

CHAPTER 9

FIRE PREVENTION AND PROTECTION*

Art. I. Fire Department Generally, §§ 9-1

Art. II. Fire Prevention Code, §§ 9-2

Div. 1. Generally, §§ 9-2

ARTICLE I. FIRE DEPARTMENT GENERALLY

Section 9-1. Established.

A Fire Department is hereby established for the protection of the City.

Source: Code 1969, § 14-1

ARTICLE II. FIRE PREVENTION CODE**

DIVISION 1. GENERALLY

Section 9-2. Adopted.

The International Fire Code, 2006 edition, with all appendices, a copy of which is on file in the Office of the City Clerk of the City of Laurel, Mississippi, is hereby adopted by reference for the purpose of prescribing regulations consistent with nationally recognized practice for the reasonable protection of life and property from the hazards of fire and explosion due to the storage, use or handling of hazardous materials, substances and devices, and from conditions hazardous to the life or property in the use or occupancy of buildings or premises.

Compliance with standards of the National Fire Protection Association or the American Insurance Association or other nationally approved safety standards shall be deemed to be prima facie evidence of compliance with this intent.

***Cross References** --- Administration, Ch. 2; aviation, Ch. 6; buildings and building regulations, Ch. 7; food and food establishments, Ch. 10; housing and property maintenance, Ch. 11; oil and gas, Ch. 16; parks and recreation, Ch. 17; streets and sidewalks, Ch. 23; water, Ch. 25; fire sales, § 12-3 *et seq.*

State Law References --- Fire protection, Miss. Code 1972, §45-11-1 *et seq.*; municipal fire regulations, Miss. Code 1972, §21-19-21; fire departments and fire districts, §21-25-1 *et seq.*

****Cross Reference** --- Enforcement of solid waste ordinance, § 24-3.

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Source: Code 1969, § 15-23; Ordinance No. 1020-1984, § 1, 5-29-84; Ordinance No. 1051-1985, § 1, 8-6-85; Ordinance No. 1192-1992, § 6, 5/20/92; Ordinance No. 1268-1995, 11-17-95; Ordinance No. 1357-1999, §1, 11-16-99; Ordinance No. 1455-2005, 1-4-05; Ordinance No. 1559-2010, § IX., 5-5-10

State Law Reference --- Power of City to adopt technical codes, Miss. Code 1972, § 21-19-25

DIVISION 2. INSPECTION AND ENFORCEMENT

Section 9-3. Supplemental.

The sections of this division are in addition to and in supplement of the provisions of the current versions of the International Fire Prevention Code* used by the City. Any inspection and enforcement provisions hereunder may also be used where violations of these sections and said Codes are found, which will be in addition to the provisions of said Codes.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-3, 3-20-01

Section 9-4. Definitions.

- (a) *Fire Department* – Fire Chief or his agent, or a fire official, etc.
- (b) *Inspection Department* – Superintendent of Inspection of his agent, or an inspection official, etc.
- (c) *Board of Adjustments* – local appointed appeal board for decisions and interpretation of building and technical codes.
- (d) *Occupancy Classification* – purpose for which a building or part thereof is used or intended to be used (i.e., residential, commercial, educational, assembly, family).
- (e) *Maximum Capacity* – maximum number of persons that may be located within a business establishment at any one time.
- (f) *Establishment* – owner of structure and/or licensee (holder of privilege license).

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-4, 3-20-01

Section 9-5. Capacity.

* Copies of the International Fire Code and International Building Codes are available for review in the Inspection Department.

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The Fire Department will determine the maximum capacity of people allowed at any one time in an establishment, and the number of required fire escapes and/or exits for each establishment applying for a privilege license with the City. It will give priority to those establishments that attract large numbers of people, such as clubs, eating establishments, lounges, entertainment establishments, auditoriums, sport arenas, etc.

- (a) Each floor used for business operations will be assigned a maximum capacity of people in it at any one time.
- (b) Signs stating said maximum capacity shall be posted by the establishment in a conspicuous location within the establishment.
- (c) The number of fire escapes and/or exits will be based on the maximum capacity for each floor of an establishment.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-5, 3-20-01

Section 9-6. Classification Change.

If the occupancy classification of an existing building is changed, the building shall be made to conform to the intent of the International Building Code, 2006 Edition, with all referenced appendices, for new construction as required by the Inspection Department.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-6, 3-20-01; Ordinance No. 1455-2005, § 1, 1-4-05; Ordinance No. 1559-2010, §1., 5-4-10

Section 9-7. Random Inspections.

The Inspection Department and/or the Laurel Fire Department, and/or the Laurel Police Department have the authority to inspect any and all business establishments under a random system or upon receipt of a complaint to insure compliance with the establishment's maximum capacity limit(s) and to impose penalties as set forth herein. The primary responsibility for inspections and determining violations will rest with the Fire Department, but either of the other departments may also act upon information of a violation.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-7, 3-20-01

Section 9-8. Violations/Penalties.

Upon finding a violation by the Inspection Department, and/or the Fire

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Department, and/or the Police Department, said Department or official shall have the authority to enforce the above provisions and impose penalties as follows:

- (a) Under the first violation, the establishment will receive a written warning stating the deficiencies following which the establishment must immediately correct the violation if it is related to maximum capacity amounts, or will be granted up to thirty (30) days to correct the violation if it is related to the number of necessary fire escapes and/or exit doors.
- (b) A second violation will result in a municipal ticket and a fine as herein set. The same time periods, as described in subsection (a) above, will be granted to correct the violation. A hearing for said violation and fine will be held by the Municipal Court.
- (c) A third violation will result in a municipal ticket, and a revocation of the establishment's privilege license with the City, which may not be renewed for a period of six (6) months. A hearing for said violation, fine and relocation will be held by the Municipal Court.
- (d) Upon any violation, the establishment shall be closed from the date of notification to the establishment until the violation(s) is (are) corrected.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-8, 3-20-01

Section 9-9. Fines.

After the first warning, any establishment in violation of the established maximum capacity or fire escape and/or exit requirements is subject to a find of up to Five Hundred Dollars (\$500.00) for each additional violation. Any monetary fines may only be imposed by the Municipal Court.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-9, 3-20-01

Section 9-10. Notices.

Written notices of all violations may be given either by certified mail; return receipt requested, or by personal service on the establishment, its owner or licensee, or if neither is found, then by posting said notice on the front entrance of the establishment. Notification shall be deemed to have been given on either the date of personal service, or of mailing, or of posting.

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Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-10, 3-20-01

Section 9-11. Escapes/Exits.

The inspection and enforcement of necessary fire escapes and/or exit doors will be implemented as prescribed in Section 9-5 through 9-10.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-11, 3-20-01

Section 9-12. Appeals.

The owner/licensee of an establishment may appeal a decision of a violation hereunder to the Board of Adjustments. Notice of appeal shall be in writing and filed within fifteen (15) days after notification of said violation. Decisions of the Board of Adjustments may be appealed to the City Council as prescribed by the Rules of said Board.

Source: Ordinance No. 1385-2001, Ch. 9, Art. II, Div. 2, §9-12, 3-20-01

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