

CHAPTER FOUR

FIRE PROTECTION AND PREVENTION

ARTICLE - ORGANIZATION AND REGULATION OF THE FIRE DEPARTMENT

	<i>PAGES</i>
4.0101 Establishment	32
4.0102 Volunteer Department	32
4.0103 Unlawful to Hinder Department	32
4.0104 Right of Way	32
4.0105 Driving Over Fire Hoses	32
4.0106 False Alarms	32
4.0107 Taking Fire Equipment	32
4.0108 Entering Fire Department	33
4.0109 Service Outside Corporate Limits	33

ARTICLE 2 - FIRE LIMITS

4.0201 Service Area	33
4.0202 Same: Erection of Buildings Within	33
4.0203 Alterations and Additions	33
4.0204 Inspection of Premises, Discovery, Order	34
4.0205 Quality of Materials	34
4.0206 Repairs	34

ARTICLE 3 - FIRES IN PUBLIC PLACES

4.0301 Smoking	34
4.0302 Notice	34
4.0303 Bonfires Prohibited - Exception	34
4.0304 Hot Ashes and Other Dangerous Materials - Depositing of	35
4.0305 Open Burning Prohibited	35
4.0306 Reports	35

ARTICLE 4 - FIRE PREVENTION

4.0401 Adoption of Fire Code	35
4.0402 Amendments, Additions and Deletion Made in Fire Code	35
4.0403 Storage of Flammable Liquids	35
4.0404 Storage of Liquefied Petroleum	35
4.0405 Appeals	35

ARTICLE 5 - FIREARMS, FIREWORKS AND EXPLOSIVES

4.0501 Firearms not to be Furnished to Minors	36
4.0502 Exploding Firearms	36
4.0503 Blank Cartridges, Pistols, etc. - Manufacture, Use and Sale of	36
4.0504 Fire works Defined	36
4.0505 Exceptions	36

ARTICLE 6 - ADOPTION OF ELECTRICAL CODE

4.0601 Electrical Code Adopted	36
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ARTICLE 7 - PENALTY FOR VIOLATION OF THIS CHAPTER

4.0701 Penalty	36-37
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CHAPTER FOUR

FIRE PROTECTION AND PREVENTION

ARTICLE 1 - ORGANIZATION AND REGULATION OF THE FIRE DEPARTMENT

4.0101 Establishment

There is hereby created and established a fire department, and if hereto created, such department is hereby continued, consisting of a chief, and such other members of said fire department as may from time to time be provided by law.

4.0102 Volunteer Department

The Fire Department of the City of Sawyer, North Dakota shall be composed of volunteer firemen who shall receive no wages or salaries therefor.

4.0103 Unlawful to Hinder Department

It shall be unlawful for any person to prevent, interfere with or in any manner hinder the fire department, or any member thereof, while engaged in the discharge of duty at a fire, or to disobey any lawful command to the Incident Commander.

4.0104 Right of Way

Any engine, truck or apparatus belonging to the fire department shall, going to or returning from a fire, have the right of way in all streets, alleys and public places over any wagon, street car, automobile or other vehicle of any kind whatsoever, and any person in charge of any such vehicle must stop the same when necessary to permit any engine, truck or apparatus of the fire department to pass without hindrance or delay.

4.0105 Driving Over Fire Hoses

No person shall drive any team, wagon, cart, street car, railroad car, steam engine, automobile or other vehicle of any kind whatsoever, upon or over any hose belonging to the fire department while the same is laid in the streets and alleys of the city.

4.0106 False Alarms

It shall be unlawful for any person knowingly to give or cause to be given any false alarm of fire, or to give or cause to be given, while a fire is in progress, a second or general alarm for the same fire, or tamper with or set off any fire alarm or signal box with like intent; or tamper, meddle or interfere with any such fire alarm box; or intentionally cut, break, deface or remove any such box, or any of the wires or supports thereof, connected with the fire alarm system or intentionally interfere with or injure any property of any kind belonging to or used by the fire department; or hinder or delay any apparatus or equipment or vehicle belonging to the fire department.

4.0107 Taking Fire Equipment

No person shall take, receive or attempt to receive or take from the possession and control of any member of the Fire Department, any of the apparatus, tools or property belonging to said department, without the written consent of the chief of the fire department.

4.0108 Entering Fire Department

No person shall occupy any rooms in any building which are used by the fire department, or enter such rooms or handle any apparatus used by the fire department without permission.

4.0109 Service Outside Corporate Limits

Members of the fire department are authorized to go outside the corporate limits of the city for the purpose of rendering aid in the case of accidents. Provided, that the fire department shall not render such service outside the corporate limits excepting upon orders of the chief of the fire department, the assistant chief or presiding officer of the governing body; excepting that where the city has undertaken by contract to render service to property outside the corporate limits the fire department may leave the corporate limits in the fulfillment of such contract.

ARTICLE 2 - FIRE LIMITS

4.0201 Service Area

All that portion of the City of Sawyer bounded by the following streets, avenues, alleys and lines is hereby defined and shall be known as and constitute the service area of the Sawyer Fire Department. All those parts of the City which have been zoned for commercial or industrial use or that may hereafter by so zoned.

1. City of Sawyer
2. Sawyer Township
3. New Prairie
4. Newsman Township
5. Iloa Flat Township
6. Greely Township
- 7 Mutual Aid from surrounding Departments
- 8 Areas outside of the service area for fundraising purposes

4.0202 Same: Erection of Buildings Within

No buildings or part of any buildings shall be erected within the fire limits unless all outside walls and party walls thereof shall be built or constructed of stone, brick, concrete or other fireproof material, and all outside ends and party walls shall be not less than eight (8) inches in thickness. All joist, beams or other wood or combustible material in any outside end or party wall shall recede from the outer surface of such wall at least four (4) inches, and all gutters and roofs shall be covered on the outside surface with copper, tin, iron or other fireproof material, and all ends and party walls shall extend above the roof at least twelve (12) inches, nor shall the plating or sheeting of any such roof extend across the fire wall of such building. Provide, outhouses and sheds may be erected of any other material, not necessarily of fireproof qualities, by obtaining a permit from the Mayor and City Council upon application therefore which may be granted or refused in their discretion.

4.0203 Alterations and Additions

Within the fire limits no buildings or structure of frame construction or of unprotected metal construction shall be hereafter extended on any side unless the construction of such extension conforms to all requirements of this article for new construction. All ordinary construction buildings and all frame buildings hereafter built or altered in which the lower stories of portions thereof are used for business, and the stories above for residence purposed shall have all partitions and ceilings separating the business portions from the residence portions covered with metal lath and plaster or other equivalent fireproofing material

This section shall not apply to any building or structure owned by the city within the fire limits proved that a resolution approving and proposed alteration, addition or repair to such building or structure owned by the city, has been approved by the governing body.

4.0204 Inspection of Premises, Discovery, Order

The Building Official, or chief of fire department, or other designated official, shall as often as practical, inspect all buildings or structures during construction for which a permit has been issued to see that the provisions of law are complied with and that construction is prosecuted safely. Whenever in his opinion, by reason of defective or illegal work in violation of a provision of this article the continuance of a building operation is contrary to public welfare, he may order all further work to be stopped and may require suspension of work until the condition in violation has been remedied.

4.0205 Quality of Materials

All building materials shall be of good quality, and shall conform to specifications which the Building Official prescribed. The more generally accepted standard specification for quality of materials are those of the American Society for Testing Materials.

4.0206 Repairs

If the insurance provider deems the property damage covered and reparable, the City of Sawyer reserves the right to set deadlines for the completion of property repairs.

ARTICLE 3 - FIRES IN PUBLIC PLACES

4.0301 Smoking

Any person who, by smoking or attempting to light or to smoke cigarettes, cigars, pipes or tobacco in any manner, in which lighters or matches are employed who shall in any careless, negligent or reckless manner whatsoever, whether willfully or wantonly or not, set fire to any furniture, curtains, drapes, household fittings or furnishings whatsoever in any hotel, public rooming house, tenement house or any public building, so as to endanger life or property in any way or to any extent shall be guilty of violating this article.

4.0302 Notice

A plainly printed notice shall be posted in a conspicuous place in each sleeping room of all hotels, public rooming houses, lodging houses and other places of public assemblage within the City of Sawyer, advising tenants of the provisions of this chapter.

4.0303 Bonfires Prohibited - Exception

No person shall kindle, maintain or assist in maintaining any bonfire or other exposed fire on any pavement or oiled street within the city, or within twenty-five (25) feet of any building, except under the written permit of the chief of the fire department, and only when such burning shall be done in metallic receptacle approved by him, and under proper safeguards as he may direct as to time and weather conditions, and no condition that such permit carries an obligation on the part of the grantee to keep a sufficient safe control of said fire and to be responsible for all damages therefrom, and that all resultant embers shall be extinguished and the hot ashes removed or wet down at the close of said fire. Any and all fire pots shall be contained with a cover. A fine will be enforced for anyone not following the fire laws of the City of Sawyer.

4.0304 Hot Ashes and Other Dangerous Materials - Depositing of

Ashes, smoldering coals or embers, greasy or oily substances and other matter liable to spontaneous ignition shall not be deposited or allowed to remain with ten (10) feet of any combustible materials or construction made up of combustible materials, except in metal or other non-combustible receptacles. Such receptacles shall be placed on non-combustible stands, unless resting on a non-combustible floor or on the ground outside the building, and shall be kept at least two (2) feet away from any combustible wall or partition.

4.0305 Open Burning Prohibited

No person shall kindle, maintain or burn any garbage or other refuse either openly or in containers if such burning is prohibited by state law or proclamation

4.0306 Reports

Every fire of any kind, and from whatever source, occurring in or about any hotel, rooming house, lodging house or apartment hotel in the City of Sawyer shall be reported immediately to Central Dispatch at (701) 852-0111 as a controlled burn. 911 for an emergency involving fire.

ARTICLE 4 FIRE PREVENTION

4.0401 Adoption of Fire Code

There is hereby adopted by the City of Sawyer for the purposes of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Life Safety Code and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which code not less than three (3) copies have been and are not filed in the office of the Auditor of the City and the same are hereby adopted and incorporated as full as if set out at length herein.

4.0402 Amendments, Additions and Deletions Made in Fire Code

Add and include National Fire Protection Association 1500

4.0403 Storage of Flammable Liquids

No new bulk plants or tanks for storage of flammable liquids shall be permitted within the limits of the City.

4.0404 Storage of Liquefied Petroleum

The limits or area for storage of liquefied petroleum shall comply with the limits established in Section 4.0404.

4.0405 Appeals

A citizen has the right to appeal the fire inspection results to the Fire Department in writing within 30 days of receiving the results. The appeal will be reviewed by

ARTICLE 5 - FIREARMS, FIREWORKS AND EXPLOSIVES

4.0501 Firearms Not to be Furnished to Minors

It shall be unlawful for any person, firm or corporation to sell or rent firearms to minors within the limits of this city.

4.0502 Exploding Firearms

It shall be unlawful for any person or persons to fire or discharge within the city limits or this city, any cannon, gun fowling piece, pistol or other firearms of any description without the written permission of the Mayor of the City of Sawyer, which permit shall limit the time of such firing and be subject to the revocation of the Mayor of the City of Sawyer at any time after being granted. Provided, however, that nothing in this section shall be construed to apply to the firing of any gun or other firearms when done in cases of actual necessity, or in the performance of lawful duty, or by militia companies or veterans organization when on parade.

4.0503 Blank Cartridges, Pistols, etc. - Manufacture, Use and Sale of

No person except a license dealer, shall manufacture, use, sell or keep for sale within the City of Sawyer, North Dakota, any blank cartridges, pistols, blank cartridge revolver or other blank cartridge firearms, blank cartridge caps containing dynamite or fire-crackers exceeding three (3) inches in length and exceeding one-half (1/2) inch in diameter.

4.0504 Fireworks Defined

The sale, use, firing or discharging of any rocket, fire-cracker, torpedoes, Roman candles or of any such "Fourth of July" explosives whatsoever, or fireworks within the city limits is limited to July 1 thru July 5 except as provided by State Statute or supervised by Sawyer Fire Department.

4.0505 Exceptions

Nothing in this article shall be construed to prohibit the sale or use of fireworks to airplanes, railroads and other transportation agencies for signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations.

ARTICLE 6 - ADOPTION OF ELECTRICAL CODE

4.0601 Electrical Code Adopted

There is hereby adopted the laws and regulations and wiring standards of North Dakota adopted by the State Electrical Board and the whole thereof of which not less than one (1) copy shall be on file in the office of the City Auditor of the city, and the same is hereby adopted as fully as if it were set out at length herein.

ARTICLE 7 - PENALTY FOR VIOLATION OF THIS CHAPTER

4.0701 Penalty

Any person who shall violate any provisions of this chapter or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or

modified by the governing body or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be punishable by a fine of not more than \$500.00 or imprisonment for not to exceed 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; when not otherwise specified, each ten days that prohibited 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.

EFFECTIVE DATE

This ordinance shall become effective on the 8th day of September, 2025.

ADOPTION CERTIFICATION

I hereby certify that this is a true and correct copy of the Fire Protection and Prevention Ordinance as adopted by the City Council of Sawyer, North Dakota, on the 8th day of September, 2025.

WITNESS my hand as the Mayor of the City of Sawyer, ND , this the day 8th day of September, 2025.

Mayor, Wayne Flores

City Auditor, Tessa Miller