

Chapter 203

FIRE PREVENTION AND FIRE PROTECTION

ARTICLE I

Fire Department

Section 203.010. City May Enter Into Agreement.

The Board of Aldermen of the City may by ordinance enter into a contract or agreement with any other political subdivision, for the provision of fire services by one political subdivision to another on request, as provided for in Section 70.815, RSMo. The terms "Firemen" and "Fire Department" as used herein shall refer to the Fire Department of the contracting entity.

ARTICLE II

International Fire Prevention Code

Section 203.020. Adoption of The Fire Code.

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Diamond, being marked and designated as the International Fire Code, 2000 Edition, including Appendix Chapters A through G, as published by the International Code Council, be and is hereby adopted as the code of the City of Diamond for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Diamond and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such International Fire Code, 2000 Edition, published by the International Code Council, on file in the office of the City Clerk of the City of Diamond are hereby referred to, adopted and made a part hereof as if fully set out in this Article.

Section 203.030. Additions, Insertions and Changes.

That the following sections are hereby revised:

Section 101.1.	Insert: City of Diamond
Section 109.3.	Insert: Ordinance Violation, five hundred dollars (\$500.00), 90 days
Section 111.4.	Insert: \$0; \$500.00

Section 203.040. Fire Limits.

That the limits referred to in certain sections of the 2000 International Fire Code are hereby established as follows:

Fire limits shall be the entire City limits in all instances.

Section 203.050. Liability. [CC 1979 §63.030]

This Article shall not be construed to relieve from responsibility or to lessen responsibility of any person, firm or corporation liable under the provisions of this Article, nor shall the City be held as assuming any liability of any nature by reasons of the inspection authority hereby issued to the City Building Inspector for inspection of fire prevention.

Section 203.060. Penalties.

Any person violating any of the provisions of this Chapter or any of the Codes adopted in this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the City or County Jail for a period of not exceeding ninety (90) days, or both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

ARTICLE III

Miscellaneous Provisions

Section 203.070. Storage of Flammable Liquids. [Ord. No. 156 §1, 12-9-1985]

Storage of flammable liquids in outside above-ground tanks over five hundred (500) gallons at commercial or business establishments is hereby prohibited within the City limits of Diamond.

ARTICLE IV

Fireworks

Section 203.080. Use Prohibited. [Ord. No. 221 §1(77.010), 6-9-1997; Ord. No. 253 §§1—2, 5-19-2003; Ord. No. 393, 9-9-2013]

- A. No person shall set off, ignite, discharge or use, or possess for such purpose, any toy cannon, blank cartridge, firecracker, torpedo, firework, sky rocket, fire balloon, pinwheel, rocket, roman candle, spitfire, or any substance consisting of chlorate of potash and sulphur, or device for discharging or exploding such objects or substances by concussion or ignition within the City, except on June 30, July 1, July 2, July 3, July 4, and July 5 of each year, or at such other times the Fire Department may approve a display for the general public.

- B. Provided, however, that the foregoing exceptions shall not be construed to permit the discharge, use or possession of bottle rockets within the City or any City park.

Section 203.090. Sale of Fireworks. [Ord. No. 221 §1 (77.020), 6-9-1997; Ord. No. 252 §§1—2, 6-9-2003]

- A. Fireworks sales shall be allowed in the City but shall be limited to the periods from 7:00 A.M. through 10:00 P.M. on June twenty-third (23rd) through July fifth (5th). City, County and State sales taxes must be charged and remitted to proper authorities.
- B. Fireworks shall not be stored in nor dispensed from a permanent building.
- C. Only sales and use of Type 1.4 fireworks are allowed, excluding torpedoes, torpedo canes or bottle rockets.
- D. Firework sales and storage are to be governed by the Missouri Division of Fire Safety rules.
- E. Firework displays for the general public must be approved by the Fire Department.
- F. The manufacture of fireworks is prohibited.
- G. In order to sell fireworks, a City merchant's license costing ten dollars (\$10.00) must be purchased for each sales location. Each location must be inspected by the Fire Chief or his/her designee prior to the issuance of license and a permit from the State Fire Marshall's office must be obtained (cost twenty-five dollars (\$25.00)). Sales locations will be subject to the BOCA Building and Fire Safety Codes adopted by the City.
- H. There shall be no discharge of any fireworks on public land or thoroughfares.
- I. The penalty for the violation of any part of this Section is a fine of no more than five hundred dollars (\$500.00) or a term in jail of not more than ninety (90) days, or both such fine and jail sentence.

Section 203.100. Penalties. [Ord. No. 221 §1(77.030), 6-9-1997]

The penalty for violation of this Article shall be as set forth in Section 100.220 of this Code.

Section 203.110. (Reserved) ¹

¹. Editor's Note: Former Section 203.110, Fire Protection Fees, as adopted by Ord. No. 307, 12-8-2008, Ord. No. 316, 7-13-2009 and Ord. No. 333, 6-14-2010, was repealed 9-24-2012 by Ord. No. 369.