

ORDINANCE NO. 14-XX02

**AN ORDINANCE DELETING TITLE 10 FIRE PREVENTION AND PROTECTION ADOPTING
IN ITS ENTIRETY AND REPLACING IT WITH A NEW TITLE 10 FIRE PREVENTION AND
PROTECTION WITHIN AND FOR THE CITY OF WATERTOWN**

BE IT ORDAINED by the City of Watertown, South Dakota that Title 10 Fire Prevention and Protection Codes Adopted with Modifications of the Revised Ordinances of the City of Watertown be amended and the new Title 10 revised as follows:

TITLE 10

FIRE PREVENTION AND PROTECTION

Chapter

10.01	Fire Department
10.02	Fire Code and Prevention
10.04	Hazardous Materials
10.98	Cross-References
10.99	Punishment

Chapter 10.01
FIRE DEPARTMENT

Section	
10.0101	Definitions
10.0102	Membership
10.0103	Appointment
10.0104	Salary
10.0105	Duties and Powers
10.0106	Require Aid
10.0107	Failure to Assist, Etc.
10.0108	Interfering
10.0109	Injuring Apparatus
10.0110	Reporting of Fires and Hazardous Material Spills
10.0111	User Fees for Emergency Responses

10.0101: DEFINITIONS

Except where a contrary intention clearly appears, wherever the terms hereinafter set out are used in this chapter, they shall be construed to mean the following:

Fire Services: Any deployment of fire fighting personnel and/or equipment to extinguish a fire or perform any preventive measures in an effort to protect equipment, life, or property in an area threatened by fire. It also includes the deployment of fire fighting personnel and/or equipment to provide fire suppression, hazardous material response, emergency medical services, and technical rescue.

Fire Service Charge: Charge imposed by the City of Watertown to any property owner, occupant or invitee for receiving fire service.

Fire Suppression: Any fire apparatus which has fire pump engaged to supply water and or fire suppressing agent to a hose line or monitor to extinguish a fire and or provide the application of foam.

Fire Protection Contract: Contract between the City, and a township or entity for the City to provide fire service.

Mutual Aid Agreement or Memorandum of Understanding: Agreement between the City of Watertowns Fire Department to provide Fire Services or assistance to the Fire Departments of other Towns, Townships, Counties, or State.

Controlled Burns: Intentionally-ignited fire contained within a designated area.

Burn Ban: Restriction on any burning for a period of time when climate conditions are dry in the County of Codington. This Ban is put into place by Codington County Commissioners when recommended by Emergency Management and or Fire Chiefs. A ban may also be imposed within the City limits of Watertown by the Mayor and Fire Chief.

Prohibited Items to Burn: Items not allowed to burn include, but are not limited to: tires, rubber products, asbestos-containing material, hazardous material, styrofoam, plastics, petroleum-based products, treated wood, asphalt shingles, and other refuse.

10.0102: MEMBERSHIP

1. The Fire Department of this City shall consist of the chief and such other officers and members as may be required from time to time. Wherever in this title reference is made to the Chief, the reference is to the Chief of the Fire Department of this City.
2. Where dormitory type sleeping facilities are provided, each member who works a twenty four (24) hour shift shall be provided an adequate sleeping facility and bed.

10.0103: APPOINTMENT

1. The Chief shall be appointed by the Mayor by and with the consent of the City Council, and he shall hold his office for the term of his appointment unless sooner removed by the Mayor.
2. The Assistant Fire Chief shall be appointed by the Fire Chief and he shall hold office for the term of his appointment unless sooner removed by the Fire Chief.

3. The Battalion Chief(s) shall be appointed by the Fire Chief and shall hold office for the appointed term unless sooner removed by the Fire Chief.
4. The Mayor, with the consent of the City Council, may appoint the same person to function as the Chief of Police and Chief of the Fire Department, and if so appointed and approved such person shall be designated as the Director of Public Safety.
5. When a Director of Public Safety shall have been appointed and approved all references in this title, or other titles, to Chief of Police or Fire Chief shall thereafter have reference to the Director of Public Safety.

10.0104: SALARY

Compensation for service in the fire department shall be fixed and established by the City Council at the time of fixing of the salaries of other City officers.

10.0105: DUTIES AND POWERS

1. It shall be the duty of the Chief, or in his absence the Assistant Chief or the Battalion Chief, to take such measures as may be necessary upon the occasion of any fire in the limits of the City to extinguish the same, and for the protection of property may, by and with the advice and consent of the Mayor or of any two aldermen of said City present, order any building, pile of lumber or any other structure, pulled down, removed or destroyed, if the same may be necessary to prevent the spread of fire.
2. The Chief, or in his absence the Assistant Chief or the Battalion Chief, during the progress of any fire in said City, whenever in his judgment it becomes necessary to control the same, shall have the power to order any fence, building or erection of any kind to be cut down and removed. He shall also have power, with the consent of the Mayor or any alderman, to tear down any portion of any building that may be standing after a fire therein or thereby, which in his judgment may be dangerous to persons or property.

10.0106: REQUIRE AID

The Chief, and in his absence the Assistant Chief or the Battalion Chief, shall have full power, control and command over all persons whomsoever at any fire or when fire services are provided, and shall have authority at such time to command such assistance from the inhabitants of the City present thereat, for the extinguishing of fire and the preservation of property exposed to fire and life safety events as may in his judgment be required.

10.0107: FAILURE TO ASSIST, ETC.

It shall be unlawful for any person present at a fire to refuse upon the command of the Chief or his assistant to render such assistance as he may require; or to refuse to obey any lawful order of the officer in command; to insult, threaten, use abusive language toward or interfere with any personnel or officer of the fire department when on duty and engaged in suppressing a fire or providing any emergency services; or to without authority give any order, command or direction to any member of the fire department at such time.

10.0108: INTERFERING

No person shall willfully hinder or interfere with any fireman or other City officer in the performance of his duties at, going to, or returning from any emergency response.

10.0109: INJURING APPARATUS

It shall be unlawful for any person to drive any vehicle, motor vehicle, locomotive or train of cars over any hose belonging to the fire department, or in any manner to injure or interfere with any engine or apparatus belonging or pertaining to the fire department or to cut, deface, destroy or injure any of the property belonging to said department.

10.0110: REPORTING OF FIRES AND HAZARDOUS MATERIAL RELEASE

Any Fire, Hazardous Material Release, Fire Alarm, Emergency Medical, and Technical Rescue shall be reported as soon as practically possible using 911 Dispatch which will activate Watertown Fire Rescue Response.

10.0111: USER FEES FOR EMERGENCY RESPONSES

Parties are subject to users fees for emergency response.

1. Owners of property within the City who receive fire service.
2. Owners of property in counties, townships or cities to which the City provides fire service pursuant to a fire protection contract.
3. Anyone who receives fire service as a result of fire within the City, counties, or townships that Fire Services are provided.
4. Any Person, City, Township, County who receives fire service in the area within the State of South Dakota when the All Hazard Team is deployed.
5. All user fees charged for emergency response service shall be set by City resolution.

10.0112: BILLING AND COLLECTION

1. Parties requesting and receiving fire services will be billed directly by the City of Watertown within 30 days of the fire service. Additionally, if the party receiving fire service did not request them but the fire department determined such fire service was needed, the party will be charged and billed. All parties will be billed whether or not the fire service is covered by insurance. Any billable amount of the fire charge not covered by a party's insurance remains a debt of the party receiving the service.
2. Parties billed for fire service will have 30 days to pay. If the fire service charge is not paid by the due date on the invoice, it will be considered delinquent and the City will send a notice of delinquency including a non-payment penalty of 10%. A 10% penalty will continue to accrue on the account until the invoice is paid in full or is written-off and sent for further collection attempts. The City reserves the right to use all practical and reasonable legal means to collect the fire service charge. The party receiving fire service may be liable for all costs incurred by the City in securing payment on the debt including, but not limited to, reasonable attorney fees and court costs.
3. After 120 days of delinquency, the City Council may authorize, if applicable, the Finance Officer to certify all unpaid amounts to the County Treasurer for collection in the same manner as general property taxes. The City will give the property owner notice of its intent to certify the unpaid fire service charges prior to certification.
4. Automated alarms can be billed as a fire call after four false alarms have been responded to by the Fire Department per calendar year that runs January 1 to December 31. The fifth false alarm will be billed at the regular run rate for one engine listed as set by resolution.
5. When the City Fire Department provides fire service to another fire department pursuant to a Mutual Aid Agreement, the billing will be determined by the Mutual Aid Agreement.
6. When the City Fire Department provides fire service to another fire department pursuant to a Fire Protection Contract, the billing will be determined by the contract.
7. All collected fire charges will be City funds and used to offset the expenses of the City Fire Department in providing fire services.

Chapter 10.02
FIRE CODE AND PREVENTION

Section

10.0201	Fire Prevention
10.0202	Adoption of the Fire Code and Life Safety Code
10.0203	Inspectors
10.0204	Inspectors - Order Safety and Preventive Devices
10.0205	Inspectors - Failure to Comply
10.0206	Right to Enter Premises
10.0207	Notice to Owner
10.0208	Appeals
10.0209	New Materials, Processes or Occupancies Which May Require Permits
10.0210	Key Boxes
10.0211	Premises Identification (Addressing)
10.0212	Fire Protection System Group R
10.0213	Reporting of Maintenance, Inspecting, and Testing on Fire Alarm Systems and Fire Protection Systems
10.0214	Fire Investigation

10.0201: FIRE PREVENTION

The Fire Prevention Code shall be enforced by the Building Official and the Fire Department of the City of Watertown, under the supervision and direction of the Chief of the Fire Department (Fire Chief). Any official acting under this authority shall be an Inspector.

10.0202: ADOPTION OF THE FIRE CODE AND LIFE SAFETY CODE

There is hereby adopted by the City Council for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, those certain codes known as the International Fire Code, 2012 Edition, including Appendices B through J, as prepared by the International Code Council, and the Life Safety Code 101, 2012 Edition, prepared by the National Fire Protection Association, of which codes are filed in the Office of the Finance Officer and the same are hereby adopted and incorporated as fully as if set out in length herein, and from the date in which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Watertown and Watertown Fire Rescues Response Area and Watertowns extra Territorial Jurisdiction.

The Fire Chief or his designed, shall have the authority to enforce the provisions of the Fire Prevention Code and shall have the authority to render interpretations of the Fire Prevention Code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent of the code and shall not have the effect of waiving requirements specifically provided for in this code. When an interpretation arises an application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Fire Chief thereon shall be entered upon the record of the department and a signed copy shall be furnished the applicant. (IFC 104.1)

10.0203: INSPECTORS

Authority is hereby granted to said Inspectors to enter into any of the schools or any of the buildings or rooms in said City used for public meetings or amusement, during any and all times when he shall deem it necessary, whether such public meetings or amusements are in progress therein or not, and as he may elect, and to take with him into any such building at any time when such building is open to the public, not to exceed two assistant firemen who shall aid him in his duties as inspector.

10.0204: INSPECTORS - ORDER SAFETY AND PREVENTIVE DEVICES

Said Inspector shall have full power and authority with the consent and approval of at least two-thirds (2/3) of all the aldermen-elect to order such fire and protection in hotels, boarding houses, inns, school houses, theaters, or other buildings where public meetings or other gatherings are held, or amusements are had, as he shall deem expedient

and necessary for the public safety, and may order exits with proper notice and such fire escapes as he shall deem necessary, to be constructed in and about said rooms or buildings, and may order water hydrants so constructed that they can be immediately turned on and utilized when needed upon any stage in any theater or any other building where public meetings or amusements are had, and to order any proprietor, occupier, tenant, lessee or manager to construct the said water pipes and hydrants in such a manner as said Inspector shall deem proper and to furnish upon the order of said Inspector so much hose as shall be necessary to make such fire protection utilizable and sufficient and as such Inspector shall deem necessary; and for the acts above set forth said Inspector and assistant shall at all times during any entertainment, amusement or performance or public meeting have full, free and unobstructed access to any stage in any such building in this City.

10.0205: INSPECTORS - FAILURE TO COMPLY

Any proprietor, occupant, tenant, lessee or manager, omitting, failing or refusing to comply with the order and notice of the Inspector provided within ten (10) days after written notice of such order has been served upon such proprietor, occupant, tenant, lessee or manager shall be subject to a fine as provided in Chapter 10.99 hereof, and further: Such building or room shall be closed and no public meeting or amusement of any character shall be had therein until the order of the Inspector is fully complied with, and any opening of any of the places herein mentioned to the public for meetings or amusement, after such order and notice and before compliance therewith, shall be and is hereby deemed a separate and distinct offense.

10.0206: RIGHT TO ENTER PREMISES

Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever The *fire code official* has reasonable cause to believe that there exists in a building or upon any premises any condition or violations of this code which make the building or premises unsafe, dangerous or hazardous, the *fire code official* shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the *fire code official* by this code. If such building or premises is occupied, the *fire code official* shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the *fire code official* shall first make a reasonable effort to locate the *owner* or other person having charge or control of the building or premises and request entry. If entry is refused, the *fire code official* has recourse to every remedy provided by law to secure entry (IFC 2012, 104.3).

The Inspector is hereby given authority to enter any house or buildings, lots, yards and premises in the said City, between sunrise and sunset as often as he shall deem necessary and examine the fireplace, hearth, chimney, stoves and pipes, ovens, boilers or other apparatus likely to cause or to set fire to said premises, places where ashes are deposited, and all places where gun powder, hemp, flax, straw, tow, hay, shavings or other combustible materials are kept, lodged or stored.

10.0207: NOTICE TO OWNER

The said Inspector shall give such notices to the owner or occupant thereof, in regard to the several foregoing matters, as he may deem expedient, either as to removal, alteration, repairs or better care or management thereof for the protection of property against fire; which notice shall be obeyed and complied with by the person or persons occupying or owning the same (as the case may be) and at his or their own expense within five (5) days from and after the date of service of notice thereof.

10.0208: APPEALS

Whenever the Fire Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the governing body within thirty (30) days from the date of the decision appealed. The governing body for appeals is the Board of Adjustment.

10.0209: NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS

The Building Official, the Fire Chief and the Police Chief shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in said code. A list shall be posted in a conspicuous place in the office of the Fire Chief and copies thereof shall be distributed to interested persons.

10.0210: KEY BOXES

The Watertown Fire Department will not carry keys for direct emergency access to buildings, but will carry keys to Knox lock boxes approved for construction and location by the Fire Department which will contain entry and secured area keys. When access to or within a structure or any area is unduly difficult because of secured openings or where immediate access is necessary for life saving or fire fighting purposes, the Chief may require a Knox key box to be installed in an accessible location. The Knox key box shall be a type approved by the Fire Chief and shall contain keys to gain necessary access as required by the Fire Chief.

10.0211: PREMISES IDENTIFICATION (ADDRESSING)

New and existing buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. Address numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters (no script). Illumination of the address is recommended.

If the structure is not visible from the roadway because of terrain, trees or other obstruction, or if the structure is more than four hundred (400) feet from the roadway, the address numbers shall be posted on a post at the entrance of the driveway to the structure. The numbers on the post shall be a minimum of four (4) inches in height and shall be visible from both sides of the approach to the entrance. The post with the numbers shall be a minimum of four (4) feet in height above the ground in a visible location within twenty (20) feet of the roadway.

1. Address Number Display – Residential Uses

House numbering: All residential primary structures shall display official City-assigned address numbers on the face of the structure nearest the road, 5’ from ground level, size mandated by size and placement regulations below.

Mailbox numbering: Any mailbox located on street directly in front of the residence shall display address numbers on both sides. Groups of mail boxes in one location with numbers on both sides are not required.

2. Address Number Display – Non-Residential Uses

Primary Structure: All non-residential primary structures shall display official City-assigned address numbering on the face of the structure so it is visible from roadway. For strip malls and rows of stores, numbers above or beside the front (street side) door 5’ from ground level, size mandated (see section three below). Addressing can be conspicuously located on window or door only if no advertising or decorations are on that said window or door.

3. Size and Placement Regulations

Distance Size

- 0 – 50 feet 6 in.
- 51 – 100 feet 8 in.
- 101 – 150 feet 10 in.
- 151 – 200 feet 12 in.
- Over 200 feet 14 in.

Distance is measured from the face of the building to the face of curb/edge of roadway.

10.0212: Fire Protection System Group R

1. Automatic sprinkler system requirements. An automatic sprinkler system shall be installed throughout any new hotel, motel, and multi-family residence housing five or more families.
2. Automatic sprinkler system is required in all Multi-Family residences when four (4) or more bedrooms are present in any one single unit.

10.0213: Reporting of Maintenance, Inspections, and Tests on Fire Alarm Systems and Fire Protection Systems

All vendors or companies performing maintenance, inspections, and tests on Fire Alarm Systems and Fire Protection Systems are responsible for mailing a copy of all reports and related information for the systems to Watertown Fire Rescue within sixty (60) days.

10.0214 Fire Investigation

The *fire code official*, the fire department or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition (International Fire Code 2012).

REVISED ORDINANCES – CITY OF WATERTOWN, SOUTH DAKOTA

All fire investigations shall be done using as a guide *NFPA 921 GUIDE FOR FIRE & EXPLOSION INVESTIGATION*.

Chapter 10.04 HAZARDOUS MATERIALS

Section	
10.0401	Purpose
10.0402	Definitions
10.0403	Contingency Plan
Required	
10.0404	Prohibited
10.0405	Reporting of Discharge
10.0406	Right of Entry
10.0407	Conflict
10.0408	Appeals

10.0401: PURPOSE

The purpose of this article is to protect, promote and enhance the welfare, safety, health and property of the general public and to protect and preserve the City's sanitary sewers, storm sewers, sewage treatment plant, water distribution system, and the Big Sioux Aquifer, and reduce cost associated with accidental discharges by establishing requirements for the safe manufacturing, handling, storage and sale of hazardous materials.

10.0402: DEFINITIONS

For the purpose of interpreting this ordinance, certain words, terms and expressions are herein defined. Words used in the present tense shall include the future. The singular number shall include the plural and the plural, the singular. The word "shall" is mandatory.

Accidental Discharge: any gas, liquid or solid material which leaks, spills or escapes upon the ground or into the ground water, surface water or atmosphere.

Adverse Discharge: any discharge which could damage private or public property or produce a change in the water quality of the Big Sioux Aquifer which would exceed the Federal Primary Drinking Water Standards.

Aquifer: a geologic formation, group of formations or part of a formation capable of yielding, storing or transmitting a significant amount of ground water to wells or springs for domestic or animal use.

Aquifer Critical Impact Zone: that portion of the Big Sioux Aquifer which includes the public water supply and other areas serving as public water supplies. The area includes land surrounding the well fields in the established direction of ground and surface water flow, as shown on the Big Sioux Aquifer Map 1984, on file with the Fire Department.

Aquifer Secondary Impact Zone: the remainder of the Big Sioux Aquifer which is not located within the Aquifer Critical Impact Zone.

Big Sioux Aquifer: an unconfined, shallow groundwater system connected to the Big Sioux River, its tributaries and area lakes.

Feed Lot: a confined area for the feeding of domestic farm animals.

Hazardous Materials: those that pose an unreasonable risk to the health and safety of operating or emergency personnel, the public and the environment if not properly controlled during handling, storage, manufacture, processing, packaging, use, disposal or transportation. The requirements of Chapter 50 International Fire Code (2012) and the other associated chapters are considered the minimum safety requirements for the use, production and storage of hazardous chemicals.

1. **Ignitable:** a gas, liquid or solid which may cause fires through friction, absorption of moisture, or which has low flash points. Examples: white phosphorous, gasoline.
2. **Carcinogenic:** a gas, liquid or solid which is normally considered to be cancer causing or mutagenic. Examples: materials containing P.C.B.'s, polychloryl-biphenyl (waste oils).

3. **Explosive:** a reactive gas, liquid or solid which will vigorously and energetically react uncontrollably if exposed to heat, shock, pressure or combination thereof. Examples: dynamite, organic peroxides, ammonium nitrate, etc.
4. **Highly Toxic:** a material (solid, liquid, gas) so dangerous to man as to afford an unusual hazard to life. Example: parathion, chlorine gas.
5. **Moderately Toxic:** a material (gas, liquid or solid) which through repeated exposure or in a single large dose can be hazardous to man. Example: diazinon.
6. **Corrosive:** any material, whether acid or alkaline, which when in contact with human tissue will cause severe damage to such tissue; or in case of leakage will damage or destroy other containers of hazardous materials and cause the release of their contents. Examples: battery acid and phosphoric acid.

10.0403: CONTINGENCY PLAN REQUIRED

A contingency plan for cleaning up and containing an accidental discharge shall be required for any industry, business or individual, which manufactures, handles stores or sells hazardous materials as defined in this ordinance. The contingency plan must be submitted to the Watertown Fire Department and provide the following:

1. A list of the scientific names and quantity of the hazardous materials normally located within the premises. The list shall be updated annually or in each case where maximum inventory quantities change by more than twenty five percent (25%) or other additional hazardous materials are added to inventory.
2. A building and lot layout drawn to scale showing the location of the hazardous materials.
3. The written contingency plan must describe the procedure to be utilized in the event of an accidental discharge.
 - a. Such a plan must include methods to be used for containment of an accidental discharge upon the premises;
 - b. Location and availability of equipment and supplies necessary to contain and clean up the accidental discharge and protect the City utilities located upon the premises, including an evacuation plan for any individuals within the premises;
 - c. The name of the representative to be contacted in the event of an emergency;
 - d. Financial responsibility for damages and clean up of an accidental or an on purpose discharge will be the responsibility of the property owner. A suitable sign shall be displayed upon the building designating the type of hazardous materials contained therein.

10.0404: PROHIBITED

1. The manufacturing, handling, storage or sale of hazardous materials is prohibited within the Aquifer Critical Impact Zone.
2. An industry, business or individual manufacturing, handling, storing or selling hazardous materials shall not be located within five hundred (500) feet of residential structures, schools or hospitals. Hazardous materials shall conform to maximum allowable quantities per control area listed in section 5003.11.1 through 5003.11.3.10 (International Fire Code Chapter 50).

10.0405: REPORTING OF DISCHARGE

It shall be the duty of any person having knowledge of a discharge of hazardous material to immediately report the discharge to the Fire Department.

10.0406: RIGHT OF ENTRY

Whenever necessary to make an inspection to enforce any of the provisions of this article, or whenever the Fire Department or their authorized representative has reasonable cause to believe that there exists in any building or upon any premises, any condition which is prohibited under the article, the Fire Department or their authorized representative may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the Fire Department by this article; providing that if such building or premises be occupied, they shall first present proper credentials and demand entry; and if such building or premises be unoccupied, they shall first make a reasonable effort to locate the owner or other persons having charge or

control of the building or premises and demand entry. If such entry is refused, the Fire Department or their authorized representative shall have recourse to every remedy provided by law to secure entry.

No owner or occupant or any other person having charge or care of any building or premises shall fail or neglect, after proper demand made as herein provided, to properly permit entry therein by the Fire Department or their authorized representative for the purpose of inspection and examination pursuant to this article.

10.0407: CONFLICT

In the event of any conflict between the provisions of this ordinance and state and federal law, the state and federal law shall prevail.

10.0408: APPEALS

Whenever the Fire Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the governing body within thirty (30) days from the date of the decision appealed. The governing body for appeals is the Board of Adjustment.

Chapter 10.98
CROSS-REFERENCES

10.9801: CROSS-REFERENCES

Bonds.....	7.0903
Burning on Surfaced Streets Prohibited.....	18.0103
Cemetery, Mount Hope, Fires Unlawful.....	6.0115
Fire Alarm, False.....	13.0306
Fire Vehicles, Right-of-Way.....	19.0110
Petroleum Products	Chapter 5.04

**Chapter 10.99
PENALTIES AND PUNISHMENT**

10.9901: PENALTIES AND PUNISHMENT

1. Any person who shall violate any provision of this title, other than Chapter 10.02, shall be punished by a fine not exceeding two hundred dollars (\$200) or by imprisonment not exceeding thirty (30) days or by both such fine and imprisonment.
2. Any person who shall violate any of the provisions of Chapters 10.01 and 10.02 hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement of specification or plan submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Municipal Court or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than two hundred dollars (\$200) or by imprisonment nor more than thirty (30) days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibitive conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
3. Any person who shall violate any provision of Chapter 10.04 of this title, shall be subject to a fine not exceeding two hundred dollars (\$200). Each day in violation of this section shall constitute a separate offense.

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance 14-02__ was published in the Watertown Public Opinion, the official newspaper of said City, on the ___ day of _____, 2014.

Rochelle M. Ebbers, CPA

First Reading:
Second Reading:
Published:
Effective:

City of Watertown

Attest:

Rochelle M. Ebbers, CPA
Finance Officer

Steve Thorson
Mayor