chief F. Dept. G. J.," which badge shall be worn on the left breast.

SEC. 9. The badges or insignia worn or carried by the assistant chief engineer while on duty shall differ from those of the chief engineer only in that the silver banner shall bear the words, "Ass't Chief F. Dept. G. J.," and his coat shall be trimmed with blue.

SEC. 10. The chief engineer and his assistant shall each be required to keep their said badges conspicuous while on

duty, and unless they do, no order given by them to any person not a member of the department shall be considered binding.

SEC. 11.—It shall be the duty of the foreman of companies to keep a strict watch over all apparatus under their control, see that it is kept in good working order and always ready for immediate use. He shall also see that the building or room provided for the use of the company is kept in a cleanly condition, reporting to the chief engineer, all necessary alterations or repairs, and see that same is not made a resort for idlers, boys or other persons not belonging to the department, and have it all times in readiness for the inspection of the chief, his assistant, the mayor or any member of the board of Aldermen, and he shall keep a record of the attendance at any and all fires of all members of his company.

SEC. 12.—It shall be the duty of the assistant foreman to aid the foreman in the discharge of his duties, and in his absence the assistant foreman shall be clothed with the same power, and perform all the duties pertaining to the office of foreman.

ARTICLE 2.—RULES AND REGULATIONS FOR THE GOVERNMENT OF THE FIRE DEPARTMENT.

SEC. 1.—This department is created by the city council of Grand Junction for the purpose of preventing and extinguishing fires; and the rules and regulations for its government may be altered and amended from time to time by that body as they shall deem expedient.

SEC. 2.—Every person who shall be present during a fire, shall be subject and obedient to the orders of the chief and assistant chief engineer, the mayor, city marshal and police officers, in extinguishing the fire, and removing and protecting property. All city officers shall have power to arrest any such person so neglecting or refusing to obey such lawful orders as aforesaid, and hold him in custody until after the fire shall have been extinguished, when he shall be taken before the police magistrate, to be dealt with according to law. Provided, that no person shall be bound to obey such officers unless the official character of the officer be known or made known to such person.

SEC. 3.—It shall be the duty of every police officer, upon an alarm of fire, to repair immediately to the place of fire, and there remain, subject to the direction of the mayor, or the chief or assistant chief engineer, or the marshal for the discharge of police duty, and to assist in preserving, guarding and protecting property, and to keep all idle and suspicious persons from the immediate vicinity of the fire, and under the direction of the chief or assistant chief engineer, to aid and assist in procuring supplies of water for the extinguishment of the fire.

SEC. 4. It shall be the duty of each individual member of the department to hold himself at all times in readiness for immediate action in case of a fire or fire alarm (unless prevented by bodily sickness or absence from the city), to treat with respect and obey the orders of his superior officers at all times, to thoroughly acquaint himself with the location of all the fire hydrants in the city, and to maintain and support, to the best of his ability, the rules and regulations of the department, and the constitution and by-laws of the company to which he belongs.

SEC. 5.—Each and every officer or member of a company in command of the same, will be held responsible for his actions while occupying such position, or for any wilful neglect of duty or violation of any order from the chief or assistant chief engineer, and any officer or member of the department or any other person who shall, during the time of any fire, neglect or refuse to obey the order or orders of the above named officers, shall be held liable for each offense, to the infliction of such penalty as is hereinafter provided.

SEC. 6.—No company officer, or other person in command of a company, will be allowed to remove his company from the scene of any conflagration, whether the fire shall have been extinguished or not, until he shall have first obtained the consent of the chief engineer or his representative in charge, and no individual member of the department shall be allowed to depart therefrom, unless he shall first obtain the consent of the officer in command of the company to which he belongs.

SEC. 7.—In going to or returning from a fire or fire-alarm, the drag rope shall be the proper place for all firemen except officers, and it shall be their duty to prevent boys or noisy and improper persons from taking hold of said drag rope, and no person to ride on the apparatus; and on no account shall any person not a member of the department, be allowed to manage or have control of the tongue or tiller of any apparatus.

It shall be the duty of all company officers to prevent any conduct that may be likely to cause a breach of the peace or reflect any discredit on the department.

SEC. 8.—No officer or member of this department shall carelessly or willfully bring any hose carriage, hook and ladder truck or fire engine or other apparatus belonging to the department, into collision with a vehicle, of any kind, while going to or returning from any fire or fire alarm.

SEC. 9.—Any company returning from a fire and finding in its possession any hose, ladder, axe or other tool, implement or apparatus, belonging to another company, shall immediately return the same to the company to which it belongs.

SEC. 10.—In all cases of fire, the hose company or any member thereof who shall first reach a public hydrant with the necessary hose to attach, shall be entitled to the use of the hydrant, and no person shall attempt to hold possession of any hydrant without the hose at hand for immediate use, nor refuse to let the water be turned on, nor having a key in his possession, shall refuse the use of it to turn on or shut off the water.

SEC. 11.—When a fire is in progress, the chief engineer or his representative in command may (with the advice of such members of the city council as may be present, or in case there are none present, and in his judgment he shall deem it necessary), order such building or buildings as are in close proximity thereto to be pulled down, blown up or otherwise destroyed, for the purpose of checking the progress of the conflagration.

But neither the chief engineer nor any officer or member of the department shall wantonly destroy any property whatever.

SEC. 12.—No member of the depart-

ment or other person shall willfully turn a stream of water, nor cause the same to be done by others, on any person or persons or any goods or other property, susceptible to damage by water, except in case of necessity, and no person, whether a member of the department or not, shall be allowed to needlessly handle the hose, stream of water, hydrant or other apparatus.

SEC. 13.—No officer or member of the fire department or any other person shall cause to be given, in any manner whatever, a public alarm of fire, unless he can show that he had the best of reasons for believing that there was, at the time of giving such alarm, a fire in progress, endangering the destruction of property.

SEC. 14.—In case of any fire or alarm of fire in this city, when the services of this department are called into requisition, no person shall drive any loaded wagon, cart, carriage, street car or other rail car, nor any other vehicle over the hose belonging to the department, and no officer or member of the department shall willfully drive or run a hose carriage, hook and ladder truck, fire engine or other vehicle over the hose, or cause the same to be done, unless the same cannot be avoided.

SEC. 15.—No officer or member of the department shall be allowed, under any circumstances, to lend, sell or give to any person or persons not belonging to the department, any portion of his uniform or any badge or insignia which usually designates the wearer thereof as a member of the fire department.

SEC. 16.—No fire apparatus shall be let out for hire, sold or loaned, in any case, without the consent of the chief engineer, nor will his consent be sufficient to allow any portion of the apparatus or any company of the department to go outside the city limits unless concurred in by a majority of the committee on the fire department or of the city council.

SEC. 17.—No officer or member of the department shall be allowed to contract any debt in the name of the department except upon the written order of the chief engineer or his representative in charge.

SEC. 18.—In case a charge of "intoxication while on duty" be preferred and proven against any officer or member of the department, he shall be subject to such punishment as hereinafter provided; and it shall be the duty of every officer and member of the department to report such member violating this rule to the chief engineer; but no such charge shall be entertained against any member of the department unless made within ten days after the act complained of shall have been committed.

SEC. 19.—All charges or complaints against any officer, member of the fire department, or other persons for violation of any of the within prescribed rules and regulations shall be made before the police magistrate of the city of Grand Junction.

SEC. 20.—Any officer or member of the fire department who shall be convicted of a violation of any of the foregoing rules and regulations shall be subject to the following named penalties, to-wit: a severe reprimand, to definite or indefinite suspension, or expulsion from the department or to a fine of not less than two nor more than fifty dollars according to the nature of the offense, together with the cost of prosecution.

SEC. 21.—Any person or persons who are not members of the fire department, who shall violate any of the foregoing rules and regulations, shall, on conviction be fined in a sum of not less than five nor more than fifty dollars, together with the costs of prosecution.

ARTICLE 3. - FIRE WARDENS AND PRECAUTIONARY REGULATIONS.

SEC. 1.—The mayor, marshal and chief engineer of the fire department are hereby declared fire wardens and are authorized and empowered to do and perform all the duties of fire wardens by this ordinance required.

SEC. 2. The fire wardens shall examine all buildings occupied or unoccupied and all buildings in process of construction, all depositories of ashes, and manufacturing establishments and report to the police magistrate all violations of law and the ordinances of Grand Junction in relation thereto.

SEC. 3.—The fire wardens shall also from time to time, inspect all stoves, fire places, hearths, grates, furnaces, boilers and other places where fires may be kept, and all stove pipes, chimneys, ovens and other apparatus or fixtures, connected therewith, for the purpose of ascertaining whether the same be in a safe and proper condition, and such inspection shall be made on the request of any citizen, at any proper time for the purpose of ascertaining the condition and safety thereof, and whenever in the opinion of any fire warden any such place is in such a condition, as to render the keeping of fire therein unsafe, it shall be his duty to order and direct the occupant of the building in which the same may be, or with which the same may be connected, to discontinue the making of fires therein, and to make all necessary alterations and repairs, to render the keeping of fire therein safe, in the opinion of the fire warden inspecting the same; and if any person shall make or continue a fire therein, without first making such alterations and repairs as directed by the fire warden, such person shall, on conviction, be fined not less than five dollars for each and every day he shall continue to so use the same without making such alterations and repairs as aforesaid; provided, that any person, feeling himself aggrieved by the decision or direction of any fire warden, may appeal to the city council, at their first meeting thereafter; but in all cases the orders of any fire warden to discontinue the making of any fire shall be complied with until the final decision of the city council on such appeal.

SEC. 4.—Any person who shall use or allow to be used in any stable or other place where hay, straw or other like combustible material is kept, any lighted candle or lamp without having the same well secured in a lantern, shall on conviction be fined not less than two dollars, nor more than fifty dollars for each offense.

SEC. 5.—No chimney shall hereafter be built in this city less than four inches in thickness of brick or stone completely imbedded in lime mortar and plastered on the inside with a smooth coat of the same. No flue shall in any case be less than four-by-eight inches, and if intended for more than two stoves not less than eight-by-eight inches. Holes for stove pipes shall have a sheet iron thimble inserted into the chimney, imbedded in mortar, and when not in use a tin or sheet iron stopper, with a flange at least one half of an

inch wide outside the brick. Every person who shall hereafter build or cause to be built a chimney contrary to the provisions of this section, shall on conviction be fined not less than five dollars and in the further sum of five dollars for each week that the same remains unaltered after notice from the fire warden to alter the same provided, that persons desiring may erect or build chimneys of terra cotta or other hard earthen material, and if built of such material they shall in all respects be built as directed by any fire warden, and on failure or refusal to build as directed, the person so failing or refusing, shall on conviction be fined not less than five dollars nor more than fifty dollars and in the further sum of ten dollars for each week that such chimney remains contrary to the directions of such fire warden.

SEC. 6. Stovepipes shall not be placed less than four inches from any wood or other combustible material, unless there be a double circle of tin or of sheet iron connected together and air holes through the connecting tin between said stovepipes and the combustible material. No person or persons shall build or keep any fire in any furnace, range or stove within the corporate limits of Grand Junction, unless the said stove, range or furnace shall be connected by good sound pipe with a chimney, according to the provisions of this ordinance. Any person violating the provisions of this section shall, on conviction, be fined in the sum of five dollars, and the further sum of five dollars for each day he shall continue violating this section.

SEC. 7. Any person who shall set up or use any stove without having under the same a sheet of zinc or other metallic substance, or box containing sand or non-combustible substance, or who shall place and use a stove the sides or end of which is within one foot of any part of any woodwork without protecting such woodwork with metallic covering, so as to effectually prevent the same from taking fire from such stove, shall, on conviction, be fined the sum of five dollars and the further sum of five dollars for each week such stove shall remain in such condition, after notice from any fire warden to change the same.

SEC. 8. No person shall, within one block of any building in this city, set on fire or burn or caused to be burned, in any street, avenue, alley or lot, any hay, straw, chips, shavings or other combustible material, or light any bonfire or camp fire, without having first obtained permission in writing from the mayor; provided, that nothing in this section shall be construed to prohibit the street commissioner from setting fire to or burning any weeds, straw or other rubbish in the discharge of his official duties. Any person or persons violating the provisions of this section shall, on conviction be fined not less than five dollars nor more than fifty dollars for each offense.

SEC. 9. No ashes (except at manufactories where ashes are used) shall be kept or deposited in any part of Grand Junction unless the same be kept in a close and secure metallic or earthen vessel or brick or stone ash room. Any person violating the provisions of this section shall, on conviction, be fined not less than five dollars nor more than fifty dollars for each offense.

SEC. 10. No person shall at any place between first and Seventh streets and Ute and Grand avenues, within this city, have, put or keep any hay, straw or other combustible material in stack or pile without having the same covered, enclosed or secured, so as to protect it from flying sparks of fire. Any person or persons violating the provisions of this section shall, on conviction, be fined not less than five dollars nor more than fifty dollars for each offense.

SEC. 11. No person, firm or corporation shall keep at his place of business or elsewhere within Grand Junction, any Dynamite, Giant, Neptune, Atlas, or Rend Rock powders, Gun Cotton or other high explosives of any kind at any time, in quantities exceeding one hundred pounds, nor caps, commonly known as blasting caps, in quantities exceeding one thousand; nor shall any black powder be kept within Grand Junction in quantities exceeding fifty pounds, the same to be kept in tin or metal cases, each of which shall not contain more than six and one fourth, twelve and one half or twenty-five pounds. Provided, that when a party has several kinds of powder or high explosives, the whole shall not exceed one hundred pounds. And it is hereby made the duty of all persons keeping any of the explosives mentioned in this section, to inform the city marshal, chief and assistant chief of the fire department of the exact location of their buildings in which such explosives are kept so that the same may be promptly removed in case of fire.

Any person violating the provisions of this section shall on conviction be fined in a sum not less than five dollars nor more than one hundred dollars.

Sec 12 amended Ord to 7

SEC. 12. It shall be unlawful for any person or persons to keep or store in any building or place within the corporate limits of Grand Junction, unless the same be in some isolated building or vault, separate from other buildings by a clear open space of at least two hundred feet, kerosene or coal oil in quantities exceeding four barrels; or benzine or gasoline naphtha and other inflammable or illuminating oils or burning fluids in quantities exceeding five gallons; and it shall be unlawful for any person or persons to mix for sale naphtha and illuminating oils or to sell or offer for sale such mixture in Grand Junction, or to keep or sell or offer for sale within said city kerosene, gasoline or any other of the products of petroleum for illuminating purposes, which may vaporize or explode at a less temperature than one hundred and ten degrees Fahrenheit.

Any person violating the provisions of this section shall on conviction be fined in a sum not less than five dollars nor more than one hundred dollars.

Passed this 26th day of September, A. D. 1891. EDWARD W. GANNON, Temporary President. FRANK MCCLINTOCK, City Clerk Pro Tem.

Edward W Gannon
Temporary President
Frank McClintock City Clerk pro tem