Chapter 26 - FIRE PREVENTION AND PROTECTION

Footnotes:

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Cross reference— *Buildings and building regulations, ch. 14; fire protection for mobile homes and manufactured homes, § 46-191; fireworks and related materials, § 50-61 et seq.; burning or dumping waste in street or other public place, § 58-35.*

State Law reference— *Fires and fire prevention, R.S. 33:4741 et seq., 40:1491 et seq.*

ARTICLE I. - IN GENERAL

Secs. 26-1—26-30. - Reserved.

ARTICLE II. - FIRE DEPARTMENT

Sec. 26-31. - Penalty.

Any person violating the provisions of this article shall, upon conviction, be punished as provided in section 1-15.

(Code 1988, § 6-39)

Sec. 26-32. - Department created; number of officers; supervision.

(a) The fire department shall consist of a fire chief and other officers as the chief and the mayor and city council may deem necessary for the effective operation of the department.

(b) The department shall be under the supervision and direction of the chief.

(Code 1988, § 6-26)

State Law reference— Fire and police departments, R.S. 33:1941 et seq.

Sec. 26-33. - Appointment of fire chief.

The chief of the fire department shall be appointed by the mayor and city council to serve for an indefinite period of time.

(Code 1988, § 6-27; Ord. No. 2000-015, § 1, 4-3-2000)

Sec. 26-34. - Accountability to council and fire chief.

The chief of the fire department shall be held accountable to the mayor and city council and shall make written and verbal reports thereto as the mayor and city council may require. All other department and company officers shall be accountable to the chief only.

(Code 1988, § 6-28)

Sec. 26-35. - Officers.

All fire department and company officers shall be appointed by the chief of the fire department. These officers shall be accountable to the chief, and subject to removal by him.

(Code 1988, § 6-29)

Sec. 26-36. - Duties of chief.

The duties of the chief of the fire department shall be as follows:

(1) The chief shall formulate a set of rules and regulations to govern the department, and shall be responsible to the mayor and city council for the personnel, morale and general efficiency of the department.

(2) The chief shall determine the number and kind of companies of which the department is to be composed and shall determine the response of these companies to alarms.

(3) The chief shall at least once a month conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the city, fire prevention, water supplies, and all other matters generally considered essential to good firefighting practices and safety of life and property from fire.

(4) The chief is hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.

(5) The chief is hereby empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and to serve written notice upon the owner or occupant to abate within a specified time any fire hazards that may be found. Any person so served with a notice to abate any fire hazard shall comply therewith and promptly notify the chief.

(6) The chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the department.

(7) The chief shall report monthly to the mayor and the city council the condition of the apparatus and equipment; the number of fires during the month, their location and cause, and the date of such fires and loss occasioned thereby; the number and purpose of all other

runs made; the number of members responding to each fire or other run; and any changes in membership.

(8) The chief shall make a complete annual report to the mayor and city council within one month after the close of the fiscal year, the report to include the information specified in subsection (6) of this section together with comparative data for previous years and recommendations for improving the effectiveness of the department.

(Code 1988, § 6-30)

State Law reference— Board of aldermen to adopt any personnel policies, R.S. 33:362(A)(3).

Sec. 26-37. - Membership.

The membership of the fire department shall consist of the persons as may be appointed by the chief, who shall be ablebodied citizens residing within the city limits, preferably property owners whose business activities are normally within the confines of the city and who have telephones in their homes. Determination of whether candidates for appointment are ablebodied shall be made by the chief after a medical and physical examination has been made in a manner prescribed by the chief and approved by the mayor and city council.

(Code 1988, § 6-31)

Sec. 26-38. - Enforcement duties; assistance by police officers.

(a) All regularly appointed members of the fire department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this chapter.

(b) It is hereby made the special duty of the chief of police and/or other peace officers who may be on duty and available for fire duty to respond to all fire alarms and assist the department in the protection of life and property, in regulating traffic, in maintaining order and in enforcing observance of all sections of this chapter.

(Code 1988, § 6-32)

State Law reference— Powers, R.S. 40:1563.1.

Sec. 26-39. - Equipment generally.

(a) The fire department shall be equipped with apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire.

(b) Recommendations of apparatus and equipment needed shall be made by the chief, and after approval by the mayor and city council shall be purchased in a manner as may be designated by the mayor and city council.

(c)

All equipment of the fire department shall be safely and conveniently housed in places as may be designated by the mayor and city council. These places shall be heated during the winter season.

(Code 1988, § 6-33)

Sec. 26-40. - Alarm facilities.

Suitable arrangement or equipment shall be provided for citizens to turn in an alarm and for notifying all members of the fire department so that they may promptly respond.

(Code 1988, § 6-34)

Sec. 26-41. - Use of equipment for private purposes.

No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in any way by the fire department.

(Code 1988, § 6-35)

Sec. 26-42. - Handling equipment or entering place where equipment is housed.

No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the fire department unless accompanied by or having the special permission of an officer or authorized member of the department.

(Code 1988, § 6-36)

Sec. 26-43. - Cooperative agreements with other communities.

The chief of the fire department is hereby authorized, with the consent and approval of the mayor and city council, to enter into agreements or contracts with nearby incorporated communities or governing bodies of other organizations to provide the members of such communities or organizations with fire protection or to establish a mutual aid system.

(Code 1988, § 6-37)

Sec. 26-44. - Response to calls outside city.

No fire department apparatus shall be hired out or permitted to leave the city, except in response to a call for aid at a fire in a neighboring community, without the consent of the mayor and city council. The officer in charge of the department shall have the power to assign equipment for response to calls for

outside aid in accordance with section 26-43 in other cases only when the absence of such equipment will not jeopardize the protection in the city.

(Code 1988, § 6-38)

Secs. 26-45—26-70. - Reserved.

ARTICLE III. - FIRE PREVENTION CODE

Sec. 26-71. - Adoption of International Fire Code.

(a) There is hereby adopted for the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2009 International Fire Code recommended by the National Board of Underwriters, being particularly the 2009 edition and the whole thereof, including amendments thereto, and the Louisiana State Fire Marshall Act, R.S. 40:1561 et seq., including Title 55 of the Louisiana Administrative Code, "Public Safety", Part V. "Fire Protection", copies of which codes are filed in the Office of the Carencro City Clerk, and the same is hereby adopted and incorporated as fully as set out and length herein, and the provisions thereof shall be confined and controlling within the corporate limits of the city.

(b) The 2009 International Fire Code may be amended from time to time by ordinance.

(c) The following are amendments to the 2009 International Fire Code:

Section 508.5.1: Fire Hydrant Systems:

All new and relocated buildings shall be required to have a Fire Hydrant at or within 300 feet. All Fire Hydrants shall provide the proper water flow for adequate fire protection.

1. Fire Hydrants shall not be metered off, unless approved by the code official. Metered hydrants will only provide 500 gallons of water per minute, which is unacceptable for proper fire protection.

   Note: The requirement of metering is not the same as the off-set meter found in a back flow preventer application.

2. All new Fire Hydrants shall be painted with the proper colors that dictate the actual gallons per minute.
3. All Fire Hydrants shall be spaced no further than 150 feet apart from the Fire Department Connections as stated in Section 903.3.7 (a).

Section 903.3.7: Fire Department Connections:

1. The location of FDC shall be at least 40 feet away from the building, free standing. When unable to comply based on the lack of property available a review will be done for alternative locations.
2. Fire Hydrants shall be located not to exceed 150 feet from the FDC.
3. The FDC for Sprinkler and Standpipe Systems shall be of the following size: 3 5/64 inches outside diameter by 8 threads per inch.

   Note: at all standpipe connections located inside building, the standard diameter and threads will be that of National Standards.

4. The FDC shall be on a separate line and not interconnected to the fire line (fire main) at any point.
5. The FDC shall terminate above the alarm check valve, and not after the double check backflow preventer on WET SYSTEMS.
6. Termination of the FDC line shall be as follows:
   (a) DRY SYSTEM—between the system control valve & the dry valve.
   (b) DELUGE SYSTEM—on the system side of the deluge valve, after the valve.
   (c) PRE-ACTION SYSTEM—between the pre-action valves and check valve on the system side of the pre-action valve.
7. If there is more than one Riser on a Wet System then the Fire Department Connection shall be manifold and connected to each Riser. Where each manifold pipe connects to a Riser there will be so located a one way check valve interconnected to each Riser.
8. All Fire Department Connections shall terminate beyond or after all mechanical valves. This does not include required floor valves.

Section 912.5: Backflow Protection

1. Backflow preventers shall be installed as per the Louisiana State Plumbing and Sanitary Code 2000 Edition, and the Lafayette Fire Prevention Bureau.
2. All backflow preventer appliances shall be located aboveground.
3. When the backflow preventer appliance is installed outside the building the follow is required:
   (a) Provide a hot box; this box shall be designed so temperatures no less than 40 degrees will be maintained.
   (b) Valves shall be provided with tamper switches that are hardwired and interconnected to the Fire Alarm panel or Communicator.
   (c) Hot Boxes shall be labeled and be provided with the following or Similar:

"FIRE DEPARTMENT USE,
SPRINKLER CONTROL VALVES"

4. When the backflow preventer appliance is installed inside the building, one of the following is required:
   (a) Post Indicating Valve (P.I.V.) with a tamper switch installed and connected to the Fire Alarm or Communicator. This valve shall be at least 40 feet from the building.
   (b) Wall Post Indicating Valve (W.P.I.V.) with a tamper switch installed and connected to the Fire Alarm panel or Communicator. This valve shall be on a wall that has no opening other than the door opening to access the riser room.

   Note: Both valves shall be in addition to having tamper switches, be provided with chain and pad locks.
5. When the distance of 40 feet from the building cannot be achieved, than a decision will be made on a case by case basis.
6. Remaining installation shall be as per NFPA 13, and 24.
7. There shall be thirty-six inches (36") of unobstructed clearance around the perimeter of all post indicator valves.
8. Backflow preventers shall be placed at a maximum of ten feet (10') from the City of Carencro System Water Main. (Exhibit attached)

(Ord. No. 2011-11, § 1, 7-18-2011; Ord. No. 2011-012, § 1, 7-18-2011; Ord. No. 2014-002, § 2, 4-21-2014)

Editor's note— Ord. No. 2011-11, § 1, adopted July 18, 2011, repealed § 26-71 in its entirety and enacted a new § 26-71 to read as set out herein. Former § 26-71 pertained to adopted and derived from the Code of 1988, § 6-56.

Sec. 26-72. - Enforcement.

The code adopted by the provisions of this article shall be enforced as provided by the mayor and city council.

(Code 1988, § 6-57)

Sec. 26-73. - Definitions of terms used in adopted code.

Wherever the word "municipality" is used in the code adopted in section 26-71, it shall be held to mean the city.

(Code 1988, § 6-58)

Cross reference— Definitions generally, § 1-2.

Sec. 26-74. - Modification of standards.

The mayor and city council shall have power to modify any of the provisions of the code adopted by this article upon 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 any modification when granted or allowed, and the decision of the mayor and city council thereon, shall be furnished the applicant.

(Code 1988, § 6-59)

Sec. 26-75. - Powers of mayor and council.

The code adopted by this article is amended and changed in the respect that all powers delegated to the fire chief by the Code shall be reserved to the mayor and city council throughout its context.

(Code 1988, § 6-60)

Sec. 26-76. - Penalty.

(a) Any person who shall violate any of the provisions of the Code adopted by this article 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 and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the mayor and city council or by a court of competent jurisdiction, within the time fixed therein, shall severally, for each violation and noncompliance, upon conviction, be punished as provided in section 1-15. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue. 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.

(b) Failure to comply with any one or more of the provisions of this article shall result in the termination/discontinuance of all City of Carencro Utility Services to and for the property at which such noncompliance is found to exist. Such termination/discontinuance of utility services shall continue until such time as all such violations have been corrected to the satisfaction of the city administration.

(c) The application of the penalty in subsections (a) and (b) of this section shall not be held to prevent the enforced removal of prohibited conditions.

(Code 1988, § 6-61; Ord. No. 2012-036, §§ 2, 3, 12-17-2012)

Secs. 26-77—26-100. - Reserved.

ARTICLE IV. - BURN CONTROL CODE

Sec. 26-101. - Penalty.

Failure to comply with any one or more of the provisions of this article shall subject the violator to a fine of $100.00 for the first offense, $200.00 for the second offense, $300.00 for the third offense and $500.00 for any such offense subsequent thereto.

(Ord. No. 2002-006, § 2, 3-18-2002)

Sec. 26-102. - Outdoor burning restricted.

No person shall cause or allow the outdoor burning of waste material or other combustible material on any property owned by him or under his control except as provided in this article.

(Ord. No. 2002-006, § 1(I), 3-18-2002)

Sec. 26-103. - Exceptions.

Outdoor burning of combustible material may be conducted in situations enumerated in this section if no public nuisance is created, and if all of the following conditions are adhered to. Heavy oils, asphaltic materials, items containing natural or synthetic rubber, or any materials other than plant growth which produce unreasonable amounts of smoke may not be burned, nor may these substances be used to start a fire. This does not exempt or excuse the person responsible for damages from the burning.

(1) Outdoor burning in connection with the preparation of food.

(2) Campfires and fires used solely for recreational purposes or for ceremonial occasions.

(3) The following exceptions may be conducted only where the city fire chief ("chief") has been provided notice of said burn at least 24 hours in advance of same, the chief has granted, in writing, permission for such burn, and the specific recommendations of the chief are followed to conduct the burn at issue.

a. Fires purposely set to forest lands for a specific forest management purpose in accordance with practices acceptable to the state forestry commission.

b. Fires purposely set on agricultural lands for a specific management purpose in accordance with practices acceptable to the state department of agriculture.

c. Outdoor burning in an rural park or rural recreation area of trees, brush, grass, and other vegetable matter for game management purposes in accordance with practices acceptable to state parks and recreation commission and state wildlife and fisheries

commission.

d. The operation of contrivances using open flames such as welding torches, blow torches, portable heaters, and other flame-making devices.

(Ord. No. 2002-006 § 1(II), 3-18-2002; Ord. No. 2014-021 § 2, 11-17-14)

Sec. 26-104. - Burning of trees, brush and other vegetable matter.

Outdoor burning, in other than rural park or rural recreation areas, of trees, brush, grass, and other vegetable matter from such areas in land clearing and right-of-way maintenance operations shall not be permitted.

(Ord. No. 2002-006, § 1(III), 3-18-2002; Ord. No. 2014-021 § 2, 11-17-14)

Sec. 26-105. - Fires for training firefighters or testing equipment.

Fire purposely set as a part of an organized program of drills for the training of firefighting personnel or for testing firefighting materials or equipment shall be permitted if the following conditions are met:

(1) The duration of the burning is held to the minimum required for such purposes.

(2) The burning is conducted only between the hours of 8:00 a.m. and 5:00 p.m.

(3) The burning is controlled so that a traffic hazard is not created.

(Ord. No. 2002-006, § 1(IV), 3-18-2002)

Sec. 26-106. - Burning of waste hydrocarbon products.

Outdoor burning of waste hydrocarbon products may be conducted at the site of origin when it is not practicable to transport the waste products for sale or reclamation, or to dispose of them lawfully in some other manner. This burning shall be conducted under the following conditions:

(1) The location of the burning must not be within or adjacent to a city or town in such proximity thereto that the ambient air of the city or town may be affected by smoke from the burning.

(2) The burning must be conducted only between the hours of 8:00 a.m. and 5:00 p.m.

(3) The burning must be controlled so that a traffic hazard is not created.

(Ord. No. 2002-006, § 1(V), 3-18-2002)