

Chapter 16

FIRE PREVENTION, PROTECTION AND CONTROL

Article I. In General

- Sec. 16-1. Burning of certain materials; open burning.
Secs. 16-2—16-20. Reserved.

Article II. Fireworks and Explosives

- Sec. 16-21. Definitions.
Sec. 16-22. Prohibited acts; exceptions.
Sec. 16-23. Dynamite, nitroglycerine, and gunpowder.
Sec. 16-24. Rules of state fire marshal.
Sec. 16-25. Penalty.

ARTICLE I. IN GENERAL**Sec. 16-1. Burning of certain materials; open burning.**

It is unlawful for any person to burn any garbage within the village. It is unlawful for any person to burn any paper, rubbish or other substances upon any of the public streets, sidewalks or alleys in the village. No material of any description shall be burned in an open fire after 6:00 p.m. or before 7:00 a.m.

(Code 1981, § 17-3-6)

Secs. 16-2—16-20. Reserved.

ARTICLE II. FIREWORKS AND EXPLOSIVES**Sec. 16-21. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fireworks means and includes any explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration or detonation.

- (1) The term "fireworks" includes blank cartridges, toy cannons, in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, sparklers, bombs, or other fireworks of like construction and any fireworks containing any explosive compound, or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects.
- (2) The term "fireworks" does not include toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing 0.25 grain or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, and toy pistol paper or plastic caps which contain less than 0.20 grain of explosive mixture, the sale and use of which shall be permitted at all times.

(Code 1981, § 18-3-2)

Sec. 16-22. Prohibited acts; exceptions.

(a) It is unlawful to store, possess or ignite any fireworks in the village except as may be necessary for the performance of a licensed public exhibition of pyrotechnics, as hereinafter provided for. Any such storage, possession or ignition must be under the supervision of and subject to the approval of the fire marshal.

(b) It is unlawful to sell or offer for sale any fireworks or pyrotechnics in the village, provided that public exhibitions of fireworks and pyrotechnics may be given if a permit therefor be granted by the president and board of trustees. Such exhibitions, if authorized, shall be subject to the supervision of the fire marshal or of some person designated by him. (Code 1981, § 18-3-1)

Sec. 16-23. Dynamite, nitroglycerine, and gunpowder.

(a) It is unlawful to keep or store any dynamite in the village in excess of five pounds on any one premises or in any one building.

(b) It is unlawful to keep or store any nitroglycerine or the explosive commonly known as TNT in the village in any quantities, excepting for medical or laboratory purposes, and, for such purposes, no more than 0.25 ounce shall be stored in any one building or premises.

(c) It is unlawful to keep or store any black powder or gunpowder or guncotton in excess of five pounds on any one premises in the village.
(Code 1981, §§ 18-3-3—18-3-5)

Sec. 16-24. Rules of state fire marshal.

All explosives kept or stored in the village shall be kept and stored in accordance with the rules enforced by the state fire marshal, with regard thereto.
(Code 1981, § 18-3-6)

Sec. 16-25. Penalty.

Any person violating any of the provisions of this article shall be fined in accordance with the general penalty provisions of section 1-19; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
(Code 1981, § 18-3-7)