

# ***Fire Prevention & Protection Ordinance***

## **ARTICLE I. Purpose**

This ordinance is intended to provide the Town of Camden with rules and regulations to enhance public safety by promoting the control of fire hazards; regulating the use of structures, premises, and open areas; providing for the abatement of fire hazards; and setting forth the standards for compliance and achievement of these objectives.

## **ARTICLE II. Adopted Codes & References**

### **A. Fire Prevention Code Adopted**

This Code adopts the Fire Prevention Code of the National Fire Protection Association, NFPA No. 1, as amended from time to time, and the Life Safety Code of the National Fire Protection Association, NFPA No. 101 and their incorporated standards and codes, as amended from time to time, as published in the National Fire Codes of the National Fire Protection Association being particularly the edition then being enforced by the State Fire Marshal's Office. The same are hereby adopted and incorporated as fully as if set out at length herein.

### **B. Inspections**

1. Application to the municipality for licenses and permits requiring inspection provided by the Camden Fire Department, which shall include but not be limited to Liquor licenses, Victualer licenses, Lodging licenses and Special Amusement permits, shall include the Fire Department's completed review of the application and its required sign-off.
2. The Fire Chief or his agent shall have the authority to require an inspection of the activity site prior to the issuance of a permit.
3. Any application for, or acceptance of, any license or permit requested or issued pursuant to this ordinance shall constitute agreement and consent by the person making the application or accepting the license or permit (licensee) to allow the Fire Chief or his agent to enter the premises at any reasonable time after licensee receives notice to conduct such inspections as required by the Code.
4. The Fire Chief or his agent shall have the right to immediately inspect any and all premises upon reasonable complaint received regarding existing or future violations of the Fire Prevention Code of the National Fire Protection Association, NFPA No. 1, and/or the Life Safety Code, NFPA No. 101 as amended from time to time; provided however, this immediate inspection authority shall not apply to single or two family homes.

## **ARTICLE III. General**

### **A. Administration**

1. The Town of Camden Fire Prevention and Protection Ordinance shall be administered and enforced by the Fire Chief or an assigned agent. It shall be the duty of the Fire Chief and his assigned agents to enforce all laws and ordinances of Camden, covering the following:
  - a. Extinguish fires and save life and property there from;
  - b. Demolish or pull down any building which may be on fire, or which may be deemed necessary to remove in order to prevent the spread of fire or the increase of danger to life or property;
  - c. The prevention of fires;
  - d. The storage and use of explosives and flammables;
  - e. The maintenance and regulation of fire escapes;
  - f. The means and adequacy of exit in case of fire, from factories, schools, hotels, lodging houses, public facilities, hospitals, churches, halls, theaters, amphitheatres, and all other places in which numbers of persons work, live, or congregate, from time to time, for any purpose;
  - g. The investigation of the cause, origin, and circumstances of the fires;
  - h. The maintenance of fire cause and loss records.
2. The Fire Chief of the Camden Fire Department may delegate any of his powers or duties under this Chapter to any such member of the Camden Fire Department as deemed appropriate. They shall have such other powers and perform such other duties as are set forth in other sections of this Chapter, and as may be conferred and imposed from time to time by law.
3. It shall be the duty of the Fire Chief of the Camden Fire Department to investigate and to recommend to the Town Manager and Select Board such additional ordinances, or amendments to existing ordinances, as may be deemed necessary for safeguarding life and property against fire.

### **B. Appeals**

1. a. The Camden Select Board is hereby established as the Board of Appeals to sit in judgment on matters concerning interpretation of NFPA Codes hereby adopted by the Town. The Select Board shall meet to review the Fire Chief's decision for clear errors of law and rule on any properly filed appeal from a decision of the Fire Chief or his agent, giving at least five days notice of hearing. The Select Board shall conduct a hearing on appeal within 30 calendar days of the filing of notice of appeal. All of the meetings of the Select Board shall be open to the public.

- b. An appeal shall be submitted to the Select Board in writing within 30 calendar days of notification of violation outlining the Code provision from which relief is sought and the remedy proposed.
- c. Appeals from the Select Board decision may be made within two weeks of the vote of the decision to the Superior Court.

**C. False Alarms**

Any alarm system that causes the transmittal of a non-emergency alarm more than three (3) times in any calendar year, after a 30-day start-up period for new installations shall pay a penalty of \$100 for each subsequent instance of a non-emergency alarm in excess of that number, upon demand by the Fire Chief or his agent. The Fire Chief or his agent shall give suitable written warning to any permit holder, or to his designated agent, whose alarm system sends a third non-emergency alarm in any calendar year. In the event an alarm is activated as a result of a natural or unnatural event beyond the property owner's control (for example disruption of the electrical service due to storm, motor vehicle accident); no fee shall be imposed.

**D. Authority**

- 1. This Ordinance shall be effective November 11, 2008.
- 2. Whenever the requirements of this ordinance are in conflict with the requirements of any other lawfully adopted rule, regulation, or ordinance, the more restrictive requirements shall govern.

**E. Validity and Severability**

If any section, subsection, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions of this ordinance and to that end the provisions of this ordinance are hereby declared to be severable.