

# WHEATLAND TOWN CODE

## CHAPTER 8.

### FIRE PREVENTION AND PROTECTION

*For state law as to authority of town with respect of fire prevention, protection and to define fire limits, see W.S., 1977, 15-1-103. As to fire protection generally, see W.S., 1977, 35-9-101 et seq.*

*As to land use generally, see ch. 7 of this Code. As to building inspector, see § 7-9. As to adoption of Uniform Fire Code, see 7-107. As to water system construction specifications, see ss 7-109 to 7-118. As to persons driving over fire hose, see 10-21. As to public utilities generally, see ch. 16. As to refuse, garbage and weeds see ch. 17. As to streets and sidewalks generally, see ch. 18.*

§ 8-1. Fire limits--Established.

8-2. Same--Self-service devices dispensing flammable liquids. S

8-3. Leaving certain vehicles. transporting gasoline, etc., unattended.

§ 8-4. Inspection of buildings, etc. by fire chief; order to remedy hazardous conditions.

§ 8-5. Burning trash, leaves, etc.

§ 8-6. Sale, etc., of fireworks; public displays.

#### Sec. 8-1. Fire limits--Established.

The fire limits in the town shall be that portion bounded as follows: **commencing** at the intersection of Water Street and 11th Street; thence running north to the intersection of 11th Street and Walnut Street; thence **running** east on Walnut Street to the westerly boundary of the Colorado and Southern Railway Company right-of-way; thence **running** in a southerly direction along the west boundary of the Colorado and Southern Railway Company right-of-way to such right-of-way's intersection with South Street; thence west of the intersection of South Street and 11th Street; thence running north on 11th Street to the point of beginning at the intersection of 11th and Water Streets. The fire limits will also include all areas annexed unto the town *limits*. [Added during 1995 codification.] (Code, § 7-201.)

#### Sec. 8-2. Same--Self-service devices dispensing flammable liquids.

It shall be unlawful to install, maintain or operate any self-service dispensing device of Class I and Class II flammable liquids, as defined in the Fire Prevention Code, within any area of the town classified residential, residential high density, mobile home park, mobile home subdivision district or travel trailer park

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district. (Ord. No. 455.)

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unattended.

No person shall park a truck or vehicle used for the purpose of transporting inflammables such as gasoline and other highly inflammable and explosive substances on the streets or alleys of the town within a distance nearer than one hundred fifty feet of the closest building without a competent attendant.

Section 8-4. Inspection of buildings. etc.. by fire chief; order to remedy hazardous conditions.

It shall be the duty of the fire chief to inspect, as often as he/she deems necessary, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this Code or any other ordinance of the town affecting fire hazards. [Change in 1995 codification.]

Whenever the fire chief shall find in any building, or upon any premises or other place, combustible or explosive matter or dangerous accumulation of rubbish or unnecessary accumulation of waste paper, boxes, shavings or any other highly inflammable materials especially liable to fire, and which are so situated as to endanger property; or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the fire department or egress of occupants in case of fire; he shall order the same to be removed or remedied. Such order shall forthwith be complied with by the owner or occupant of such premises or buildings. (Code, § 7-102.)

Section 8-5. Burning trash, leaves. etc.

(a) It shall be unlawful for any person to burn trash, lumber, leaves, straw or any other material within the town; provided, that this section shall not apply to indoor or outdoor fireplaces, cooking facilities, disposal of confidential documents or papers in an incinerator or to the burning or disposal of medical supplies, medicines and wastes in an incinerator by doctors or hospitals or burning of agricultural areas for agricultural purposes.

(b) It shall be unlawful for any person to burn any trash, lumber, leaves, straw or any other material at the town landfill. Provided however, the Town shall be allowed to burn at the town landfill as allowed by the State of Wyoming. (Code, § 7-224; Ord. No. 364, § 1.)

Sec. 8-6. Sale, etc. of fireworks; public displays.

(a) It shall be unlawful for any person to offer for sale,

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sell or give away any fireworks within the Town of Wheatland without first obtaining a license therefore and paying a yearly license fee of \$500.00.

(b) Any person applying for a license to offer for sale, sell or give away any fireworks shall file with the Town Clerk a sworn application in writing which shall contain the following information:

(1) The name of applicant;

(2) The permanent home address and local address of the applicant and the representative thereof filing the application;

(3) A description of the nature of the business to be conducted;

(4) The place where the sale or giveaway of the fireworks will take place, which place must be approved by the Town Fire Chief prior to the issuance of the license;

(5) In the event the applicant is a local, bona fide, non-profit civic organization, no license fee will be charged, however the non-profit civic organization must provide with their application a statement as to the proposed distribution of any proceeds received from the sale of the fireworks;

(6) The applicant must apply each year and pay the license fee each year.

(c) The sale or giveaway of any fireworks within the Town shall only be from June 1 to July 31 of each year.

(d) It shall be unlawful for any person to discharge or detonate any fireworks within the Town except for the period of June 30 at 8:00 o'clock a.m. to and including July 4, at 12:00 o'clock midnight of each year, without obtaining a special permit as set forth in Subsection E below.

(e) The governing body of the Town of Wheatland may issue a special permit to allow detonation of fireworks on dates other than those set forth in Subsection (d) above, if an application is made to the governing body by an organization to detonate fireworks at a bona fide civic or athletic event for the general public. The following shall be set forth in the application:

(1) The date and time the fireworks will be detonated.

(2) The exact location the fireworks will be detonated.

(3) A written recommendation by the Police Chief of the Town of Wheatland, indicating that the proposed location for

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the fireworks detonation is acceptable, and if not, the reasons therefor.

(4) A written recommendation by the Fire Chief of the Wheatland Volunteer Fire Department, indicating that the proposed location for the fireworks detonation is acceptable, and if not, the reasons therefor. The Fire Chief shall also state whether or not the type and class of fireworks should be approved.

(5) The type of fireworks to be detonated, and the class of fireworks that will be detonated.

(6) The exact length of the fireworks show.

(7) A statement of whether or not insurance coverage for bodily injury and property damage will be provided.

After reviewing the application and any other relevant information, the governing body shall have in its full discretion the right to approve or deny the application.

(f) It shall be unlawful for any person to discharge or detonate fireworks on any property owned by the Town, including but not limited to streets and highways within the Town limits.

(g) In the event the Board of Platte County Commissioners finds that a fire danger exists within the confines of Platte County, Wyoming, and bans the discharge of fireworks within Platte County, Wyoming, excluding the incorporated areas, then the governing body for the Town of Wheatland, by resolution, at a regular or special meeting, can immediately restrict the sale of fireworks within the Town of Wheatland.

(h) In the event the sale of fireworks is prohibited, then any license fee paid to the Town of Wheatland will be prorated, and a refund given to any license holder. The fee will be pro-rated on a daily basis, provided however, fees will not be pro-rated unless the governing body passes a resolution restricting or prohibiting the sale of fireworks within the Town of Wheatland as set forth above.

(i) In the event any person or entity violates the prohibition on sale of fireworks, said violation will be a misdemeanor, and punishable by a fine of up to \$750.00 per day. Each day shall constitute a separate violation. (Ord. No. 544, amended by Ord. No. 603, 1991, Ord. No. 634, March, 1995, Ord. No. 642, C d. No. 647.)

*For state law as to authority of town as to sale, etc., or use of fireworks, see W.S. 1977, 15-1-103, 35-10-203, 35-10-205. As to:*

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*fireworks generally, see W.S., 1977, SS 35-10-201 to 35-10-207.*

*As to discharge of firearms, see 5 13-8 of this Code.*