

T I T L E 3 5

Public Safety Law

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Fire Prevention Code

Chapter 1. GENERAL ADMINISTRATIVE PROVISIONS

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§1.1. Short title.

The provisions of Part I of this title shall be known as the Fire Prevention Code. They are hereinafter referred to as this Code.

Prior legislation: L. 1964-65, ch. XV, §2(§1); L. 1963-64, ch. V, §1(No.1).

§1.2. Purpose of Code.

It is the intent of this Code to prescribe regulations consistent with recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from conditions hazardous to life or property in the use or occupancy of buildings, their accessory structures, and parts thereof and the premises of which they are a part and from storage, handling, and use of dangerous and hazardous substances, materials, and devices.

Prior legislation: L. 1964-65, ch. XV, §2(§2); L. 1963-64, ch. V, §1(No.2).

§1.3. Territorial jurisdiction of Code.

1. *Re buildings and land.* This Code shall regulate the fire prevention safeguards of all buildings, their accessory structures and parts thereof and the premises of which they are a part in every city and municipal district within the Republic of Liberia, including the City of Monrovia and the area known as the Free Port of Monrovia.
2. *Re hazardous substances.* This Code shall further regulate the fire-prevention practices with respect to the storage, handling and use of hazardous substances, materials, and devices which shall prevail throughout the Republic.

Prior legislation: L. 1964-65, ch. XV, §2(§3); L. 1963-64, ch. V, §1(No.3).

§1.4. Application of Code to new and existing conditions.

The provisions of this Code shall apply equally to new as well as to existing conditions except that existing conditions not in strict compliance with the terms of this Code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or property in the opinion of the Director of the Fire Services Bureau.

Prior legislation: L. 1964-65, ch. XV, §2(§4); L. 1963-64, ch. V, §1(No.4).

§1.5. Inspections of buildings and premises.

It shall be the duty of the Director of Fire Services Bureau to inspect or to cause to be inspected by the Bureau's inspectors, officers, or other members, all buildings and premises except the interiors of dwellings; as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, endanger life from fire, or any violations of the provisions or intent of this Code and of any other regulation affecting the fire hazard.

Prior legislation: L. 1964-65, ch. XV, §2(§5); L. 1963-64, ch. V, §1(No.5).

§1.6. Authority of Bureau of Fire Services to enter premises.

The Director of the Bureau of Fire Services, or any duly authorized inspector, officer, or other member thereof, at all reasonable hours and

on presentation of credentials, may enter any building or premises for the purpose of making any inspection or investigation, which under the provisions of the Code, he may deem necessary to be made.

Prior legislation: L. 1964-65, ch. XV, §2(§6); L. 1963-64, ch. V, §1(No.6).

§1.7. Power of Bureau to issue orders to eliminate violations and dangerous or hazardous conditions and persons subject thereto.

1. *Overall powers.* Whenever the Director of the Fire Services Bureau, or any officer, member, or inspector of the said Bureau, shall find in any building or upon any premises any violation of this Code or any dangerous or hazardous conditions or materials, he shall order such violation, or the dangerous and hazardous conditions and the materials involved, if any, to be removed or remedied in such manner as may be specified by the Director of the Fire Services Bureau.

2. *Particular conditions subject to corrective powers.* The authority of the Director of the Fire Services Bureau or of any officer, member, or inspector of the said Bureau, to issue correction orders hereunder extends particularly to cases where the following conditions exist:

(a) Assembling and storing of dangerous or unlawful amounts of combustible or explosive or otherwise hazardous materials;

(b) Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive or otherwise hazardous materials;

(c) Dangerous accumulations of rubbish, waste paper, boxes, shavings, or other highly flammable and combustible materials;

(d) Dangerous accumulations of grease in kitchen exhaust ducts;

(e) Obstructions to or on fire escapes, stairs, passageways, doors, or windows, or accumulations or deposits of materials thereon or in any other location where in the event of fire such objects may obstruct egress of occupants or interfere with fire-fighting operations;

(f) Conditions in any building or other structure which, for want of repairs, lack of adequate exit facilities, or fire-extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, creates a fire hazard.

3. *Persons subject to Bureau orders.* Orders hereunder shall be issued against the owners, occupants, and other persons responsible for

the removal or remedying of the conditions set forth therein dependent upon their respective obligations with regard to the buildings or premises involved. If buildings or other premises are owned by one person and occupied by another under lease or otherwise, the correction orders issued hereunder shall apply to the occupant thereof, except where the correction orders require the making of additions to or changes in a building or premises such as would immediately become real estate and be the property of the owner of the building or premises involved, in which case the correction orders issued hereunder shall apply to the owner and not to the occupant thereof. Agreements made between owners and occupants varying the responsibilities imposed hereunder, unless recognized by the Bureau, shall not override the provisions of this paragraph.

4. *Order hereunder not to exclude other sanctions.* The issuance of an order hereunder shall not prevent the application of any other sanction with respect to the conditions involved.

Prior legislation: L. 1964-65, ch. XV, §2(§7); L. 1963-64, ch. V, §1(No.7).

§1.8. Manner of service of orders for the correction of violations and dangerous and hazardous conditions.

Service of an order for the correction of violations of this Code and of dangerous or hazardous conditions or materials shall be made upon the person responsible for the removal or remedying of the conditions involved by delivering a copy of the order to such person or by delivering the same to and leaving it with any person in charge of the building or premises involved, if he can be found, and if no person in charge of the building or premises involved can be found, by affixing a copy thereof in a conspicuous place on the door or other entrance to the said building or premises. If the copy of an order issued against an owner of a building or premises is not personally served upon him, then, in addition, a copy shall be sent by registered mail to the owner's last known post office address.

Prior legislation: L. 1964-65, ch. XV, §2(§8); L. 1963-64, ch. V, §1(No.8).

§1.9. Compliance with requests of Bureau.

It shall be unlawful for any person to fail to comply with any legitimate request made by the Fire Services Bureau in the process of extinguishing a fire.

Prior legislation: L. 1972-73. An act to amend the Fire Prevention Code §1 (§98-B).

Chapter 2. DEFINITIONS

§2.1. Building occupancy and fire rating terms.

The words listed below shall have the meanings assigned:

(a) Assembly occupancy means the occupancy or use of a building or structure or any portion thereof by a gathering of persons for civic, political, travel, religious, social, or recreational purposes.

(b) Dwelling means a building occupied exclusively for residence purposes and not having more than two dwelling units or a rooming house serving not more than fifteen persons with sleeping accommodations.

(c) Educational occupancy means the occupancy or use of a building or structure or any portion thereof by persons assembled for the purpose of learning or of receiving educational instruction.

(d) Fire resistance is that property of materials, construction, or assembly of materials which under fire conditions prevents or retards the passage of excessive heat, hot gases, or flame.

(e) Fire-resistive is the quality of materials, assemblies, constructions, or structures to resist fire absolutely and prevent its spread.

(f) Fireproof shall have the same meaning as fire-resistive defined in subparagraph (e) of this section.

(g) Flammable is the capability of liquids and materials or combination of materials to ignite within five seconds when exposed to flame.

(h) Industrial occupancy means the occupancy or use of a building or structure or any portion thereof for assembling, fabricating, finishing, manufacturing, packaging, or processing operations.

(i) Institutional occupancy means the occupancy or use of a building or structure or any portion thereof by persons harbored or detained to receive medical, charitable, or other care or treatment, or by persons involuntarily detained.

(j) Mercantile occupancy means the occupancy or use of a building or structure or any portion thereof for the displaying, selling, or buying of goods, wares, or merchandise.

(k) Multidwelling means a building or portion thereof containing three or more dwelling units and includes an apartment house or tenement house containing such dwelling units but does not include an hotel.

Prior legislation: L. 1964-65, ch. XV, §2(§9); L. 1963-64, ch. V, §1(No.9).

Chapter 3. GENERAL PRECAUTIONS AGAINST FIRE

- * §3.1. Accumulations of waste materials prohibited.
- * §3.2. Burnable growths to be removed.
- §3.3. General storage requirements for readily combustible materials.
- §3.4. Manner of handling readily combustible unbaled materials after closing hours.
- §3.5. Restriction on use in certain designated enclosed areas of heating and lighting apparatus capable of igniting flammable materials.
- * §3.6. Limited restriction on use of open flame or light in enclosed places containing flammables, combustibles, or explosives.
- * §3.7. Regulation as to disposal of hot ashes and other dangerous materials.
- §3.8. Prohibition against use of flammable decorative materials in buildings of mercantile and institutional occupancy unless same are flameproofed.
- §3.9. Chimneys and fuel-burning appliances to be maintained in safe condition.
- §3.10. Protective devices for commercial, industrial, and flue-fed incinerators.
- §3.11. Regulations governing bonfires and outdoor rubbish fires.

- *§3.12. Proper maintenance requirements for walls and ceilings.
- *§3.13. Required safety controls for ventilating systems.

§3.1. Accumulations of waste materials prohibited.

Accumulations of waste paper, rags, hay, grass, straw, weeds, litter, or combustible or flammable waste or rubbish shall not be permitted to remain upon any roof or in any court, yard, vacant lot, or open space.

Prior legislation: L. 1964-65, ch. XV, §2(§10); L. 1963-64, ch. V, §1(No.10).

§3.2. Burnable growths to be removed.

All weeds, grass, vines, or other growth which is liable to be fired and endanger property shall be cut down and removed by the owner of the property, or if the property is occupied by another under lease or otherwise, by the occupant thereof.

Prior legislation: L. 1964-65, ch. XV, §2(§11); L. 1963-64, ch. V, §1(No.11).

§3.3. General storage requirements for readily combustible materials.

1. *Combustibles stored in buildings.* Storage in buildings of combustible empty packing cases, boxes, barrels, or similar containers, or of rubber tires, cases of matches, baled waste, baled cotton, rubber, cork, dried palm leaves, or other similarly combustible material shall be compact and orderly. These materials shall not be packed within two feet of the ceiling of the storage room and shall be placed so as not to prevent or endanger egress from the storage room and the building.

2. *Combustibles stored in the open.* Storage in the open of the empty containers and the packaged, cased, or baled materials set forth in paragraph 1 hereof shall be compact and orderly. The piles of the said materials shall not be more than twenty feet in height and shall be so located with respect to adjacent buildings as not to constitute a fire hazard.

3. *Loose storage of combustibles (a) in buildings and (b) in the open.* Loose storage of combustible materials, which shall include

readily ignitable fibres which are not packed in suitable bales or packages, rags, waste paper, kapok, hay, straw, excelsior, and other like materials, is permitted only as follows:

(a) In buildings, provided the storage is in a metal or metal-lined bin, or in a room or compartment having fire-resistance properties, or in a storage vault constructed of brick or some other approved noncombustible material;

(b) In the open, provided the materials are not stored within one hundred feet of any building.

Prior legislation: L. 1964-65, ch. XV, §2(§12); L. 1963-64, ch. V, §1(No.12).

§3.4. Manner of handling readily combustible unbaled materials after closing hours.

No person, making, using, storing, or having in charge or under his control in any building, any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw, waste materials, or other combustible materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building to a safe place or stored in suitable vaults, or in metal or metal-lined covered receptacles or bins.

Prior legislation: L. 1964-65, ch. XV, §2(§13); L. 1963-64, ch. V, §1(No.13).

§3.5. Restriction on use in certain designated enclosed areas of heating and lighting apparatus capable of igniting flammable materials.

No heating or lighting apparatus or equipment capable of igniting flammable materials shall be used in the storage area of any warehouse storing rags, excelsior, hair, or other highly flammable or combustible material; nor in the work area of any shop or factory used for the manufacture, repair, or renovating of mattresses or bedding; nor in the work areas of any establishment used for the upholstering of furniture.

Prior legislation: L. 1964-65, ch. XV, §2(§14); L. 1963-64, ch. V, §1(No.14).

§3.6. Limited restriction on use of open flame or light in enclosed places containing flammables, combustibles, or explosives.

No person shall take an open flame or light into any building, barn, vessel, boat, or any other place where highly flammable, combustible, or explosive material is kept, unless such light or flame shall be well secured in a glass globe, wire mesh cage or similar approved device.

Prior legislation: L. 1964-65, ch. XV, §2(§15); L. 1963-64, ch. V, §1(No.15).

§3.7. Regulation as to disposal of hot ashes and other dangerous materials.

No person shall deposit hot ashes or cinders, or smoldering coals, or greasy or oily substances liable to spontaneous ignition, into any combustible receptacle, or, except when they have been deposited into metal or other noncombustible receptacles, place such substances within ten feet of combustible materials. Such noncombustible receptacles, unless resting on a noncombustible floor, or on the ground outside of a building, shall be placed on noncombustible stands, and in every case shall be kept at least two feet away from any combustible wall or partition or exterior window opening.

Prior legislation: L. 1964-65, ch. XV, §2(§16); L. 1963-64, ch. V, §1(No.16).

§3.8. Prohibition against use of flammable decorative materials in buildings of mercantile and institutional occupancy unless same are flameproofed.

Highly flammable materials such as cotton batting, straw, dry vines, leaves, trees, flowers, or shrubbery, and foam plastic materials, unless flameproofed, shall not be used for decorative purposes in show windows, stages, and other parts of any mercantile occupancy of a building, any portion of which is used for the displaying, selling, or buying of goods, wares, or merchandise, or used as a hotel, theater, restaurant, night club, or other place of entertainment, or as a place of assembly, or of an institutional occupancy of a building, any portion of which is

used by persons harbored there to receive medical, charitable, or other care or treatment or used by persons involuntarily detained there. Electric light bulbs used in any of the aforementioned mercantile and institutional occupancies shall not be decorated with paper or other combustible materials unless such materials shall first have been rendered flameproof.

Prior legislation: L. 1964-65, ch. XV, §2(§17); L. 1963-64, ch. V, §1(No.17).

§3.9. Chimneys and fuel-burning appliances to be maintained in safe condition.

All chimneys, smokestacks, or similar devices for conveying smoke or hot gases to the outer air, and the stoves, furnaces, restaurant cooking equipment, incinerators, fire boxes, or boilers to which they are connected shall be constructed, installed, and maintained in such a manner as not to create a fire hazard.

Prior legislation: L. 1964-65, ch. XV, §2(§18); L. 1963-64, ch. V, §1(No.18).

§3.10. Protective devices for commercial, industrial, and flue-fed incinerators.

Commercial and industrial incinerators used for the burning of rubbish or other readily combustible solid waste material and flue-fed incinerators shall be provided with approved spark arrestors or other effective means for arresting sparks and flying particles.

Prior legislation: L. 1964-65, ch. XV, §2(§19); L. 1963-64, ch. V, §1(No.19).

§3.11. Regulations governing bonfires and outdoor rubbish fires.

1. *Public areas: required authorization.* No person shall kindle or maintain any bonfire or rubbish fire, or authorize any such fires to be kindled or maintained, on or in any public street, alley, road, or other public ground without first obtaining authorization therefor from the Fire Services Bureau.

2. *During construction or demolition of buildings: required authori-*

zation. During construction or demolition of buildings, or other structures, no waste materials or rubbish created thereby shall be disposed of by burning on the premises or in the immediate vicinity without first obtaining authorization therefor from the Fire Services Bureau.

3. *Private land limitations.* Except under the circumstances set forth under subparagraphs (a) or (b) no person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless:

(a) The location of the fire is more than 150 feet from any structure and adequate provision is made to prevent the fire from spreading to within 150 feet of any structure; or

(b) The fire is contained in an approved waste burner safely located more than 150 feet from any structure.

4. *Private land: permission required.* No person shall kindle a fire upon the land of another without the permission of the owner or lawful occupant thereof, or his agent.

Prior legislation: L. 1972-73, An act to amend the Fire Prevention Code, §2 (§20.3(a),(b)); L. 1964-65, ch. XV, §2(§20); L. 1963-64, ch. V, §1(No.20).

§3.12. Proper maintenance requirements for walls and ceilings.

Walls and ceilings in all buildings within the purview of this Code shall be maintained free from cracks and openings which would permit flame or excessive heat to enter the concealed space within the said walls or ceilings.

Prior legislation: L. 1964-65, ch. XV, §2(§21); L. 1963-64, ch. V, §1(No.21).

§3.13. Required safety controls for ventilating systems.

Every system for ventilating an assembly space and all central air conditioning and central fan-ventilating systems shall be provided with an emergency switch conveniently located and with a durable sign conspicuously posted nearby giving instructions for shutting down the system in case of fire.

Prior legislation: L. 1964-65, ch. XV, §2(§22); L. 1963-64, ch. V, §1(No.22).

* Chapter 4. SMOKING

§4.1. Definition.

§4.2. Areas where smoking is prohibited; posting of required signs; designation of safe smoking locations.

§4.3. Removal of "No Smoking" signs prohibited.

§4.1. Definition.

Smoking shall mean and include the carrying of lighted pipes, cigars, cigarettes, or tobacco in any form.

Prior legislation: L. 1964-65, ch. XV, §2(§25); L. 1963-64, ch. V, §1(No.25).

§4.2. Areas where smoking is prohibited; posting of required signs; designation of safe smoking locations.

1. *Hazardous areas designated; nature of required signs.* Where conditions are such as to make smoking a fire hazard and particularly in the following areas: piers, wharves, warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the owners, or the occupants thereof if the premises involved are occupied by others under lease or otherwise, are hereby required to post signs bearing the legend, "No Smoking" in each such area, building, structure, room, or place, in such locations and in such manner as to be visible to persons upon the said premises.

2. *Smoking prohibited in posted areas.* Smoking in any place where signs required by the provisions of paragraph 1 hereof are posted, is hereby prohibited.

3. *Designation of safe smoking locations by Bureau Director.* The Director of the Fire Services Bureau, if necessary, may designate specific safe locations in any area, building, structure, room, or place in which smoking may be permitted.

Prior legislation: L. 1964-65, ch. XV, §2(§26); L. 1963-64, ch. V, §1(No.26).

§4.3. Removal of "No Smoking" signs prohibited.

It shall be unlawful for any person to remove any legally required "No Smoking" sign.

Prior legislation: L. 1964-65, ch. XV, §2(§27); L. 1963-64, ch. V, §1(No.27).

Chapter 5. EXITS AND MAINTENANCE OF EXIT WAYS

§5.1. Exits: general requirements.

§5.2. Required exit and directional signs.

 §5.3. Required marking of exit ways in places of assembly.

§5.4. Required lighting of exit ways.

§5.5. Obstruction to means of egress prohibited.

§5.6. Self-closing stairway doors to be kept closed.

§5.1. Exits: general requirements.

The following general requirements shall be observed in connection with means of egress from buildings and structures:

(a) Every building and structure shall be provided with exits, which shall be arranged, constructed, and proportioned in number and width to the number of occupants therein, the type of construction and height of the building, and its fire-protection equipment, so that all occupants therein may escape safely from the building in case of emergency;

(b) Safe, continuous, and unobstructed exit shall be provided and maintained from the interior and all other parts of every building or structure to a street or other legal open space at grade level which is connected to a street;

(c) Exits shall be enclosed with materials of fire-resistive construction;

(d) The minimum width of exits for all dwellings except hotels shall be thirty-six inches;

(e) The minimum width of exits for all hotels and commercial,

industrial, assembly, and institutional buildings shall be forty-four inches;

(f) The required width of exits and the passageways leading to them shall not be diminished throughout the path of travel to the exterior of the building or structure;

(g) Exits shall not be concealed nor the direction to exits obscured by mirrors, draperies, paneling, or other objects, furnishings, or finish;

(h) Exits shall be located so that they are readily accessible and visible, and arranged so as to avoid pockets or dead ends and in no case shall pockets or dead ends extend more than fifty feet beyond an exit stairway;

(i) If a roof of a building is used or occupied for purposes other than incidental access by the occupants, safe exits shall be provided for such occupancy or use;

(j) A required exit from habitable, occupied, or public space in a building shall not lead through a garage or other high-hazard occupancy;

(k) Exits from any room may lead through other rooms of the same tenancy or occupancy except that such exits may not lead through bathrooms or kitchens. The space of each separate tenancy or occupancy shall be provided with means of egress to required exits;

(l) No locks or fastenings which will prevent free escape from the inside of any building shall be installed, except that where persons are detained or confined in a hospital for the treatment of mental illnesses or in a building maintained for correctional or penal purposes, locks or fastenings on exit doors may be installed provided that supervisory personnel are continually on duty and that effective provisions are made for the removal of occupants in case of emergency.

Prior legislation: L. 1964-65, ch. XV, §2(§30); L. 1963-64, ch. V, §1(No.30).

§5.2. Required exit and directional signs.

The following requirements with respect to exit and directional signs shall apply to all buildings except to those portions of a building, excluding hotels, which contain dwelling units only:

(a) Exits in all buildings covered by this section shall be provided with plainly marked exit and directional signs which shall be visible from the approach to the said exits, in accordance with subparagraphs (b), (c), (d), and (e) of this section;

(b) Exit signs shall be provided over each doorway and opening forming part of an exit except over main entrance doorways;

(c) Directional signs shall be provided at locations in the public halls, passageways, or corridors from which the exit doorways are not readily discernible;

(d) The signs prescribed by subparagraphs (a), (b), and (c) shall be worded in plainly legible block letters with the word "EXIT" for exit signs, and the words "TO EXIT" with a suitable pointer or arrow indicating the direction of safe egress to an exit, for directional signs. The letters used for such signs shall be conspicuous, readily discernible, and at least six inches high, except that for signs which are illuminated internally the height of such letters shall be at least four and one-half inches;

(e) The exit and directional signs required by the provisions of this section shall be illuminated either externally or internally by natural or artificial light of sufficient intensity so as to ensure safe travel.

Prior legislation: L. 1964-65, ch. XV, §2(§31); L. 1963-64, ch. V, §1(No.31).

§5.3. Required marking of exit ways in places of assembly.

In rooms and places of assembly accommodating more than one hundred persons, required exit doorways, other than those normally used for entrance thereto, shall be plainly marked by exit signs as prescribed in subparagraph (d) of section 5.2, which shall be sufficiently illuminated so as to be readily distinguished when the floor area is occupied as prescribed in subparagraph (e) of section 5.2.

Prior legislation: L. 1964-65, ch. XV, §2(§32); L. 1963-64, ch. V, §1(No.32).

§5.4. Required lighting of exit ways.

Stairways, hallways, and other means of egress, including exterior open spaces to or through which exit ways lead, shall be kept ade-

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quately lighted at all times that the building served thereby is occupied.
Prior legislation: L. 1964-65, ch. XV, §2(§33); L. 1963-64, ch. §1(No.33).

§5.5. Obstruction to means of egress prohibited.

1. *Encumbrances upon fire escapes.* No person shall at any time place an encumbrance of any kind upon or at any place adjacent to any fire escape, balcony, or ladder intended as a means of escape from fire.

2. *Storing of materials at exits.* No person shall place, store, or keep or permit to be placed, stored, or kept on or under or at the bottom of any exit stairway, inside or outside, any exit hallway, elevator, or other means of egress, any materials the presence or the burning of which would obstruct or render hazardous, egress of persons from a building.

3. *Obstructions of mercantile occupancy passageways.* No aisle, passageway, or stairway in any mercantile occupancy shall be obstructed with tables, show cases, or other obstructions, during the hours such occupancy is open to the public.

4. *Nonlocking of exit doors of occupied space.* All doors in or leading to exit ways necessary for egress in the event of fire shall be kept unlocked at all times when the building or floor area served thereby is occupied.

Prior legislation: L. 1964-65, ch. XV, §2(§34); L. 1963-64, ch. V, §1(No.34).

§5.6. Self-closing stairway doors to be kept closed.

It is prohibited to keep open, by blocking or any other means, any stairway-enclosure door which leads to or from a floor of a building and which by law is required to be self-closing.

Prior legislation: L. 1964-65, ch. XV, §2(§35); L. 1963-64, ch. V, §1(No.35).

**Chapter 6. FIREPROOF AND NONFIREPROOF
BUILDINGS: CRITERIA, STAIRWAY AND
FIRE-ESCAPE REQUIREMENTS,
AND EXEMPTIONS**

§6.1. Buildings requiring fireproof construction.

§6.2. Fire-escape exemption for all buildings of fireproof construction.

§6.3. Fire-resistant stairway and fire-escape directives for existing buildings having six or more stories which are of nonfireproof construction.

§6.4. Nonfireproof buildings: when permitted.

§6.5. Fire-resistant stairway and fire-escape requirements for nonfireproof buildings of three, four, and five stories.

§6.6. General construction requirements of fire escapes.

§6.7. Requirements as to access to fire escapes.

§6.1. Buildings requiring fireproof construction.

Any building which is more than seventy-five feet in height above the ground level and has six stories or more shall be of fireproof construction.

Prior legislation: L. 1964-65, ch. XV, §2(§40); L. 1963-64, ch. V, §1(No.40).

§6.2. Fire-escape exemption for all buildings of fireproof construction.

All fireproof buildings, including those fireproof buildings not required by the provisions of this chapter to be so protected, are exempt from the fire-escape requirements contained in this chapter.

Prior legislation: L. 1964-65, ch. XV, §2(§41); L. 1963-64, ch. V, §1(No.41).

§6.3. Fire-resistant stairway and fire-escape directives for existing buildings having six or more stories which are of nonfireproof construction.

1. *Stairways to be made fire-resistant.* Existing buildings of seventy-five feet or more in height, having six or more stories, which are of non-

fireproof construction are required to make fire-resistant all existing stairways used as a means of egress.

2. *Exemption from fire-escape requirements.* The buildings coming within the provisions of paragraph 1 of this section are exempt from the fire-escape requirements contained in this chapter.

Prior legislation: L. 1964-65, ch. XV, §2(§42); L. 1963-64, ch. V, §1(No.42).

§6.4. Nonfireproof buildings: when permitted.

Any building which is less than seventy-five feet in height and has less than six stories may be of nonfireproof construction.

Prior legislation: L. 1964-65, ch. XV, §2(§43); L. 1963-64, ch. V, §1(No.43).

§6.5. Fire-resistant stairway and fire-escape requirements for nonfireproof buildings of three, four, and five stories.

Buildings less than seventy-five feet in height, having three, four, or five stories, shall have at least two means of egress extending from an entrance story, street, court, or yard, to the roof. The entrances to such means of egress at every story shall be at least fifteen feet distant from each other. One means of egress shall be a fire-resistant stairway. The other means of egress shall be either another fire-resistant stairway or an outdoor fire escape constructed as provided in section 6.6.

Prior legislation: L. 1964-65, ch. XV, §2(§44); L. 1963-64, ch. V, §1(No.44).

§6.6. General construction requirements of fire escapes.

1. *Materials and form.* Fire escapes shall be of material having the strength and noncombustible properties of stone or ferrous metal other than cast iron or metal of characteristics similar to cast iron, and shall consist of balconies and straight-flight stairways with guards and hand railings, and shall be constructed, assembled, and securely attached to the building in conformity with generally accepted standards.

2. *Location.* Fire escapes which serve as a required second means of exit from a building shall be located, arranged, and constructed in such

manner that a safe, unobstructed, and continuous passage is provided to a safe landing place on a legal open space. Yards and courts upon which fire escapes terminate which are not otherwise provided with access to a street shall be connected with a street through an unobstructed passageway of fire-resistive construction and which shall be independent of any other exits.

3. *When continued to roof.* Fire escapes on buildings more than three stories in height shall continue to the roof except when located on the front of a building, or when the slope of the roof exceeds fifteen degrees.

4. *Height above ground level.* The lowest balcony of a required fire escape shall not be less than ten feet nor more than sixteen feet above the ground level.

5. *Means of descent from lowest balcony.* The lowest balcony shall be provided with a drop ladder or counter-balanced stairs.

Prior legislation: L. 1964-65, ch. XV, §2(§45); L. 1963-64, ch. V, §1(No.45).

§6.7. Requirements as to access to fire escapes.

1. *Remoteness from principal exit.* Access to a required fire escape shall be as remote as practicable from the principal exit of the building to which it is attached.

2. *From within each dwelling unit above entrance story.* Access to a required fire escape shall be provided for each apartment, suite of rooms, or other dwelling unit at each story above the entrance story. Such access shall be from a room or private hall which is an integral part of such apartment, suite of rooms, or other dwelling unit and shall be accessible to every room thereof without passing through a public hall.

3. *Locations for other habitable space.* Access to a required fire escape from habitable space other than the dwelling units provided for in paragraph 2 shall be by way of passageways, hallways, exterior doors or windows, and corridors.

4. *Nonpermissible locations.* Access to a required fire escape shall not be through a bathroom window; if access is through a kitchen, such access shall not be obstructed by sinks or other fixtures.

5. *Obstructions on fire-escape access windows prohibited.* Bars, grilles, gates, or other obstructing devices on any window giving access

to a required fire escape or to a required secondary means of egress are unlawful and are prohibited.

6. *Public stairway fire-escape access prohibited.* Access to a required fire escape shall not be from or through a public stairway.

Prior legislation: L. 1964-65, ch. XV, §2(§46); L. 1963-64, ch. V §1(No.46).

Chapter. 7. FIRE DRILLS IN EDUCATIONAL AND INSTITUTIONAL OCCUPANCIES

§7.1. Fire drills: frequency, occupancies affected, and manner of conducting.

Fire drills shall be conducted in the educational and institutional occupancies set forth below in accordance with the following regulations:

(a) Except as provided in subparagraph (c), in educational occupancies through the advanced or secondary school level, including their private school counterparts, where such occupancies constitute the major occupancy of a building, fire drills shall be held at least once a month;

(b) Except as provided in subparagraph (c), in institutional occupancies where persons are harbored to receive medical, charitable, or other care or treatment, or where they are involuntarily detained, and such occupancies constitute the major occupancy of a building, fire drills shall be held at least once every two months;

(c) Fire drills may be postponed during inclement weather;

(d) In educational occupancies, fire drills shall involve complete evacuation of all persons from the building;

(e) In institutional occupancies, complete evacuation of the occupants from the building shall be required only where it is practicable and does not involve moving or disturbing persons under medical care or treatment. The purpose of conducting institutional occupancy fire drills is to familiarize operating personnel with their assigned positions in the event they are required to perform emergency duties during a fire;

(f) A record of all fire drills shall be kept by all the educational and institutional occupancies involved, and persons in charge of such

occupancies shall file written reports at least quarterly with the Fire Services Bureau giving the time and date of each drill that was held.

Prior legislation: L. 1964-65, ch. XV, §2(§50); L. 1963-64, ch. V, §1(No.50).

Chapter 8. FIRE-PROTECTION EQUIPMENT

§8.1. Strict application of chapter to new and existing conditions.

§8.2. Fire-extinguishing devices and appliances: locations and equipment required.

§8.3. Equipment maintenance specifications.

§8.4. Fire Services Bureau to survey all premises to verify compliance with provisions of this chapter.

§8.5. Protection and availability of fire hydrants.

§8.6. Obstruction to the use of alleys.

 §8.1. Strict application of chapter to new and existing conditions.

Any provisions contained in this Code to the contrary notwithstanding, this chapter shall be strictly enforced and shall apply to new as well as to existing conditions.

Prior legislation: L. 1964-65, ch. XV, §2(§51); L. 1963-64, ch. V, §1(No.51).

 §8.2. Fire-extinguishing devices and appliances: locations and equipment required

1. *Locations of required fire-extinguishing devices.* Every commercial and industrial establishment, every mercantile, educational, and institutional occupancy, every place of assembly, hotel, and multifamily dwelling, and the dwellings described in subparagraph (g) shall install and maintain suitable fire-extinguishing devices and appliances at the following locations:

(a) In and near rooms containing furnaces, boilers, stoves, and ovens used in commercial processes and similar equipment using fire as a means of creating energy;

(b) In kitchens of restaurants, clubs, and similar establishments.

- (c) In stores and storage rooms in which large amounts of combustible materials are stored;
- (d) In rooms and places where manufacturing processes are involved which create fire hazards;
- (e) In garages and workshops;
- (f) In hotels and multifamily dwellings as directed by the Director of the Fire Services Bureau;
- (g) In dwellings where occupancy constitutes a fire hazard.

2. *Fire-alarm and fire-warning devices:* when required. Fire-alarm and fire-warning systems or devices shall be installed on the premises of the Director of the Fire Services Bureau wherever necessary in hospitals, institutions, hotels, or wherever occupational hazards present danger to the loss of life by fire.

3. *Suitable types of appliances.* The fire-extinguishing devices and appliances required hereunder shall comprise fixed and portable extinguishers of a type suitable to the probable kinds of fire to be countered, suitable asbestos blankets, manual or automatic carbon dioxide, chemical dry power and other types of fire-extinguishing systems. The fire alarm or fire-warning systems and devices required hereunder shall be such as are suitable to the occupancy involved.

4. *Special equipment required for each building and in exceptional cases.* Each building affected by the provisions of this section shall be provided with equipment to serve its own requirements. In locations where especially hazardous processes are conducted or where the materials stored in storage create exceptional fire hazards specially devised systems or devices and appliances of more than one type may be required.

5. *Warning signals required for chemical extinguishing systems.* Fire-extinguishing systems employing chemicals for flooding of enclosed spaces where persons may be present shall be provided with automatic sounding devices designed to sound a clear audible warning signal preceding the application of the chemical in order to facilitate evacuation of such spaces.

Legislation: L. 1964-65, ch. XV, §2(§52); L. 1963-64, ch. V, §1).

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*§8.3. Equipment maintenance specifications.

Fire-protective, fire-extinguishing, fire-alarm and fire-warning systems and devices and appliances which have been installed in compliance with the provisions of this chapter shall be maintained in proper operative condition at all times. It shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required except when temporarily necessary to make tests, repairs, alterations, or additions thereto and then only on prior notice to the Fire Services Bureau.

Prior legislation: L. 1964-65, ch. XV, §2(§53); L. 1963-64, ch. V, §1(No.53).

§8.4. Fire Services Bureau to survey all premises to verify compliance with provisions of this chapter.

The Director of the Fire Services Bureau, or members of his staff delegated by him with such authority, shall survey each commercial and industrial establishment, each mercantile, educational, and institutional occupancy, each place of assembly, hotel, and multidwelling and each dwelling where it has been found occupancy constitutes a fire hazard, to determine whether the provisions of this chapter have been complied with and shall issue all necessary orders in connection therewith.

Prior legislation: L. 1964-65, ch. XV, §2(§54); L. 1963-64, ch. V, §1(No.54).

§8.5. Protection and availability of fire hydrants.

All types of fire hydrants, internal and external, providing water for the purpose of fire fighting and the extinguishment of fire must at all times be readily accessible and available for use. It shall be unlawful for any person to obstruct or cause obstruction to the use of any fire hydrant used for the purpose of the extinguishment of fire. Fire hydrants shall be installed at least 100 feet from every gasoline station, garage, commercial and industrial establishment; and in other places, whether or not running water is available, fire extinguishers shall be installed by the owner for the purpose of extinguishment of fire.

Prior legislation: L. 1972-73, An act to amend the Fire Prevention Code, §3(§55); L. 1964-65, ch. XV, §2(§55).

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§8.6. Obstruction to the use of alleys.

It shall be unlawful for any person to obstruct or cause obstruction to the use of any alley which may prohibit fire-fighting apparatus from speedy operation in case of fire.

Prior legislation: L. 1972-73, An act to amend the Fire Prevention Code, §1(§98).

Chapter 9. CELLULOSE NITRATE MOTION PICTURE FILM

§9.1. Scope of chapter.

§9.2. Safety requirements for handling of nitrate film.

§9.3. Handling of nitrate film in cinemas and other occupancies which the principal use of the film is motion picture projection

§9.4. Auditorium light-switch requirements.

§9.1. Scope of chapter.

This chapter applies to storage, handling, and projection of cellulose nitrate motion picture film, hereinafter referred to as nitrate film. Film having a cellulose acetate or other approved slow-burning base, marketed as safety film, is exempt from the provisions of this chapter.

Prior legislation: L. 1964-65, ch. XV, §2(§56); L. 1963-64, ch. §1(No.55).

§9.2. Safety requirements for handling of nitrate film.

The following requirements shall be observed in the handling of nitrate film:

(a) All nitrate film shall be kept in closed safely constructed containers except during the actual time it is being worked upon, examined, or projected;

(b) Scrap nitrate film shall be kept separate from waste paper

all other kinds of rubbish, and safety film. Scrap nitrate film shall be disposed of in a safe manner at frequent intervals. Scrap nitrate film shall not be baled.

Prior legislation: L. 1964-65, ch. XV, §2(§57); L. 1963-64, ch. V, §1(No.56).

§9.3. Handling of nitrate film in cinemas and other occupancies in which the principal use of the film is motion picture projection.

The following regulations shall be observed in the handling of cellulose nitrate motion picture film in cinemas and all other occupancies in which the principal use of film is motion picture projection:

(a) Motion picture projectors shall not be operated with nitrate film except when such projectors are located in enclosures constructed, equipped, and maintained with such safety materials and devices as will prevent the spread of fire;

(b) Except for films used in the operation of the projector and film cement, no combustible material of any sort shall be permitted or allowed to be within such projector enclosures including the materials used for shelves, furniture, and fixtures;

(c) The rewinding of nitrate film shall be performed either in a special rewind room suitably protected against the hazards of fire or in the projection room. An approved can for the safe disposal of scrap nitrate film which shall have a self-closing hinge cover shall be provided for use during rewinding operations.

Prior legislation: L. 1964-65, ch. XV, §2(§58); L. 1963-64, ch. V, §1(No.57).

§9.4. Auditorium light-switch requirements.

Such provisions shall be made, so that the auditorium lights in cinemas and other motion picture projection occupancies can be turned on not only from inside the projection room but also from at least one other convenient and accessible point in the building.

Prior legislation: L. 1964-65, ch. XV, §2(§59); L. 1963-64, ch. V, §1(No.58).

*** Chapter 10. ELECTRICAL WIRING AND EQUIPMENT**

§10.1. General fire-prevention requirements for electrical wiring and equipment.

The following general requirements for the prevention of fire in connection with the installation and maintenance of electrical wiring and equipment shall be observed:

- (a) Electrical wiring and equipment shall be made of approved materials and shall be installed in conformity with generally accepted standards and shall be maintained so as not to be a potential source of ignition of combustible material or a potential source of electrical hazard;
- (b) Electrical wiring and equipment shall be firmly secured to the surface on which it is mounted;
- (c) Electrical wiring and equipment installed in damp or wet locations, or in places exposed to explosive or flammable gases, fumes, vapors, liquids, dust or fibers, or to agents having a deteriorating effect, or to excessive temperatures, shall be of a type suitable for the purpose and locations;
- (d) Electrical equipment which in ordinary operation produces arcs, sparks, flames, or molten metal shall be enclosed unless such equipment is separated and isolated from all combustible material;
- (e) Electrical wiring systems which are conducted through conduits that extend from a hazardous location in which flammable gases or vapors are prevalent to other portions of a building, shall be secured with suitable seals at the junction points so as to prevent the passage of such flammable gases or vapors.

Prior legislation: L. 1964-65, ch. XV, §2(§60); L. 1963-64, ch. V, §1(No.60).

*** Chapter 11. PLACES OF ASSEMBLY**

- §11.1. Definition:** according to (a) number of persons assembled; (b) floor area.

- §11.2. Seating arrangements and aisles in places of assembly: general requirements.
- §11.3. Additional requirements for seating arrangements and aisles in theaters and cinemas.
- §11.4. Additional requirements for indoor seating arrangements, and aisles in places of assembly other than theaters and cinemas.
- §11.5. Exit requirements for places of assembly.
- §11.1. Definition: according to (a) number of persons assembled; (b) floor area.

A place of assembly means either (a) a room or space used for assembly occupancy for one hundred or more occupants for entertainment, meetings, lectures, and other similar educational purposes, or (b) a room or space which has a floor area of one thousand five hundred square feet or more and is used for such purposes.

Prior legislation: L. 1964-65, ch. XV, §2(§65); L. 1963-64, ch. V, §1(No.65).

§11.2. Seating arrangements and aisles in places of assembly: general requirements.

The following general safety requirements shall be observed for seating arrangements and aisles in places of assembly:

(a) In each room of a place of assembly where seats or chairs, or tables and chairs are used, their arrangement shall be such as will provide for ready convenient access by aisles to each exit doorway;

(b) Aisles leading directly to all exit doorways shall not have less than thirty-six inches clear width;

(c) No aisle may be diminished in width at any point of travel toward an exit;

(d) Aisles shall be used only for passage to and from seats or chairs, or from tables and chairs, and shall be kept unobstructed.

Prior legislation: L. 1964-65, ch. XV, §2(§66); L. 1963-64, ch. V, §1(No.66).

§11.3. Additional requirements for seating arrangements and aisles in theaters and cinemas.

The following additional safety requirements shall be observed for seating arrangements and aisles in theaters and cinemas:

(a) In theaters and cinemas whose capacity is greater than one hundred persons, seats shall be securely fastened to the floor that in boxes or loges with level floors and which contain more than twelve seats, such seats need not be so fastened;

(b) In theaters and cinemas which contain mezzanines, balconies and other open tiers above the main floor having more than one hundred of seats, one or more cross aisles shall be provided and spaced so that there shall not be more than seven rows of seats between any row and a cross aisle;

(c) In theaters and cinemas built with stadium-type auditoriums, steps shall not be placed on any main floor aisles.

Prior legislation: L. 1964-65, ch. XV, §2(§67); L. 1963-64, §1(No.67).

§11.4. Additional requirements for indoor seating arrangements, and aisles in places of assembly other than theaters and cinemas.

The following additional requirements shall be observed in connection with indoor seating arrangements and aisles in places of assembly other than theaters and cinemas:

(a) Except as permitted in subparagraphs (b) and (c) of this section, where loose seats or chairs for more than three persons are provided in a single room or space, such seats or chairs shall be secured together in units of at least five seats or chairs.

(b) In places of worship and in schools, colleges, and places of education, loose seats or chairs in a single room or space providing for seating for not more than six hundred persons shall be required to be secured together;

(c) In restaurants, night clubs, and similar occupancies, loose seats which are not secured to the floor may be permitted provided that in the area used for such seating there shall not be more than one chair for each fifteen square feet of floor area and provided that adequate aisles to reach exits are maintained at all times.

(d) Where the seating is secured to the floor, the arrangement of such fixed seating and the necessary aisles required therefore shall be in conformity with the provisions of section 11.2.

Prior legislation: L. 1964-65, ch. XV, §2(§68); L. 1963-64, §1(No.68).

§11.5. Exit requirements for places of assembly.

1. *Requisites in general.* Every place of assembly shall be provided with sufficient convenient exits, which shall be arranged, constructed, and proportioned in number and width to the maximum number of occupants permitted therein and the type of materials used in the construction thereof, so that all occupants may escape safely from such place of assembly in case of emergency.

2. *Exit door safeguards.* During the period of occupancy of a place of assembly, the exit doors serving the room or space shall not be locked, bolted, or otherwise fastened or obstructed by any means so that the said doors cannot be opened from the inside by the use of an ordinary door latch or knob, or by pressure on the door or by pressure on a panic-release device.

3. *Obstruction of exit ways prohibited.* Every stairway used as an exit in connection with a place of assembly, and each and every part thereof whether in the interior or on the exterior of a building, and every hallway, corridor, vestibule, balcony, or bridge leading to such stairway, or to an exit of any kind, shall not be used in any way that will obstruct its use as an exit from a place of assembly.

4. *Marking and lighting of exits.* All exits in places of assembly shall be marked and lighted in accordance with sections 5.2 and 5.3.

Prior legislation: L. 1964-65, ch. XV, §2(§69); L. 1963-64, ch. V, §1(No.69).

Chapter 12. LUMBER YARDS

§12.1. Open-yard storage regulations.

§12.2. Required measures for removal of operational fire hazards.

§12.3. Fire-extinguishing equipment required for open lumber yards, sheds, and buildings used in connection therewith.

§12.1. Open-yard storage regulations.

The following regulations shall be observed in the storage of lumber in open yards:

(a) Lumber shall be piled with due regard to the stability of piles and in no case shall any pile be higher than twenty feet;

(b) Spaces between and around each lumber pile shall be at fifteen feet wide and shall be maintained free from accumulation of rubbish, equipment, or other articles or materials;

(c) Permanent open-yard lumber storage areas shall be bounded with suitable fences at least six feet in height.

Prior legislation: L. 1964-65; ch. XV, §2(§70); L. 1963-64, c. §1(No.70).

§12.2. Required measures for removal of operational fire hazards.

The following measures for the removal and prevention of operational fire hazards in lumber yards shall be complied with:

(a) The burning of shavings, sawdust, and refuse material shall be permitted only under boilers, in furnaces or incinerators, or in burners which are safely constructed and located;

(b) Smoking in lumber yards shall be prohibited except in specified safe locations in buildings designated therefor. Large signs with the words "NO SMOKING" lettered thereon shall be affixed and painted on exterior building walls of buildings located within the lumber yard area and also shall be erected at the approach to the end of every fourth aisle formed by the space between buildings. These signs shall be affixed, painted, and erected in such manner as to be visible to persons using the lumber yards;

(c) The growth of weeds and other vegetation liable to create a fire hazard shall be prevented throughout the entire lumber yard. The lumber yard shall be sprayed as often as necessary with an effective weed killer and the weeds and other dangerous vegetation shall be regularly cut or grubbed out before they become a fire hazard and the debris resulting therefrom shall be promptly removed and safely disposed of;

(d) Rubbish, such as sawdust, chips, and short pieces of lumber shall be removed regularly from piling areas.

Prior legislation: L. 1964-65, ch. XV, §2(§71); L. 1963-64, c. §1(No.71).

§12.3. Fire-extinguishing equipment required for open lumber yards, sheds, and buildings used in connection therewith.

The following fire-extinguishing equipment is required to be maintained in open lumber yards, sheds, and buildings used in connection therewith:

(a) An adequate supply of water barrels and pails or other approved portable fire-extinguishing equipment shall be provided by persons engaged in maintaining lumber yards, for use against the outbreak of fire in open lumber yards and lumber storage sheds;

(b) Water barrels filled with water, with three pails for each barrel required hereunder, shall be placed in the aisles formed by the spaces between piles in such number and at such distances that a travel distance of not more than seventy-five feet along the aisles formed by the spaces between piles is necessary to reach a barrel from any part of the open yard;

(c) An adequate supply of fire-extinguishing appliances shall be provided for all buildings used in connection with open lumber yards and lumber storage sheds. Such appliances may consist of fixed or portable extinguishers of a type suitable for the probable class of fire to be encountered in such establishment, or carbon dioxide or other special fire-extinguishing systems.

Prior legislation: L. 1964-65, ch. XV, §2(§72); L. 1963-64, ch. V, §1(No.72).

Chapter 13. FLAMMABLE AND COMBUSTIBLE LIQUIDS

- §13.1. Scope of chapter.
- §13.2. Required equipment for handling flammable and combustible liquids.
- §13.3. Manner of storage and limitations thereon.
- §13.4. Fire-control directives.
- §13.5. Storage tanks: general specifications.
- §13.6. Above-ground storage tanks located outside of buildings: specific requirements.

- §13.7. Piping specifications for equipment having to do with flammable and combustible liquids.
- §13.8. Regulations for equipment using flammable and combustible liquids inside buildings.
- §13.9. Storage of flammable and combustible liquids in drums.
- §13.10. Caretaking directives for stored flammable and combustible liquids.
- §13.11. Cargo-tank vehicle design requirements for transportation of flammable and combustible liquids.
- §13.12. Protection measures against collision and overturning of cargo-tank vehicles.
- §13.13. Lighting devices for cargo-tank vehicles.
- §13.14. Restrictions on use of trailers and semitrailers in the transportation of flammable and combustible liquids.
- §13.15. Required marking of cargo-tank vehicles used in transportation of flammable and combustible liquids.
- §13.16. Fire-extinguisher requirements for use on cargo-tank vehicles.
- §13.17. Operation rules for cargo-tank vehicles.
- §13.18. Required precautions in the filling and discharging of cargo-tank vehicles.
- §13.19. Parking and garaging of cargo-tank vehicles.

§13.1. Scope of chapter.

1. *Applies to flammable and combustible liquids as defined herein*
This chapter applies specifically to flammable and combustible liquids with flash points below 200 degrees Fahrenheit and to those liquids with flash points above 200 degrees Fahrenheit which when heated assume the characteristics of liquids with flash points below 200 degrees Fahrenheit. Such flammable and combustible liquids are hazardous substances within the meaning of paragraph 2 of section 1.3.

2. *"Container" defined.* For the purpose of this chapter, container shall mean any can, bucket, barrel, drum, or portable tank.

Prior legislation: L. 1964-65, ch. XV, §2(§75).

§13.2. Required equipment for handling flammable and combustible liquids.

Flammable and combustible liquids shall be received, stored, and conveyed by means of fixed securely closed equipment so sealed by

means of a lid or other device that neither liquid nor vapor will escape from it at ordinary temperatures.

Prior legislation: L. 1964-65, ch. XV, §2(§76); L. 1963-64, ch. V, §1(No.75).

§13.3. Manner of storage and limitations thereon.

1. *No storage permitted near areas used for safe egress.* Flammable or combustible liquids, including stock for sale, shall not be stored near exits, stairways, or areas normally used for the safe egress of people.

2. *Approved standards and devices required for handling and dispensing.* Flammable or combustible liquids shall not be stored, handled, or dispensed from a container on any public highway, or in any place which is available for use by the public or adjacent to any building or at any place where, in the opinion of the Director of the Fire Services Bureau, a fire hazard is being created, unless the storage and handling is in accordance with approved standards and the dispensing devices are of approved type. In particular, flammable and combustible liquids shall not be dispensed from containers by pressure; approved pumps taking suction through the top of container or with approved self-closing shall be used. Further, it shall be unlawful for any person to sell or display gasoline in glass containers.

3. *Storage requirements based on type of building occupancy.* The storage of flammable or combustible liquids in closed metal containers shall comply with the following occupancy schedule except that the Director of the Fire Services Bureau may impose a quantity limitation or require greater protection where in his opinion unusual hazard to life or property is involved or he may authorize an increase in the quantities permitted to be stored where the type of construction, fire protection provided, or other factors substantially reduce the hazard:

(a) *Dwelling and apartment houses with attached and detached garages.* In dwelling and apartment houses with attached and detached garages, storage of flammable or combustible liquids other than fuel oil shall be prohibited except that which is required for maintenance or equipment operation, which shall not exceed two gallons. Such required flammable or combustible liquid shall be stored in closed metal containers or safety cans;

(b) *Assembly and office building occupancies, multifamily dwellings and hotels.* In assembly and office building occupancies, multifamily dwellings and hotels, storage of flammable and combustible

liquids shall be prohibited except that which is required for maintenance and operation of the building and the operation of equipment. Storage of such flammable or combustible liquids as may be required shall be in safety cans or closed metal containers stored in a storage cabinet made for that purpose or in an inside storage room which does not have a door that opens into the portion of the building used by the public. Storage in an inside storage room should be at ground level and the room should have at least one exterior wall;

(c) *Educational and institutional occupancies.* In educational and institutional occupancies storage of flammable and combustible liquids shall be limited to the quantities required for maintenance, demonstration, treatment, and laboratory work. Flammable or combustible liquids in the laboratories and at other places of use in such occupancies shall be stored in safety cans or in closed metal containers not larger than one quart stored in storage cabinets made for that purpose;

(d) *Mercantile occupancies.* In rooms or other areas in mercantile occupancies accessible to the public, storage of flammable and combustible liquids shall be in safety cans or in closed metal containers and limited to quantities required for display and normal merchandising purposes. Where the aggregate quantity of reserve stock beyond that currently required for display and normal merchandising purposes exceeds sixty gallons, it shall be stored in rooms or portions of buildings which comply with fireproof construction requirements except that in one story retail store buildings which do not comply with fireproof construction requirements such reserve stock may be stored therein if the walls, floor, and ceilings have a fire-resistance rating of not less than one hour;

(e) *General purpose and public warehouses.* Storage of containers of flammable and combustible liquids in general purpose and public warehouses shall be carried out in accordance with recognized safety arrangement procedures either in fire-resistive buildings or, where such warehouses are not contained in fire-resistive buildings, in such portions of the buildings which are separated from the other portions by standard fire walls. Noncombustible material, creating no hazard to the flammable or combustible liquids, may be stored in the same area;

(f) *Warehouses or storage buildings for flammable or combustible liquids.* Storage of containers of flammable and combustible liquids

in warehouses or storage buildings used exclusively for such storage shall be carried out in accordance with recognized safety-arrangement procedures. Such storage buildings shall be of noncombustible construction. If such a storage building is located more than thirty and up to fifty feet from another building or from the boundary line of adjoining property which may be built upon, the exposing wall shall be a noncombustible blank wall having a fire-resistance rating of at least two hours. If such a storage building is located ten to thirty feet from another building or from the boundary line of adjoining property which may be built upon, the exposing wall shall be a noncombustible blank wall having a fire-resistance rating of at least three hours. If such a storage building is located less than ten feet from another building or from the boundary line of adjoining property which may be built upon, the exposing wall shall be a noncombustible blank wall having a fire-resistance rating of at least four hours. In particular installations, the fire-resistance requirements of the exposing walls based upon the distance between the storage building and other buildings may be altered at the discretion of the Director of Fire Services Bureau after giving consideration to the height, size, and character of construction and the occupancy of the exposed buildings.

Prior legislation: L. 1972-73, An act to amend the Fire Prevention Code, §1 (§98-A); L. 1964-65, ch. XV, §2 (§77).

§13.4. Fire-control directives.

All persons handling flammable and combustible liquids shall conform to the following fire-control directives:

- (a) Suitable fire-control devices, such as small hose or portable fire extinguishers, shall be available at locations where flammable and combustible liquids are stored, dispensed, or otherwise handled;
- (b) When sprinklers are required, they shall be installed in accordance with nationally recognized good practice;
- (c) Open flames, smoking, and other sources of ignition shall not be permitted in storage rooms where flammable and combustible liquids are stored;
- (d) Signs legibly worded in block letters with the words "NO SMOKING" shall be conspicuously posted where hazard from flammable or combustible liquid vapors is normally present;

(e) Materials which will react with water to produce flammal vapors shall not be stored in the same room with flammable or combustible liquids;

(f) Rooms storing flammable and combustible liquids or in which flammable and combustible liquids are handled by pumps shall have exit facilities arranged to prevent occupants being trapped in the event of fire.

Prior legislation: L. 1964-65, ch. XV, §2(§78); L. 1963-64, ch. §1(No.76).

§13.5. Storage tanks: general specifications.

The following general specifications relating to storage tanks shall be observed:

(a) Tanks shall be built of steel or concrete unless the character of liquid stored requires other materials. Tanks built of materials other than steel shall be designed to specifications embodying safety factors equivalent to those inherent in steel tanks;

(b) Storage tanks for flammable and combustible liquids shall rest on noncombustible supports;

(c) Tanks shall be protected against settling, sliding, or displacement because of buoyancy. Where located in areas subject to traffic they shall be protected against physical damage;

(d) Tanks shall be located at a safe distance from the property line and from spaces which are at an elevation lower than the top of the tank so as to reduce the potential hazard in the event of discharge of liquid;

(e) Underground tanks shall be located so as not to receive any foundation load;

(f) Tanks shall be provided with means of venting;

(g) Tanks arranged to discharge flammable or combustible liquids by gravity, or air or inert gas pressure, to locations within buildings are prohibited;

(h) Tanks shall be designed and installed so as not to be a hazard to the premises served or the surrounding property.

Prior legislation: L. 1964-65, ch. XV, §2(§79); L. 1963-64, ch. V §1(No.77).

§13.6. Above-ground storage tanks located outside of buildings: specific requirements.

The following specific requirements relating to above-ground storage tanks located outside of buildings shall be observed:

- (a) Above-ground storage tanks for flammable and combustible liquids located outside of buildings shall be designed and installed with means to minimize possibility of tank rupture in the event of fire;
- (b) Minimum distance between such tanks shall be sufficient to gain access for fire fighting;
- (c) Above-ground tanks for flammable and combustible liquids having an aggregate capacity exceeding seven thousand five hundred gallons shall be provided with means to prevent flammable and combustible liquids from spreading to waterways, adjoining property, or other areas containing combustible substances. Where diked or enclosed areas around such tanks are provided with drains for storm water, such drains shall be provided with suitable and accessible shut-off valves capable of normally being kept closed.

Prior legislation: L. 1964-65, ch. XV, §2(§80); L. 1963-64, ch. V, §1(No.78).

§13.7. Piping specifications for equipment having to do with flammable and combustible liquids.

The following specifications for piping for equipment having to do with flammable and combustible liquids shall be observed:

- (a) Pipes for flammable and combustible liquids entering buildings shall be protected from damage by settlement or corrosion;
- (b) Where such pipes enter a building below grade, all exterior wall openings below grade and within ten feet of such pipe entrance shall be vapor tight;
- (c) Such pipes having discharge outlets located within buildings shall be provided with remote control to stop the flow during fire or other emergency;
- (d) Filling, emptying, and venting of tanks shall be by means of fixed piping. Pipes to underground tanks shall be pitched toward

tanks. Terminals of fill and vent pipes shall be located outside buildings at a safe distance from building openings.

Prior legislation: L. 1964-65, ch. XV, §2(§81); L. 1963-64, ch. V, §1(No.79).

§13.8. Regulations for equipment using flammable and combustible liquids inside buildings.

The following regulations for equipment using flammable and combustible liquids inside buildings shall be observed:

(a) Occupied spaces wherein flammable and combustible liquids create vapor in such concentrations as to approach the lower limit of combustibility shall be provided with suitable fire-control and fire-protection equipment and be properly ventilated. All electrical equipment therein shall conform with necessary safety requirements;

(b) Dip tanks for flammable and combustible liquids exceeding one hundred and fifty gallons liquid capacity, or ten square feet of liquid surface area, shall be provided with approved means to prevent or extinguish fires. Tanks exceeding five hundred gallons capacity shall also be provided with means to permit quick emptying of tank contents to a safe location.

Prior legislation: L. 1964-65, ch. XV, §2(§82); L. 1963-64, ch. V, §1(No.80).

§13.9. Storage of flammable and combustible liquids in drums.

Spaces used for the storage of flammable and combustible liquids in drums shall be located so as to minimize the hazard in the event of drum rupture during a fire, and such spaces shall be provided with means to prevent the spread of fire.

Prior legislation: L. 1964-65, ch. XV, §2(§83); L. 1963-64, ch. V, §1(No.81).

§13.10. Caretaking directives for stored flammable and combustible liquids.

All persons handling stored flammable and combustible liquids shall conform to the following caretaking directives:

(a) Whenever flammable and combustible liquids are stored in containers, provision shall be made and maintained for the detection of leakage. Leaking containers shall be immediately removed or made tight;

(b) Access shall be provided by unobstructed aisles whereby first-aid fire-control apparatus may be brought to bear on any part of the stored flammable or combustible liquids;

(c) In buildings, rooms, or other confined spaces in which flammable and combustible liquids are stored, combustible waste materials shall not be allowed to accumulate, except in closed metal containers;

(d) Crankcase drainings and flammable and combustible liquids shall not be dumped into sewers, but shall be stored in tanks or tight drums outside of any building until removed from the premises and safely disposed of under supervision.

Prior legislation: L. 1964-65, ch. XV, §2(§84); L. 1963-64, ch. V, §1(No.82).

§13.11. Cargo-tank vehicle design requirements for transportation of flammable and combustible liquids.

The following requirements with respect to the designs of cargo-tank vehicles used for transporting flammable and combustible liquids shall be observed:

(a) Cargo tanks used for transporting flammable and combustible liquids shall be constructed in accordance with nationally recognized good practice;

(b) The material used in the construction of cargo tanks shall be compatible with the chemical characteristics of the flammable liquid to be transported;

(c) All cargo-tank vehicles shall be equipped with rubber tires on all wheels;

(d) Cargo tanks and vehicle chassis shall be electrically bonded against static discharge.

Prior legislation: L. 1964-65, ch. XV, §2(§85); L. 1963-64, ch. V, §1(No.83).

(a) Drivers shall be thoroughly instructed in the proper method of operating cargo-tank vehicles;

(b) Cargo-tank vehicles shall not be operated unless they are in proper repair, devoid of accumulation of grease, oil, or other flammables, and free of leaks;

(c) Dome covers shall be closed and latched while the cargo-tank vehicle is in transit;

(d) No material shall be loaded into or transported in a cargo-tank vehicle at a temperature above its ignition temperature, unless properly safeguarded in an approved manner.

(e) Flammable and combustible liquids shall be loaded only into cargo tanks whose material used in construction shall be compatible with the chemical characteristics of the liquid. The flammable or combustible liquid being loaded shall also be compatible with the liquid hauled on the previous load unless the cargo tank has been cleaned before being loaded.

Prior legislation: L. 1964-65, ch. XV, §2(§91); L. 1963-64, ch. V, §1(No.89).

§13.18. Required precautions in the filling and discharging of cargo-tank vehicles.

The following precautions are required to be observed in the filling and discharging of flammable and combustible liquids transported in cargo-tank vehicles:

(a) The driver, operator, or attendant of any cargo-tank vehicle shall not leave the vehicle while it is being filled or discharged. Delivery hose, when attached to a cargo-tank vehicle, shall be considered to be a part of the tank vehicle;

(b) Motors of cargo-tank trucks or tractors shall be shut down during the making and breaking of hose connections. If loading or unloading is done without the use of a power pump, the tank truck or tractor motor shall be shut down throughout such operations.

Prior legislation: L. 1964-65, ch. XV, §2(§92); L. 1963-64, ch. V, §1(No.90).

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§13.19. Parking and garaging of cargo-tank vehicles.

Operators of cargo-tank vehicles transporting flammable and combustible liquids shall conform to the following rules in connection with the parking and garaging of cargo-tank vehicles:

(a) No cargo-tank vehicle shall be left unattended on any street, highway, avenue, or alley, provided that this rule shall not prevent the driver from being necessarily absent from the vehicle in connection with the delivery of his load, except that during actual discharge of the liquids being transported some responsible person shall be present at the vehicle; nor shall this rule prevent the driver from being necessarily absent during stops for meals during the day or night if the street is well lighted at point of parking;

(b) Cargo-tank vehicles containing flammable or combustible liquids shall not be parked out of doors at any one place in inhabited areas for longer than one hour, except when such parking occurs off the streets. In any event cargo-tank vehicles shall not be parked within twenty-five feet of any building used for assembly, institutional, or residential occupancy;

(c) Cargo-tank vehicles shall not be parked or garaged in any building other than those specifically set aside for such use.

Prior legislation: L. 1964-65, ch. XV, §2(§93); L. 1963-64, ch. V, §1(No.91).

Chapter 14. EXPLOSIVES

§14.1. Regulations regarding storage of explosives in magazines.

§14.2. Regulations regarding use and handling of explosives.

§14.3. Regulations regarding transportation of explosives.

§14.4. Fireworks.

§14.1. Regulations regarding storage of explosives in magazines.

The following regulations shall apply to the storage of explosives, which are hazardous substances within the meaning of paragraph 2 of section 1.3:

- (a) Explosives shall be stored in magazines which conform to the requirements of this chapter and shall be designed and constructed in accordance with recognized good practice;
- (b) Magazines built in accordance with minimum standards shall be constructed either of two-inch tongue-and-groove hardwood covered on the outside with twenty-gauge sheet iron or aluminum or may be of all metal construction with sides, bottom, and cover made of sheet metal lined with plywood three-eighths of an inch in thickness, or the equivalent. The edges of the metal covers of the magazines shall overlap the sides by at least one inch;
- (c) Magazines for the storage of explosives shall be weather resistant and properly ventilated;
- (d) Magazines shall be painted red and shall bear the following legend thereon on each side and on the top, painted in white, the letters of which shall be at least three inches high: "Explosives—Keep Fire Away";
- (e) Magazines shall be kept clean, dry, free of grit, paper, and rubbish;
- (f) Magazines shall not be provided with artificial heat or light. If it becomes necessary to use artificial light in a magazine, an approved electric safety flashlight or electric safety lantern shall be used;
- (g) Magazines shall be located a safe distance away from inhabited buildings, passenger railways, public highways, and other magazines. Where magazines contain from two pounds to five pounds of explosives, the magazines shall be separated at least one hundred and forty feet away from inhabited buildings, sixty feet away from passenger railways and public highways, and twelve feet from other magazines containing explosives. These distances shall be proportionately increased with each increase in the number of pounds of explosives stored in each magazine beyond five pounds;
- (h) At the site of blasting operations, a distance of at least one hundred and fifty feet shall be maintained between magazines and the blast area when the quantity of explosives kept therein is in excess of twenty-five pounds or less;
- (i) Magazines shall be kept locked except during inspection or when explosives are being placed therein or being removed therefrom;
- (j) Smoking, the carrying of matches, open flames, spark-producing

ing devices, and firearms within a distance of fifty feet of a magazine are hereby prohibited. It is further prohibited to store combustible materials within fifty feet of a magazine;

(k) The land in the immediate vicinity of a magazine for a distance of at least twenty-five feet shall be kept clear of brush, dried grass, leaves, trash, and debris;

(l) The property upon which magazines containing in excess of fifty pounds of explosive material are located shall be posted at conspicuous places with signs reading "Explosives—Keep Off";

(m) Packages containing explosives shall not be unpacked or repacked in a magazine nor within fifty feet of a magazine;

(n) Magazines shall not be used for the storage of metal tools or of any other commodity except explosives;

(o) Magazines at all times shall be in the custody of a competent person who shall be at least twenty-one years of age and who shall be held responsible for compliance with all safety precautions;

(p) In the event that an explosive deteriorates to such an extent that it is in an unstable or dangerous condition, or if nitroglycerin leaks from any explosive, the person in possession of such explosive shall immediately upon discovery of the condition described herein report the fact to the Director of Fire Services Bureau and upon his authorization shall proceed, in accordance with the instructions of the manufacturer, to destroy such explosive and clean the surfaces stained with nitroglycerin if the latter condition is also present. Only experienced persons shall be permitted to undertake the destruction of explosives.

Prior legislation: L. 1964-65, ch. XV, §2(§95); L. 1963-64, ch. V, §1(No.95).

§14.2. Regulations regarding use and handling of explosives.

The following regulations shall be observed in the use and handling of explosives:

(a) Blasting operations shall be conducted during daylight hours unless authorization is obtained from the Director of Fire Services Bureau to conduct such operations at other times;

(b) The handling and firing of explosives shall be performed only by a competent person experienced in the use of explosives or by employees under his direct supervision;

- (c) No person shall handle explosives while under the influence of intoxicants or narcotics;
- (d) No person shall smoke or carry matches while handling explosives or while in the vicinity thereof;
- (e) No open flame light shall be used in the vicinity of explosives;
- (f) When blasting is done in congested areas or in close proximity to a building, structure, railway, highway, or any other installation which may be damaged, before firing, the area immediately adjacent to the explosives used in the blast shall be covered with a mat constructed that it is capable of preventing rock and other debris from being hurled into the air;
- (g) Due precautions shall be taken to prevent accidental discharge of electric blasting caps by electrical currents induced by radio or radar transmitters, lighting, adjacent power lines, dust storms, or other sources of extraneous electricity;
- (h) Before a blast is fired, the person in charge shall make certain that all surplus explosives are in a safe place, that all personnel and vehicles are at a safe distance or under sufficient cover, and that a loud warning signal has been sounded;
- (i) Whenever blasting is being conducted in the vicinity of a public utility, the blaster shall notify the appropriate representative of such public utility at least twenty-four hours in advance of blasting, specifying to such representative the location and intended time of such blasting. When such notice is verbally given it shall be confirmed by written notice which shall be sent to such representative immediately thereafter. This time limitation may be waived or shortened in an emergency by the Director of Fire Services Bureau;
- (j) Tools used for opening packages of explosives shall be constructed of non-spark-producing materials;
- (k) Explosives shall not be abandoned;
- (l) Boxes which previously contained explosives and the paper and fibre packing materials emptied therefrom shall not be used again for any purpose. They shall be destroyed by burning at an approved isolated location out of doors and no person shall be permitted to remain within one hundred feet of the fire after the burning has started.

Prior legislation: L. 1964-65, ch. XV, §2(§96); L. 1963-64, ch. V, §1(No.96).

§14.3. Regulations regarding transportation of explosives.

The following regulations shall be observed with regard to the transportation of explosives:

(a) Explosives shall not be transported on public conveyances;

(b) Vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and shall be in good mechanical condition. If the bodies of such vehicles are not closed, the bodies shall be covered with a flameproof and waterproof tarpaulin or other effective protection against moisture and sparks. Such vehicles shall have tight floors. Any exposed spark-producing metal on the inside of the bodies thereof shall be covered with wood or other non-spark-producing material to prevent contact with packages of explosives. Packages of explosives shall not be loaded above the sides of open-bodied vehicles.

(c) It is prohibited to attach any type of trailer behind a truck, tractor-semitrailer, or truck-full-trailer combination which is transporting explosives. It is further prohibited to transport explosives on any pole-trailer;

(d) Except by permission of the Director of Fire Services Bureau, blasting caps of every kind shall not be transported over the highways of the Republic on the same vehicle with other explosives;

(e) Spark-producing tools or spark-producing metals of any kind shall not be carried in the body of a vehicle transporting explosives;

(f) No person shall smoke, carry matches, or any firearms or loaded cartridges while in or near a vehicle transporting explosives;

(g) Every vehicle when used for transporting explosives shall be equipped with not less than one approved fire extinguisher of a type suitable for use on flammable liquid fires, which shall be located near the driver's seat and shall be filled and ready for immediate use;

(h) Every vehicle transporting explosives shall be marked or placarded on each side and on the front and rear with the word, "Explosives," the letters of which shall be at least three inches high and shall appear on a contrasting background;

(i) It shall be the duty of every person engaged in the business of transporting explosives over the highways of the Republic to inspect daily those vehicles employed by him to determine and ensure that

the fire extinguishers required by this chapter are properly filled and in operating condition and that the said vehicles are in proper condition for transporting explosives;

(j) Vehicles transporting explosives shall be in the custody of drivers over twenty-one years of age, who are physically fit, careful, capable, reliable, literate, and who are not addicted to the use of intoxicants or narcotics and are not under the influence thereof. They shall be familiar with the vehicle and traffic regulations of the Republic and the provisions of this chapter governing the transportation of explosives;

(k) Vehicles transporting explosives shall not be left unattended at any time while so engaged;

(l) Vehicles transporting explosives and traveling in the same direction shall not be driven within three hundred feet of each other;

(m) Vehicles containing explosives shall not be taken into a garage or repair shop;

(n) The Fire Services Bureau and the National Police Force shall be promptly notified when a vehicle transporting explosives is involved in an accident, is disabled, or catches on fire. Only in the event of such an emergency shall the transfer of explosives from one vehicle to another be permitted on the streets of any municipality covered by this Code or on the highways of the Republic and then only when competent supervision is provided. Except in such an emergency, a vehicle transporting explosives, before reaching its destination, shall not be parked on the streets of any municipality covered by this Code or on the highways of the Republic, or adjacent to or in proximity to any bridge, tunnel, dwelling, building, or place where people work, congregate, or assemble.

Prior legislation: L. 1964-65, ch. XV, §2(§97); L. 1963-64, ch. V, §1(No.97).

§14.4. Fireworks.

To ensure the maximum security to persons and property, the Fire Services Bureau shall supervise public displays of heavy fireworks by individuals, counties, territories, municipal districts, fair associations, amusement parks, and other organizations. Notice of intention to display fireworks shall be given to the Bureau at least five days in advance of the date of the display.

Prior legislation: L. 1972-73. An act to amend the Fire Prevention Code, §1(§99).

Chapter 15. PENALTIES

§15.1. Penalties for violations of provisions of the Code.

Penal sanctions for violations of the provisions of this Code shall be governed by the following:

(a) Any person who violates any of the provisions of this Code or who fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans approved thereunder, and from which no appeal has been taken, or who fails to comply with an order as affirmed or modified by a court of competent jurisdiction, within the time affixed therein, shall severally for each and every violation and noncompliance respectively, be guilty of an offense, punishable by a fine of not more than \$500 or by imprisonment for not more than sixty days or by both such fine and imprisonment.

(b) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all persons against whom a penalty has been imposed shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(c) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Prior legislation: L. 1972-73, An act to amend the Fire Prevention Code, §1(§100); L. 1964-65, ch. XV, §2(§100); L. 1963-64, ch. V, §1(No.100).