

CHAPTER 5

FIRE DEPARTMENT

ARTICLE I. FIRE REGULATIONS

Sec. 5-1. CONTROL OF STREETS DURING FIRE.

During the continuance of any fire, the chief engineer, or in his absence the officer then in command, shall have absolute and exclusive control of the streets and public places adjacent to the location of such fire, and he may blockade the same and forbid passage therein; he may require those present to stand back to any reasonable distance; he may command the assistance of any police officer or other person present at such fire in extinguishing the same or in preventing its spread or in saving and securing property. In addition to the powers given in the Charter, he shall have the power, at any fire, to cut and remove, or cause the same to be done, any electric, telephone, telegraph or other wire, stay, cable, or any pole or other support thereof, or any other obstacle to the efficient extinguishment or control of such fire; and to require the cutting out of any electric current which may interfere therewith.

Sec. 5-2. REFUSAL TO OBEY AUTHORIZED ORDER AT FIRE.

No person shall unreasonably neglect or refuse to obey any authorized order, requirement or request of any officer of the fire department at any fire within the city; and upon such neglect or refusal, it shall be the duty of such officer to report the same to the City Council within five days thereafter.

CROSS REFERENCE: Obedience to fire department officers, see Section 10-4 this Code.

Sec. 5-3. NO CITIZEN AUTHORITY AT FIRE.

No person, not a member of the fire department, being present at a fire shall assume without authority to exercise control over any member of the department in respect to his duty, or shall willfully or unnecessarily make outcries or other loud noises, or shall be guilty of disorderly conduct, or promote or encourage disorderly conduct in others then present.

Sec. 5-4. UNAUTHORIZED ENTRANCE INTO FIRE AREA.

No person not a member of the City Council or of the fire department or of the police department shall, at a fire, without the authority of a member of the City Council or of an officer of one of said departments, enter upon any part of a street or public place that is by authority blockaded, roped off, barricaded, or plainly designated in any way as set apart for use of the fire department in extinguishing such fire or for securing or protecting property or for the protection of persons at such fire.

Sec. 5-5. USE OF APPARATUS BEYOND CITY.

No truck or any part of the apparatus of the fire department shall be taken from the city, at any time, except for the purpose of having the same repaired; provided, however, that in case of a fire in a neighboring town or city, the chief engineer with the consent of the mayor or city manager or, in case either of them cannot be found, with the consent of one of the alderman, may order not more than one-half of such fire apparatus accompanied by not more than one-half of the members of said department, to be taken to such town or city for the purpose of assisting in extinguishing such fire.

CHARTER REFERENCE: Use of fire apparatus outside city, T.10, Sec. 38, 1955 Charter.

Sec. 5-6. REPORT OF FIRE HYDRANT USE.

After the use by the fire department of any hydrant, the chief engineer shall immediately report the fact to the water commissioner.

CROSS REFERENCE: Permission to draw water from hydrant, see Sec. 3-330 this Code.

Sec. 5-7. DESTRUCTION OR INTERFERENCE WITH DEPARTMENT APPARATUS OR EQUIPMENT.

No person shall destroy, deface, or in any way injure the apparatus of the fire department or the fire alarm telegraph, or any part or appurtenance thereof, or interfere with or do anything to the same so as to prevent or delay the proper or timely use thereof, or hinder or obstruct the extinguishment or control of fire or the protection of persons or property at a fire.

Sec. 5-8. FALSE ALARMS.

No person shall knowingly cry out or ring in or cause to be given a false alarm of fire, or after an alarm of fire has been given maliciously and falsely proclaim the fire to be extinguished or under control.

Sec. 5-9. NAME AND ADDRESS OF THOSE TURNING IN AN ALARM.

A person giving an alarm of fire shall forthwith give his name and address to the chief engineer of the fire department, who shall place the same on file in his office.

Sec. 5-10. FIRE DEPARTMENT RULES AND REGULATIONS.

All rules, regulations and penalties, made, established, fixed or prescribed by the chief engineer of the fire department under the Charter, shall be promulgated in writing, shall be dated and signed by the chief engineer, and shall be filed and recorded in the office of the city clerk; and a copy thereof shall be furnished each member of the fire department and shall at all times be conspicuously displayed at the fire station.

Sec. 5-11. STREET FIRES WITHOUT PERMIT.

No person shall make a fire in or upon a street or public place, except by permission of the chief of police and chief of the fire department.

Sec. 5-12. LEAF BURNING; PERMIT.

No person shall set fire to paper, shavings, leaves, brush, or other waste material, in a street or public place, except to make a fire under permission granted as provided in the preceding section.

Sec. 5-13. OPEN FIRES AND INCINERATORS.

The use of open fires and outside incinerators in the city of Montpelier shall be subject to the applicable provisions of the Fire Prevention Code, Sec. 5-300 et seq, and in addition, shall not be maintained so as to cause nuisance and noxious conditions to other persons in the area; such fire, if not extinguished at the request of an official of the fire department, can be extinguished by the fire department.

Sec's. 5-14 to 5-199. Reserved.

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