

PRELIMINARY DRAFT

CHAPTER 10

FIRE PREVENTION

- Art. I. Fire Department
- Chief Of Department; Appointment; Removal, sec. 10.101
 - Two Platoon System, sec. 10.102
 - Absence Of Chief, sec. 10.103
 - Vacancy, sec. 10.104
 - Vacations, sec. 10.105
 - Aid, To Other Cities Or Towns, sec. 10.106
 - Master Mechanic, sec. 10.107
 - Inspector Of Garages And Fire Prevention, sec. 10.108
 - Expenditures Of Department, sec. 10.109
 - Rules And Regulations, sec. 10.110
 - Preservation Of Certain Apparatus, sec. 10.111
- Art. II. Bureau Of Fire Prevention
- Establishment Of Bureau; Inspectors, sec. 10.201
 - Recordation Of Fires, sec. 10.202
 - Annual Report, sec. 10.203
 - Duty To Enforce Laws And Ordinances, sec. 10.204
 - Inspection Of Hazardous Businesses, sec. 10.205
 - Inspection Of Premises And Public Thoroughfares, sec. 10.206
 - Chief Of Police To Assist In Investigation, sec. 10.207
 - Duty Of Teachers, sec. 10.208

ARTICLE I. FIRE DEPARTMENT¹

SECTION 10.101. CHIEF OF DEPARTMENT; APPOINTMENT; REMOVAL. The Fire Department shall be under the charge of the Chief who shall be appointed by the City Manager subject to the provisions of the Acts of 1937, Chapter 262, for an indefinite period, and the City Manager may, at any time, remove him in accordance with the provisions of law. (G.O. 1943, c. 11, sec. 4, and part of Ord. No. 593, June 23, 1958)

SECTION 10.102. TWO PLATOON SYSTEM. The department shall be established upon the basis of a two (2) platoon system. The Chief shall have authority to make necessary changes in the number of members of the department and in equipment to meet the requirements of the system. (Ord. No. 593, June 23, 1958)

¹ For full treatment of the law of the Commonwealth as to fires, fire departments and fire districts, see G.L., c. 48, secs. 1 to 87. As to opening, or tampering with fire alarm boxes, see sec. 14.104 of this Code.

For ordinances pertaining to fire districts, see sec. 7.401 and Appendix B of this Code.

FIRE PREVENTION

SECTION 10.103. ABSENCE OF CHIEF. If the Chief of the Fire Department is absent or unable from any cause temporarily to perform his duties they shall be performed by the senior ranking officer in the department. The person upon whom such duties shall devolve shall possess the powers of the Chief of the Fire Department only in matters not admitting of delay. (G.O. 1943, c. 11, sec. 8)

SECTION 10.104. VACANCY. If the office of Chief becomes vacant it shall be filled by the City Manager pending a permanent appointment in accordance with G.L., c. 41, sec. 61A. (G.O. 1943, c. 11, sec. 7)

SECTION 10.105. VACATIONS. (a) Each permanent member of the Fire Department shall be allowed annual vacation without loss of pay in accordance with G.L., c. 41, sec. 111D.

(b) Vacations shall be taken at such time within the year as may be determined by the Chief, but each member must have served six months previous to the vacation period before he shall be allowed a vacation. Days off falling within the vacation period shall not be considered a part thereof. (G.O. 1943, c. 11, sec. 10 as amended)

SECTION 10.106. AID TO OTHER CITIES OR TOWNS. The Chief, or during his absence, the Deputy Chief is authorized to go to aid another city, town or fire district in extinguishing fires therein, with both apparatus and men, and, while in the performance of their duties in extending such aid, the members shall have the same immunities and privileges as if performing the same within the City. (G.O. 1943, c. 11, sec. 11)

SECTION 10.107. MASTER MECHANIC. The Chief of the Fire Department shall appoint a Master Mechanic who shall be a member of the department and who shall have charge of the Fire Department repair shop and supervise all repairs of apparatus and equipment belonging to the Fire Department. (G.O. 1943, c. 11, sec. 3)

SECTION 10.108. INSPECTOR OF GARAGES AND FIRE PREVENTION. The Board of License Commissioners is authorized to appoint an Inspector of Garages and Fire Prevention who shall act under the authority and direction of said Board in the inspection of all premises which it may be intended to use for the purchase, storage, sale, barter or exchange of rags, paper stock, or other inflammable junk so as to determine for said Board the exact condition of such premises and whether or not such conditions may be in agreement with the provisions of the statutes of the Commonwealth or ordinances of the City. He shall also perform such other service as may be required by the regulations of the Board of License Commissioners. (G.O. 1943, c. 11, sec. 12)

FIRE PREVENTION

SECTION 10.109. EXPENDITURES OF DEPARTMENT. The Chief may expend for the conduct of his department such sums as the City Council may appropriate. (G.O. 1943, c. 11, sec. 5)

SECTION 10.110. PROMULGATION OF RULES; RECOMMENDATIONS TO COUNCIL. (a) The Chief of the Department with the approval of the City Manager, shall make rules and regulations governing the operation of the department.

(b) He shall recommend to the City Council such additional ordinances, or amendments to existing ordinances, as he may deem necessary for safeguarding life and property against fire. (G.O. 1943, c. 11, secs. 6, 15)

SECTION 10.111. PRESERVATION OF CERTAIN APPARATUS. (a) For the purpose of insuring the preservation of certain fire apparatus, the department shall be required to properly maintain, store, and where necessary, refurbish the following: (1) Seagrave 8 fire truck, serial number 81440, engine number KA101; (2) Engine 2 - Peter Pirsch & Sons fire truck, serial number 1936, engine number 931490; and (3) Engine 5 - Peter Pirsch & Sons fire truck, serial number 155224, engine number 145320.

(b) Said trucks shall be held on behalf of the City for ceremonial and reserve use purposes, and shall not be sold, exchanged, or otherwise transferred from possession of the City without approval by the City Council.

ARTICLE II. BUREAU OF FIRE PREVENTION

SECTION 10.201. ESTABLISHMENT OF BUREAU; INSPECTORS. (a) A Bureau of Fire Prevention in the Fire Department is hereby established which shall be operated under the supervision of the Chief of the Fire Department.

(b) The Chief shall designate an officer of the department as Chief Inspector of the Bureau of Fire Prevention, who shall hold this office at the pleasure of the Chief of the Fire Department.

(c) The Chief of the Fire Department may also designate not more than five inspectors or as shall from time to time be authorized by the City Council. The members of this bureau shall be members of the Fire Department and shall wear a special badge with the designation "fire prevention inspector" and shall be fully uniformed while on inspection work.

(d) Whenever any inspector finds any building or other structure to be especially liable to fire from any cause whatsoever, he shall immediately, in writing, report such conditions to the Chief who shall take the necessary steps to see that the conditions are corrected. (G.O. 1943, c. 11, secs. 13, 21)

FIRE PREVENTION

SECTION 10.202. RECORDATION OF FIRES. The Chief of the Fire Department shall keep, in the office of the Bureau of Fire Prevention, a record of all fires and of all the facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance, and if so, in what amount. Such record shall be made daily from the reports made by the inspectors under the provision of this Article. All such records shall be public. (G.O. 1943, c. 11, sec. 25)

SECTION 10.203. ANNUAL REPORT. The annual report of the Bureau of Fire Prevention shall be made as of December 31 and transmitted to the City Manager through the Chief of the Fire Department. It shall contain all proceedings under this Article with such statistics as the Chief of the Fire Department may wish to include therein. The Chief of the Fire Department shall also recommend any amendments to the ordinance which, in his judgment, shall be desirable. (G.O. 1943, c. 11, sec. 26)

SECTION 10.204. DUTY TO ENFORCE LAWS AND ORDINANCES. The Bureau of Fire Prevention shall enforce all laws and ordinances of the Commonwealth and City, covering the following:

- (a) The prevention of fires;
- (b) The storage, keeping, manufacture, sale, transportation or other disposition and use of explosives and flammables;
- (c) The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment;
- (d) The maintenance and regulation of fire escapes;
- (e) 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;
- (f) The investigation of the cause, origin, and circumstances of fire;
- (g) The investigation of buildings especially susceptible to fire; and,
- (h) The investigation of hazardous occupancies.
- (i) Such other duties as are set forth in other Sections of this Article, 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 Article to any officer of the Fire Department. (G.O. 1943, c. 11, sec. 14)

FIRE PREVENTION

SECTION 10.205. INSPECTION OF HAZARDOUS BUSINESSES. The Chief Inspector or an inspector specially designated thereto shall inspect, as often as may be necessary, but not less than once a month, 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. (G.O. 1943, c. 11, sec. 19)

SECTION 10.206. INSPECTION OF PREMISES AND PUBLIC THOROUGHFARES. (a) The Chief of the Fire Department, or any person to whom he may lawfully delegate his authority, shall cause to be inspected as often as may be necessary, but not less than twice a year, all buildings, premises and public thoroughfares and shall, in accordance with the provisions of G.L., c. 148, sec. 4, order that any violation be corrected.

(b) If the Chief of the Fire Department shall find either as a result of any report by the Bureau of Fire Prevention or the members thereof or any inspector or from his own inspection that any building or any part of a building constitutes an imminent danger to the lives and safety of a person inhabiting the same, employed therein, or resorting thereto for purposes of entertainment or otherwise, he shall have the power to order the immediate removal or abatement of any obstructions, appliances, decorations, or any articles or conditions whatsoever which in his opinion constitutes such imminent danger to the lives and safety of such persons; and the owner, occupant, lessee or person in control of such premises shall forthwith comply with said order. If the Chief of the Fire Department is of the opinion that the articles or conditions causing such danger cannot be immediately removed or abated, he shall have the power to order the immediate closing of said premises until such removal or abatement has been accomplished to his satisfaction. If he shall be of the opinion that such articles or conditions could be immediately removed or abated, but the owner, occupant, lessee or person in control of said premises neglects or refuses immediately to comply with said order, the Chief may likewise order the immediate closing of such premises. The Police Department shall assist the Chief of the Fire Department in enforcing immediate compliance with such order and to enforce the closing of said premises and to see to it that no person shall enter thereon except such person as shall lawfully engage in any work relative to the correction of the conditions causing the aforesaid danger.

(c) The serving of any such order may be made upon the occupant of such premises to whom it is directed, either by delivering a copy of it to such occupant personally or by delivering it to and leaving it with the person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises.

FIRE PREVENTION

(d) Any owner or occupant who fails or refuses to comply with the order shall be punished by a fine of not more than Fifty (\$50.00) Dollars as provided in G.L., c. 148, sec. 5. (G.O. 1943, c. 11, sec. 20)

SECTION 10.207. CHIEF OF POLICE TO ASSIST IN INVESTIGATIONS. The Chief of Police, upon request of the Bureau of Fire Prevention, shall assist the inspectors in the investigation of any fire which, in their opinion, is of suspicious origin. (G.O. 1943, c. 11, sec. 23)

SECTION 10.208. DUTY OF TEACHERS. The Chief of the Fire Department shall require teachers of public, private and parochial schools and educational institutions to have one fire drill each month and to keep all doors and exits unlocked during school hours. (G.O. 1943, c. 11, sec. 24)

