

**NEW BUFFALO TOWNSHIP
BERRIEN COUNTY, MICHIGAN**

BASIC FIRE CONTROL ORDINANCE

RECOMMENDED ORDINANCE ADOPTING BASIC FIRE CONTROL MEASURES AND REGULATIONS GOVERNING CONDITIONS WHICH COULD IMPEDE OR INTERFERE WITH FIRE SUPPRESSION FORCES.

BE IT ORDAINED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF NEW BUFFALO AS FOLLOWS:

SECTION 1. Adoption of fire control measures and regulations. There is hereby adopted by the Township of New Buffalo, the fire control measures and regulations as set forth herein for the purposes of controlling conditions which could impede or interfere with fire suppression forces.

SECTION 2. Authority at fires and other emergencies. The fire prevention code official or duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving representatives, as may be in charge at the scene of a fire or other emergency involving the protection of life and property, is empowered to direct such operations as may be necessary to extinguish or control any suspect or reported fires, gas leaks, or other hazardous conditions or situations or to take any other action necessary in the reasonable performance of their duty. The fire prevention code official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object that may impede or interfere with the operations of the fire department. The fire prevention code official may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by fire prevention code official.

SECTION 3. Interference with fire department operations. It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any fire department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper and fire department operation.

SECTION 4. Compliance with orders. A person shall not willfully fail or refuse to comply with any lawful order or direction of the fire prevention code official or to interfere with the compliance attempts of another individual.

SECTION 5. Vehicles crossing fire hose. A vehicle shall not be driven or propelled over any unprotected fire hose of the fire department when laid down on any street,

alleyway, private drive or any other vehicular roadway without the consent of the fire prevention code official in command of said operation.

SECTION 6. Definition of authorized emergency vehicle. Authorized emergency vehicles shall be restricted to those that are defined and authorized under the laws of the State of Michigan.

SECTION 7. Operation of vehicles on approach of authorized emergency vehicles. Upon the approach of any authorized emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right hand edge or curb of the street or roadway, clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle or vehicles have passed, unless otherwise directed by the fire prevention code official or a police officer.

SECTION 8. Vehicles following fire apparatus. It shall be unlawful for the operator of any vehicle, other than the one on official business, to follow closer than 300 feet from any fire apparatus traveling in response to a fire alarm or to drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

SECTION 9. Unlawful boarding or tampering with fire department emergency equipment. A person shall not, without proper authorization from the fire prevention code official in charge of said fire department emergency equipment, cling to, attach oneself to, climb upon or into, board or swing upon any fire department emergency vehicle, whether the same is in motion or at rest; or sound the siren, horn, bell or other sound producing device thereon; or manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on, or part of, any fire department emergency vehicle.

SECTION 10. Damage, injury – fire department – equipment, personnel. It shall be unlawful for any person to damage or deface, or attempt or conspire to damage or deface, any fire department emergency vehicle at any time or to injure, or attempt or conspire to injure, fire department personnel while performing departmental duties.

SECTION 11. Emergency vehicle operation. The driver of any emergency vehicle, as defined in Section 6 of this Ordinance, shall not sound the siren thereon or have the front red lights on or disobey any existing traffic regulations, except when said vehicle is responding to an emergency call or when responding to, but not upon returning from, a fire. Tactical strategies such as, but not restricted to, “move-ups” do not constitute an emergency call. The driver of an emergency vehicle may:

- a) Park or stand irrespective of the provisions of existing traffic regulations.
- b) Proceed past a red or stop signal or other sign, but only after slowing down as may be necessary for safe operation.
- c) Exceed the prima facie speed limit so long as the action does not endanger life or property.

- d) Disregard regulations governing direction of movement or turning in specified direction; or
- e) The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle in motion sounds an audible signal by bell, siren or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle.

SECTION 12. Blocking fire hydrants and fire department connections. It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections located on public or private streets and access lanes or on private property.

If, upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the fire prevention code official shall proceed to remove the same. Cost incurred in the performance of necessary work shall be paid from the municipal treasury on certificate of the fire prevention code official and with the approval of the chief administrative official, and the legal authority of the municipality shall institute appropriate action for the recovery of such costs.

SECTION 13. Hydrant use approval. A person shall not use or operate any fire hydrant intended for use of the fire department for fire suppression purposes unless such person first secures a permit for such use from the fire prevention code official and the water company having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by, and authorized to make such use by, the water company having jurisdiction.

SECTION 14. Public water supply. The fire prevention code official shall recommend to the chief administrative official of the municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the fire prevention code official.

SECTION 15. Yard systems. All new and existing ship yards, oil storage plants, lumber yards, amusement or exhibition parks, and educational or institutional complexes and similar occupancies and uses involving high fire or life hazards, and that are located more than 150 feet from a public street or that require quantities of water beyond the capabilities of the public water distribution system, shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the fire prevention code official and shall be connected to a water system in accordance with accepted engineering practices. The fire prevention code official shall designate and approve the number and location of fire hydrants. The fire prevention code official shall designate and approve the number and location of fire hydrants. The fire prevention code official shall designate and approve the number and location of fire hydrants.

may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the fire prevention code official.

SECTION 16. Maintenance of fire suppression equipment. A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code, except for the purposes of extinguishing a fire, training or testing, recharging or making necessary repairs or when permitted, it shall be replaced or re-installed as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the fire prevention code official.

SECTION 17. Sale of defective fire extinguishers. A person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher that is not approved by the fire prevention code official, or that is not in proper working order, or the contents of which do not meet the requirements of the fire prevention code official. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk when said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

SECTION 18. Street obstructions. A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street, within the boundaries of the municipality. The word street, as used in the ordinance, shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality.

SECTION 19. Conflicting ordinances. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

SECTION 20. Effective Date. This Ordinance shall take effect and be in force from and after its passage.

Motion to Adopt Ordinance

Motion by Jacobs and supported by Prusa to adopt Appendix A Recommended Ordinance Adopting Basic Fire Control Measures and Regulations Governing Conditions which could Impede or Interfere with Fire Suppression Forces, said Ordinance shall take effect and be in force from and after its passage.

Roll Call Vote:

Yes: Prusa, Jacobs, Melendy, Conway

No: None

Absent: Rahm

Ordinance declared ADOPTED March 20, 2000