

Minutes of a meeting of the Town Board of the Town of Riverhead held in the Town Hall on Tuesday, July 15, 1958 at 9:30 A.M.

Present:

William J. Leonard, Supervisor

Otis G. Pike

Bruno F. Zaloga, Jr., Justices of the Peace

John H. Benedict

Elmer A. Stotzky, Councilmen

Also Present: Jacob Harding, Town Attorney, and Myron C. Young, Superintendent of Highways.

Minutes of the meeting of the Town Board held on July 1, 1958, were submitted to the Board and on motion made by Councilman Stotzky and seconded by Councilman Benedict, it was Resolved that the minutes be approved as submitted.

Chief of Police Grodski requested that a letter be sent to Hollis Warner on Riverside Drive regarding the poor condition of his roads leading to his housing development. He said that police cars answering calls to this development have difficulty travelling these roads.

The Town Clerk was instructed to write to Hollis Warner.

A "Notice of Public Hearing for the Amendment of the Building Zone Ordinance of the Town of Brookhaven" on the 18th day of July 1958 at 8 P.M. was submitted to the Board and ordered placed on file.

A letter from architect Charles Wood to the National Surety Corp. regarding a roof leak at the Highway Barn was read to the Board and ordered placed on file.

A letter dated July 10, 1958 from the Long Island Lighting Company was read to the Board advising that they have installed street lighting on Sylvan Drive and Elizabeth Drive in the Wading River Lighting District. Letter ordered filed.

A letter dated July 15, 1958 from Dr. Jack Cantor was read to the Board requesting a "No Parking" sign in front of his office on Roanoke Avenue.

Matter referred to Supervisor Leonard.

A petition was presented to the Board by Fred Wangelin, Wading River, reading as follows:

"We, the residents of Wildwood Hills Property Owner's Association, Wildwood Acres Property Owner's Association, residents and owners of John H. Muller and Jay Julse developments, respectfully address this petition to the Town Board of Riverhead.

At the foot of Hulse Landing Road is a beach which is open to and patronized by the public. In the last few years, there has been a great increase in the number of cars used by the patrons to reach this beach.

We have been increasingly disturbed by the manner in which these automobiles have been parked, facing in all directions and at all angles. Any emergency vehicle such as a fire engine called to protect the dwellings which line this road, or an ambulance summoned in a beach accident, could not penetrate the maze of autos which block Hulse Landing Road. The existing danger to pedestrians and the safety and well-being of our children are also matters of concern and importance." End.

Petition was signed by several hundred people.

It was the consensus of the Board to grant the relief sought in this petition and matter was referred to the Highway Committee and the Superintendent of Highways.

Councilman Stotzky offered the following resolution which was seconded by Justice Pike.

RESOLVED that the salary of Nicholas Stachiw, watchman at the Town Dump be and it is hereby increased to \$3640. per annum, effective July 16, 1958.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Stotzky offered the following resolution which was seconded by Justice Pike.

RESOLVED that William L. Fleischman be temporarily transferred from the Highway Department to the Town Dump as Motor Equipment Operator said assignment retroactive as of July 9, 1958, at the rate of \$2.25 per hour.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

A Certificate of abandonment of a part of Line Road; a part of Swan Pond Road; and a part of Fresh Pond Avenue all in the Town of Riverhead was duly executed by the members of the Board and ordered placed on file.

A letter and survey dated June 27, 1958 from the Long Island Lighting Company was submitted to the Board relative to improved street lighting on Wading River Manor Road and North Wading River Road in the Wading River Lighting District.

Councilman Benedict offered the following resolution which was seconded by Justice Zaloga.

RESOLVED that the Long Island Lighting Company be authorized to install improved street lighting on Wading River Manor Road and North Wading River Road in the Wading River Lighting District as per letter and sketch of the Lighting Company dated June 27, 1958.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Supervisor's Report for the month of June 1958 was submitted to the Board and ordered placed on file.

Justice Pike offered the following resolution which was seconded by Justice Zaloga.

RESOLVED that Frances Jehle, Wading River, N.Y., be and she is hereby appointed School Attendance Officer for the Common School District No. 1, Wading River, in the Town of Riverhead for the year 1958-59, and further

RESOLVED that her compensation be fixed at the rate of \$350.00 per school year, payable in ten monthly payments commencing September 1958, which compensation shall include all expenses other than those incurred when attending meetings outside of the Town of Riverhead called by the District Superintendent of Schools at which time actual expenses are to be paid.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Benedict offered the following resolution which was seconded by Justice Pike.

Whereas the Town Board, being confronted with a serious drainage problem on Corwin Street, has had studies and surveys made; and

Whereas said Board has determined, from the results of said surveys, to construct drains, catch basins and other channels for the passage and containing of water, all for the purpose of proper drainage; and

Whereas the said Board has deemed it necessary for such purposes to acquire two parcels of land adjacent to and near said Corwin Street;

Now Therefore Be It RESOLVED that the Town Board purchase the following parcels of land for the sum of \$4350.00:

PARCEL 1.

BEGINNING at a concrete monument set at the intersection of the southerly line of Corwin Street with the easterly line of the land of Simon Ullian and running thence from said point of beginning S. 79° 42' E. along the southerly line of Corwin Street 90.00 ft. to a point; thence southerly along other land of the party of the first part 175 ft., more or less, to a monument set at the intersection of the northerly line of the land of the Long Island Railroad with the easterly line of the land of Simon Ullian; thence N. 17° 57' W. along the land of Simon Ullian 191.30 ft. to the point or place of beginning.

PARCEL 2.

BEGINNING at a concrete monument set at the intersection of the southerly line of Corwin Street with the westerly line of the land of J. R. Goodale, formerly of Ethel B. Fishel, and running thence from said point of beginning S. 17° 57' E. along the land of J. R. Goodale 191.30 ft. to a monument set on the northerly line of the land of the Long Island Railroad; thence N. 84° 47' W. along the land of the Long Island Rail Road 90.86 ft. to a point; thence N. 10° 18' E. along other land of the party of the first part 176.59 ft. to the point or place of beginning.

Both parcels as shown on a survey made by Alden W. Young, C.E. and Surveyor, dated December 14, 1955.

Further RESOLVED that the Supervisor be authorized to accept the deed for said parcels in the name of the Town; and

Further RESOLVED that said Supervisor be authorized to borrow money in the name of the Town of Riverhead for said expenditure on a Budget Note; and

Further RESOLVED that the Town Clerk, within 10 days hereafter, shall post and publish a notice which shall set forth the date of the adoption of this resolution and contain an abstract of such act or resolution concisely stating the purpose thereof.

The Vote---Councilman Stotsky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Justice Pike offered the following resolution which was seconded by Justice Zaloga.

Whereas a deed having been given by the Riverhead Development Corporation, and releases having been given for certain claims against said Development Corporation, involving the property therein,

It is RESOLVED that upon the proper recording of said deed and of the said releases that all those roads as shown on filed map #2395, as filed in the Suffolk County Clerk's Office on June 28, 1955, are herein accepted as completed, and

It is Further RESOLVED that a certain Bond No. 179535 of Continental Casualty Company wherein the Riverhead Development Corporation is principal and the Continental Casualty Company is surety is deemed discharged and all obligations contained therein are cancelled and the said principal and surety and all other parties referred to therein are released from any and all claims.

The Vote---Councilman Stotsky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Justice Pike offered the following resolution which was seconded by Councilman Benedict.

RESOLVED that the corrected Easement and Right-of-Way, to construct and maintain a storm sewer pipe, from Roanoke Heights Development Corp. and Moe Goldstein and Sarah Goldstein, his wife, to the Town of Riverhead, dated July 15, 1958, be and the same is approved, and

The Supervisor is authorized and instructed to execute the same in behalf of the Town of Riverhead.

The Vote---Councilman Stotsky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Benedict offered the following resolution which was seconded by Justice Pike.

RESOLVED that the Town Clerk advertise for bids on a low-bed trailer for use by the Highway Department, for a cost not to exceed \$2400.00, one (1) "La Crosse" low-bed trailer to be used as a trade-in. Bids to be returnable up to 10:30 A.M. on August 5th, 1958.

The Vote---Councilman Stotsky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Benedict offered the following resolution which was seconded by Councilman Stotzky.

RESOLVED that the Town Clerk advertise for bids for 680' of 12" corrugated metal pipe, 200' of 24" corrugated metal pipe, 2 roadway manhole frames and covers and 6 roadway curb inlet frames and grates, for use by the Highway Department. Bids to be returnable on August 5th, 1958 up to 10 A.M.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Councilman Benedict.

RESOLVED that the salary of Sergeant Chester Romanski, be and it is hereby increased to \$5200. annually, payable semi-monthly, effective July 16, 1958.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Councilman Benedict.

RESOLVED that Otis G. Pike, Justice of the Peace and Jacob Harding, Town Attorney, be and they are hereby authorized and directed to attend the hearings before the Sub Committee of the Armed Services Committee in Washington, D. C., on July 22, 1958, as representatives of the Town of Riverhead in regard to the proposed acquisition of additional land by the Navy for the Grumman installation at Calverton in the said Town of Riverhead, and that their necessary expenses and disbursements incurred therein be paid.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Benedict offered the following resolution which was seconded by Justice Zaloga.

Whereas, the Town Board, being confronted with a serious drainage problem on Parkway Street, has had studies and surveys made; and Whereas said Board, has determined to promptly provide for proper drainage in the area,

Now Therefore, Be It RESOLVED that the Supervisor be authorized to borrow money in the name of the Town of Riverhead for said expenditure in the sum not to exceed \$4200.00 on a Budget note.

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Proof of publication of the notice of Public Hearing on the enactment of an ordinance for the prevention of fire, to be known as "Ordinance No. 2, Fire Ordinances," was submitted to the Board.

Supervisor Leonard thereupon declared the Hearing open to anyone who wished to be heard at this time.

Fire Commissioner Forrest Yeager appeared in favor of this ordinance and commended the Board for preparing such ordinance.

No others wishing to be heard for or against, Supervisor Leonard declared the Hearing closed. Special Attorney Hays mentioned that this ordinance has had prior approval from the various fire departments within the Town.

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Justice Pike offered the following resolution which was seconded by Councilman Stotzky.

Pursuant to Section 130 of the Town Law of the State of New York, the Town Board of the Town of Riverhead, Suffolk County, New York,

**BE IT RESOLVED AND ORDAINED AS FOLLOWS:
AN ORDINANCE FOR THE PREVENTION OF FIRE AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION.**

Section 1. ENFORCEMENT.

The ordinance hereby adopted shall be enforced by the Fire Inspectors of the Town of Riverhead.

Section 2. MUNICIPALITY.

Whenever the word "municipality" is used in the ordinance hereby adopted, it shall be held to mean the Town of Riverhead, Suffolk County, New York.

SECTION 3.

This Section reserved for future use.

Section 4. PENALTIES.

Any person who shall violate any of the provisions of the ordinance hereby adopted, or fail to comply with them, 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 or approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken,

shall severally for each and every violation and non-compliance respectively, be guilty of a misdemeanor punishable by a fine of not less than \$25.00 nor more than \$100 or by imprisonment for not more than 30 days, or by both such fine or imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, a separate offense shall be deemed committed after each 10 days that the prohibited conditions are maintained. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 5. REPEAL OF FORMER ORDINANCE

The Fire Ordinance passed by the Riverhead Town Board on January 18, 1935, effective February 3, 1935, is hereby repealed.

Section 6.

The Town Board of the Town of Riverhead hereby declares that should any section, paragraph, sentence, or word of this ordinance hereby adopted be declared, for any reason, to be invalid, it is the intent of the Town Board of the Town of Riverhead that it would have passed all other portions of this ordinance independently of the elimination herefrom of any such portion as may be declared invalid.

Section 7.

This ordinance shall take effect and be in force from and after its passage and legal publication and posting thereof, as required by Section 133 of the Town Law.

SECTION 8. INSPECTORS.

The Town Board shall appoint one or more fire inspectors and shall designate the geographical jurisdiction for each inspector so appointed. His compensation shall be fixed by the Town Board and his term of service shall be at the pleasure of the Town Board.

Section 9.

a). Whenever the words "chief of the Fire Department" or the plural thereof, is used herein, they shall mean the chief of the Fire Department in the fire district or fire protection district in which the premises affected are located.

b). Whenever the word "Fire Inspector" or "Inspector" or the plural of these is used herein, the words shall mean the fire inspector of the fire district or fire protection district in which the premises affected are located.

c). Whenever the word "Fire or "District" is used herein, the term shall also mean "Fire Protection District," unless otherwise stated.

**TOWN OF RIVERHEAD
FIRE PREVENTION CODE**

ARTICLE 1

GENERAL PROVISIONS

Section 101. Intent of Code.

It is the intent of this code to prescribe regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises. Compliance with standards of the National Board of Fire Underwriters or other approved nationally recognized safety standards shall be deemed to be prima facie evidence of compliance with this intent.

Section 102. Supplementary Requirements

All matters within the intent of this code not covered in detail by this code shall comply with nationally recognized good practice. Compliance with the Fire Prevention Code currently recommended by the National Board of Fire Underwriters shall be deemed to be prima facie evidence of compliance with nationally recognized good practice.

Section 103. APPLICATION

(a) The provisions of this code shall apply equally to new and existing conditions, except that existing conditions not in strict compliance with the terms of this code may be permitted to continue where the exceptions do not constitute a distinct hazard to life or property. The Fire Inspector of the Fire District having jurisdiction over the installation not in strict compliance with the terms of this code shall have the author-

ity to grant a waiver of the existing condition upon the written application of the person owning the installation concerned.

(b) Any waiver of existing conditions shall be based upon the public safety secured. The decision of the Inspector shall be filed with the Town Clerk, and a true copy, signed by the Inspector, shall be furnished the applicant.

Section 104. Authority to Enter Premises.

The Fire Inspector or Inspectors may at all reasonable hours, enter any building or premises for the purpose of making any inspection, or investigation which, under the provisions of this code, he or they may deem necessary to be made.

Section 105. Inspection of Building and Premises.

It shall be the duty of the Fire Inspector to inspect, all buildings and premises, except the interiors of dwellings, as often as may be necessary 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 and of any other ordinance affecting the fire hazard.

Section 106. Orders to Eliminate Dangerous or Hazardous Conditions.

Whenever any Fire Inspector as mentioned in section 105 shall find in any building or upon any premises dangerous or hazardous conditions or materials as follows, the Inspector of the fire district shall order such dangerous conditions or materials to be removed or remedied in such manner as may be specified by the Fire Inspector:

a. Dangerous or unlawful amounts of combustible or explosive or otherwise hazardous materials;

b. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive or otherwise hazardous materials;

c. Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials;

d. Accumulations of dust or waste material in air conditioning or ventilating systems or of grease in kitchen or other exhaust ducts;

e. 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;

f. Any building or other structure which, for want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, creates a hazardous condition.

Section 107. Service of Orders.

Any order or notice required to be issued under this ordinance shall be entered upon the records of the Town Clerk, and such order or notice shall be deemed to be effective from the date of such filing and service as provided herein.

STANDARD B & P "NOTAR"

STANDARD B & P "NOTAR"

correction of violations of this code shall be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same to such person or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by sending such copy by registered mail to the owner's last known post office address.

Section 108. Permits.

a. A permit shall constitute permission to maintain, store or handle materials, or to conduct processes, which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permit does not take the place of any license required by law. It shall not be transferable, and any change in use or occupancy of premises shall require a new permit.

b. Before a permit may be issued, the Fire Inspector shall make such inspections or tests as are necessary to assure that the provisions of this code are complied with.

c. Any permit required under the provisions of this ordinance shall be issued by the Town Clerk, upon the approval of the Fire Inspector.

d. The town board shall establish uniform fees for the issuance of such permit, and may require applicants for permits to submit written applications supplying under affidavit such information as the town board, upon the recommendation of the Fire Inspector, may require.

Section 109. Revocation of Permit.

a. The Fire Inspector may revoke a permit or approval issued if any violation of this code is found upon inspection or in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

b. The violation of any Federal, New York State or Suffolk County laws, or rules or regulations lawfully issued by any agency of the aforesaid governments, shall be sufficient grounds for refusal to grant a permit under authority of this ordinance, and such violation shall be sufficient grounds for revocation of such a permit after it has been issued.

Section 110. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this code, have the meanings indicated in this section.

Approved means accepted by the Fire Inspector of the District as a result of his investigation and experience or by reason of test, listing or approval by Underwriters Laboratories, Inc., the National Bureau of Standards, the American Gas Association Laboratories or other nationally recognized testing agencies.

Automatic fire alarm system means a system which automatically detects a fire condition and actuates a fire alarm signal device.

Fire resistance rating means the time in hours that the material or construction will withstand the standard fire exposure as determined by a fire test made in conformity with the "Standard Methods of Fire Tests of Building Construction and Materials," of the American Society for Testing Materials ASTM E119.

I.C.C. container means any container approved by the Interstate Commerce Commission for shipping any liquid, gaseous or solid material of a flammable, toxic or other hazardous nature.

Mercantile occupancy means the occupancy or use of a building or structure or any portion thereof for the displaying, selling or buying of goods, wares or merchandise; except when classed as a high hazard occupancy.

Owner includes his duly authorized agent or attorney, a purchaser, devisee, fiduciary, and a person having a vested or contingent interest in the property in question.

Person includes corporation and copartnership as well as individual.

Section 111. Liability for Damages.

This code shall not be construed to hold the municipality responsible for any damage to persons or property by reason of the inspection or re-inspection authorized herein or failure to inspect or re-inspect or the permit issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

ARTICLE 3

AUTOMOBILE WRECKING YARDS, JUNK YARDS AND WASTE MATERIAL HANDLING PLANTS

Section 201. General.

Automobile wrecking yards, junk yards and waste material handling plants shall conform to all other applicable requirements of this code as well as the following provisions.

Section 202. Permit Required.

A permit as provided herein shall be obtained to conduct or maintain any automobile wrecking yard, junk yard or waste material handling plant.

Section 203. Location.

No automobile wrecking yard, junk yard or waste material handling plant shall be located as to seriously expose adjoining or adjacent properties to fire hazards.

Section 204. Burning Operations.

The burning of wrecked or discarded automobiles or any parts thereof or junk or any waste materials shall be done only in designated open spaces or incinerator enclosures approved for burning purposes by the Fire Inspector.

Section 205. Construction and Protection Requirements.

a. Handling and storage of large quantities of waste paper, rags or other combustible materials shall not be in a building of wood frame or ordinary construction unless the building is equipped with an automatic water sprinkler system. Vertical openings shall be enclosed in an approved manner.

b. Picking rooms shall be separated from storage rooms by construction having a fire resistance rating of not less than one hour, with each door opening provided with an approved fire door. Picking rooms shall be provided with exhaust systems of sufficient capacity to adequately remove dust and lint.

ARTICLE 3

BOWLING ALLEYS 80

Section 301. General.

Bowling alleys shall conform to all other applicable requirements of this code, as well as the following provisions.

Section 302. Permit Required.

A permit shall be required for bowling pin refinishing and bowling alley resurfacing operations involving the use and application of flammable liquids or materials.

Section 303. Alley Resurfacing Operations.

Resurfacing operations shall not be carried on while the establishment is open for business. The Fire Inspector of the District shall be notified when alleys are to be resurfaced. Proper ventilation shall be provided. Heating, ventilating, or cooling systems employing recirculation of air shall not be operated during resurfacing operations or within one hour following the application of flammable finishes. All electric motors or other equipment in the area which might be a source of ignition shall be shut down, and all smoking and use of open flames prohibited during the application of flammable finishes and for one hour thereafter.

Section 304. Pin Refinishing.

Pin refinishing involving the application of flammable finishes shall be done only in a special room meeting the requirements of section 306; such room shall not be located below grade nor shall it have communication with any pits, wells, pockets or basements.

Storage of flammable liquids in such rooms shall not exceed a combined aggregate of 60 gallons in original metal containers, or in approved safety containers not exceeding 5 gallons individual capacity. A metal waste can with self-closing cover shall be provided for all waste materials and rags; contents shall be removed daily. Smoking shall be prohibited at all times in refinishing rooms.

ARTICLE 4

[This Article reserved for future use.]

ARTICLE 5

DRY CLEANING PLANTS

Section 501. Definitions.

a. "Dry cleaning" shall mean the process of removing dirt, grease, paints and other stains from wearing apparel, textiles, fabrics, rugs, etc., by the use of nonaqueous liquid solvents, flammable or non-flammable, and it shall include the process of dyeing clothes or other fabrics or textiles in a solution of dye colors and nonaqueous liquid solvents.

b. "Rated" as applied to solvents shall mean classified as to fire hazard in accordance with Underwriters Laboratories, Inc.'s standard of classification.

Section 502. Permit Required.

a. No person shall engage in the business of dry cleaning without a permit which shall prescribe the class of system to be used.

b. No change shall be made in the solvent used in the equipment, to a solvent in a more hazardous class unless permission for such change shall first have been obtained from the Fire Inspector.

Section 503. Classification of Systems.

Dry cleaning systems shall be classified as follows:

a. Class I Systems shall be those utilizing solvents rated above 40, including 50 degree F. Flashpoint Naphtha.

b. Class II Systems shall be those utilizing solvents rated 40 or below, but which do not comply with Class III or Class IV requirements, including Stoddard Solvent.

c. Class III Systems shall be those employing equipment listed by Underwriters' Laboratories, Inc., utilizing solvents having specified characteristics and rated at 25 or below, including 140 degrees F. Flashpoint Solvent.

d. Class IV Systems shall be those utilizing solvents rated as nonflammable, or as nonflammable at ordinary temperatures and only moderately flammable at higher temperatures, rated not over 5, including Carbon Tetrachloride and Perchloroethylene.

Section 504. Class I Systems.

a. New dry cleaning plants or systems utilizing solvents rated above 40 shall be prohibited.

b. Existing dry cleaning plants or systems utilizing solvents rated above 40 may be continued in use provided the quantity of cleaning solvent rated above 40 that is stored and handled is not increased.

Section 505. Class II Systems.

a. Class II systems shall be located in buildings having walls of masonry or noncombustible construction and wall finish shall be plain or plastered without furring or concealed spaces. Floors of dry cleaning sections shall be of fire-resistive construction and without pits, wells or pockets; and where located over a basement, floor shall be vapor and liquid-tight. Roof and floors above grade floor, if of combustible construction, shall have the ceilings over the dry cleaning areas protected by cement or gypsum plaster on metal lath or equivalent construction having a fire resistance rating of not less than one hour. Dry cleaning buildings shall not be closer than 10 feet to the line of adjoining property, except that if exposing walls are equivalent to 12-inch brick construction without openings the building may be located on the property line.

b. Dry cleaning operations shall be restricted to the lowest floor of a building but shall not be located on any floor below grade, nor in the same building with other occupancies. Operations incidental to the dry cleaning business such as laundering, pressing, and ironing may be in a communicating building or located on the same floor with the dry cleaning plant, provided the dry cleaning operations are separated therefrom by partitions having a fire resistance rating of not less than two hours and the communicating openings are protected by fire doors approved for such openings.

c. Door openings on stairs or elevators leading from a dry cleaning area to a basement, or opening into room having openings or stairs to basements, shall be provided with noncombustible sills or ramps raised at least 6 inches. Approved self-closing fire doors shall be provided at such openings. Enclosures shall be of construction equivalent to the floor construction but having a fire resistance rating of not less than one hour.

d. Rooms in which articles are hung up to dry shall be constructed with walls, partitions and ceilings having a fire resistance rating of not less than 2 hours. Entrances to drying rooms shall be provided with approved self-closing fire doors. If the drying room is in a separate building it shall conform in all respects to provisions for a dry cleaning building.

e. A mechanical system of ventilation shall be installed in dry cleaning areas and drying rooms. Such system shall have sufficient capacity to insure complete and continuous change of air once every 5 minutes and shall be provided with means for remote control. The system shall operate automatically when any dry cleaning equipment is in use.

Section 506. Class III Systems.

Class III systems, if located in the same building with other occupancies, shall be separated from the remainder of the building vertically and horizontally by construction having a fire resistance rating of not less than one hour with openings protected by approved fire doors except that such separation shall not be required for operations incidental to or in connection with the dry cleaning business, such as laundering, scouring, scrubbing, drying, pressing or ironing, and the requirement for such separation may be waived at the discretion of the Fire Inspector of the District based upon a consideration of such factors as type of building construction, nature of occupancy storage and operating capacity of the system and extent of private fire protection provided.

Section 507. Class IV Systems.

Class IV systems shall be subject to the requirement for permit in section 502, but shall be exempt from all other provisions of this article.

Section 508. Heating Equipment.

a. Where Class II systems are used, heating shall be by steam or hot water only. Where Class III systems are used heating shall be by any approved means which does not involve any open flame or ignition source in the dry cleaning area. Steam and hot water pipes and radiators for heating and drying purposes shall be at least one inch from all woodwork and shall be protected by substantial metal screens arranged so as to prevent combustible goods or materials from coming in contact with pipes and radiators.

b. Boilers shall be located in a detached building or in a boiler room cut-off from the dry cleaning room. For Class II systems this cut-off shall be by a fire wall without openings. Openings into such boiler rooms shall be at least 10 feet from any exterior openings into the cleaning room. For Class III systems this cut-off shall be by a partition of noncombustible material without openings, having a fire resistance rating of not less than two hours.

ARTICLE 6 EXPLOSIVES

Section 601. Scope.

This article applies to all explosives, except small arms ammunition and fireworks.

Section 602. Definitions.

"Small arms ammunition" shall mean any shotgun, rifle, pistol or revolver cartridges.

Section 603. Permit Required.

The manufacture of explosives is prohibited within the municipality. A permit shall be obtained from the Fire Inspector of the District to have, keep, use, store or transport any explosives.

a. Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone, telegraph or steam utilities, the blaster shall notify the appropriate representatives of such utilities at least 24 hours in advance of blasting specifying the location and intended time of such blasting. Verbal notice shall be confirmed with written notice. In an emergency this time limit may be waived by the Fire Inspector.

Section 604:

Article 16 of the New York Labor Law otherwise governs the use, storage and transportation of explosives.

ARTICLE 7 FIREWORKS

Section 701.

Section 1894a of the New York Penal Law governs the display, use, storage, sale and transportation of fireworks.

ARTICLE 8 FIRE PROTECTION EQUIPMENT

Section 801. Chief to Survey Premises and Specify Equipment to be Provided.

The Fire Inspector shall survey each commercial and industrial establishment, mercantile, educational and institutional occupancy, place of assembly, hotel, multi-family house, and trailer camp, and shall specify suitable fire detecting devices or extinguishing appliances which shall be provided in or near boiler rooms, kitchens of restaurants, clubs and like establishments, storage rooms involving considerable combustible material, rooms in which hazardous manufacturing processes are involved, repair garages, and other places of a generally hazardous nature. Such devices or appliances may consist of automatic fire alarm systems, automatic sprinkler or water spray systems, standpipe and hose, fixed or portable fire extinguishers of a type suitable for the probable class of fire, or suitable asbestos blankets, manual or automatic covers, or carbon dioxide or other special fire extinguishing systems. In special hazardous processes or storage, appliances of more than one type or special systems may be required.

Section 802. Maintenance of Equipment.

Sprinkler systems, standpipe systems, fire alarm systems and other fire protective or extinguishing systems or appliances which have been installed in compliance with any permit or order, or because of any law or ordinance, shall be maintained in operative condition at all times, and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations or additions. The Fire Inspector of the District shall be notified before such tests, repairs, alterations or additions are started.

**ARTICLE 9
FLAMMABLE LIQUIDS**

Section 901. Scope.

This article shall apply to the storage, handling and use of flammable liquids as hereinafter defined; except that it shall not apply to the transportation of flammable liquids when in conformity with Interstate Commerce Commission regulations, or regulations lawfully on file with and approved by the Interstate Commerce Commission.

Section 902. Definitions.

a. "Closed Container" shall mean a container so sealed by means of a lid or other device that neither liquid nor vapor will escape from it at ordinary temperatures.

b. "Flammable Liquid" shall mean any liquid having a flash point below 200 degrees F. and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees F.

Flammable liquids shall be divided into three classes as follows: Class I shall include those having flash points at or below 30 degrees F.

Class II shall include those having flash points above 30 degrees F. but at or below 70 degrees F.

Class III shall include those having flash points above 70 degrees F.

a. "Flash Point" shall mean the minimum temperature in degrees Fahrenheit at which a flammable liquid will give off flammable vapor as determined by appropriate test procedure and apparatus as specified below.

The flash point of flammable liquids having a flash point below 175 degrees F. shall be determined in accordance with nationally recognized good practice using the Tag Closed Tester.

The flash point of flammable liquids having a flash point of 175 degrees F. or higher shall be determined in accordance with nationally recognized good practice using the Pensky-Martens Closed Tester.

Section 903. Permits Required.

A permit shall be obtained for any of the following:

a. Storage, handling, or use of Class I or Class II flammable liquids in excess of 1 gallon in a dwelling or other place of human habitation; or in excess of 6 gallons in any other building or other occupancy; or in excess of 10 gallons outside of any building, except that no permit shall be required for the following:

(1) For the storage or use of flammable liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant, or mobile heating plant.

(2) For the storage or use of paints, oils, varnishes, or similar flammable mixtures when such liquids are stored for maintenance, painting, or similar purposes for a period of not more than 30 days.

b. Storage, handling, or use of Class III flammable liquids in excess of 25 gallons in a building; or in excess of 60 gallons outside of a building.

c. For the manufacture, processing, blending, or refining of flammable liquids.

d. For the storage of flammable liquids in stationary tanks.

Section 904. Bulk Storage Above-ground (Outside of Buildings)

a. The storage of Class I and II flammable liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of the districts in which such storage is to be prohibited.

b. Location of an aboveground tank for storage of flammable liquids with respect to distance from the nearest line of adjoining property which may be built upon, shall be such that the distance between any part of the tank and the line shall be not less than that set forth in Table 904. (See Table 904 below)

c. Individual tanks or groups of tanks, where deemed necessary by the Fire Inspector of the District on account of proximity to waterways, character of topography, or nearness to structures of high value, or to places of habitation or assembly, shall be diked or the yard shall be provided with a curb or other suitable means taken to prevent the spread of liquid onto other property or waterways. Where a diked enclosure is required under this section, it shall have a net capacity not less than that of the largest tank, plus 10 per cent of the aggregate capacity of all other tanks served by the enclosure.

d. In particular installations the provisions of paragraphs b and c of this section may be altered at the discretion of the Fire Inspector of the District after consideration of special features such as topographical conditions; nature of occupancy and proximity to buildings on adjoining property and height and character of construction of such buildings; capacity and construction of proposed tanks and character of liquids to be stored; degree of private fire protection to be provided and facilities of the fire department to cope with flammable liquid fires.

e. The location of a tank for the storage of any flammable liquid with respect to any such other tank shall be such that the distance between them shall be not less than 3 feet. For tanks above 50,000 gallons individual capacity storing any flammable liquid, the distance shall be not less than one-half the diameter of the smaller tank.

Section 905. Dispensing Devices at Service Stations.

a. Design and Construction Class I and Class II flammable liquids shall be transferred from underground tanks by means of fixed pumps so designed and equipped as to allow control of the flow and to prevent leakage or accidental discharge. Supplemental means shall be provided outside of the dispensing device whereby the source of power may be readily disconnected in the event of fire or other accident. Dispensing devices for Class I or Class II flammable liquids shall be of approved type. Class I or Class II flammable liquids shall not be dispensed by pressure or gravity from drums, barrels and similar containers. Gear pumps or similar positive displacement devices taking suction through the top of the container shall be used. Class I and Class II flammable liquids shall not be dispensed by a device that operates through pressure within a storage tank, unless the tank has been approved as a pressure vessel for the use to which it is subjected. In no case shall air or gas pressure be used for this purpose.

b. Automatic Dispensing Devices. The installation and use of coin-operated dispensing devices for Class I flammable liquids is prohibited. The dispensing of Class I flammable liquids into the fuel tank of a vehicle or into a container shall at all times be under the control of a competent person. The use of any device which permits the dispensing of Class I flammable liquids when the hand of the operator of the discharging nozzle is removed from the nozzle control lever is hereby forbidden except when using an automatic nozzle as provided in section 905b (1).

(1) Automatic Hose Nozzle Valves with Latch-Open Devices:

In lieu of being held open by hand, an approved automatic nozzle may be used for dispensing Class I flammable liquid into the fuel tank of a vehicle. Such a nozzle shall have the latch-open device as an integral part of the assembly and shall shut off the liquid reliably and positively when the gasoline tank is filled, when it falls from the filling neck of an automobile tank, when it is subject to rough usage such as dropping or lack of proper lubrication, or when an automobile is driven away while the nozzle is still in the tank. A competent attendant shall be in the immediate vicinity of the vehicle being filled by such an approved nozzle.

c. Location. Dispensing devices at service stations shall be so located that all parts of the vehicle being served will be on private property.

Section 906. Storage in Mercantile Occupancies.

In rooms or areas accessible to the public, storage shall be in closed containers and limited to quantities needed for display and normal merchandising purposes. Where the aggregate quantity of additional stock exceeds 60 gallons it shall be stored in rooms or portions of buildings that comply with the following construction requirements:

Walls, floors and ceilings shall be of construction having a fire resistance rating of not less than one hour. Openings to other rooms or buildings shall be provided with noncombustible liquid-tight raised sills or ramps at least 6 inches in height and with approved fire doors with heat-actuated releasing devices arranged to close doors automatically in case of fire. Where other portions of the building or other properties are exposed, windows shall be protected in an approved manner. No combustible material shall be used for interior room surfaces or shelving. Proper ventilation shall be provided. Heating shall be restricted to low pressure steam or hot water or to electrical units approved for hazardous locations.

ARTICLE 10

GARAGES

Section 1001. General.

Garages shall conform to all other applicable requirements of this code, as well as the following provisions.

Section 1002. Permit Required.

No person shall use any building, shed or enclosure as a place of business for the purpose of servicing or repairing any motor vehicle therein without a permit.

Section 1003. Cleaning with Flammable Liquids.

No flammable liquid with a flash point below 100 degrees F. shall be used in any garage for washing parts or removing grease or dirt, unless in a special closed machine approved for the purpose or in a separate well ventilated room enclosed by walls having a fire-resistance rating of not less than two hours with openings therein protected by approved fire doors or fire windows, and with no opening from such room to any upper or lower story.

Section 1004. Handling of Gasoline and Oil.

a. The fuel tanks of motor vehicles shall be filled directly through hose from approved pumps attached to approved portable tanks or drawing from underground storage tanks. Storage and handling of flammable liquids shall conform to Article 9. No transfer of gasoline in any garage shall be made in any open container.

b. Garage floors shall drain to oil separators or traps discharging to a sewer or a cesspool. Contents of oil separators or traps of floor drainage systems shall be collected at sufficiently frequent intervals and removed from the premises to prevent oil from being carried into the sewers. Self-closing metal cans shall be used for all oily waste or waste oils.

**ARTICLE 11
LIQUEFIED PETROLEUM
GASES****Section 1101. Definition.**

"Liquefied petroleum gas" shall mean any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane (normal butane or isobutane) and butylenes.

Section 1102. Permits and Reports of Installations.

a. A permit shall be obtained for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers of over 2,000 gallons water capacity, and for each permanent installation, irrespective of size of containers, made at buildings in which people congregate for civic, political, educational, religious, social or recreational purposes. Such buildings shall include schools, churches, hospitals, institutions, hotels, and restaurants, each having a capacity of 20 or more persons. Prior to making such an installation, an installer shall submit plans to the Fire Inspector of the District and if compliance with the requirements of this code is shown by said plans, a permit shall be issued.

b. Installers shall maintain a record of all installations for which a permit is not required by paragraph (a) above (but not including installation of gas burning appliances and replacing of portable cylinders) and have it available for inspection by the Fire Inspector.

Section 1103. Inspection of Installations.

It shall be the duty of the Fire Inspector of the District to inspect a reasonable number of liquefied petroleum gas installations to determine if the provisions of this code are being complied with.

Section 1104. Location of Containers.

Within the limits established by law restricting the bulk storage of liquefied petroleum gas for the protection of heavily populated or congested commercial areas, the aggregate capacity of any one installation shall not exceed 2,000 gallons water capacity; except that in particular installations this capacity limit may be altered at the discretion of the Fire Inspector of the District after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided, and facilities of the local fire department.

ARTICLE 12**OIL BURNING EQUIPMENT****Section 1201. Scoops.**

This article applies to oil burning equipment except internal combustion engines, oil lamps, and portable devices such as blow torches, melting pots, and weed burners.

Section 1202. Definitions.

a. "Fuel Oil" shall mean kerosene or any hydrocarbon oil conforming to nationally recognized good practice and having a flash point not less than 100° F.

b. "Oil Burning Equipment" shall mean an oil burner of any type together with its tank, piping, wiring, controls and related devices and shall include all conversion oil burners, oil-fired units, and heating and cooking appliances but exclude those exempted by section 1201.

Section 1203. Use of Approved Equipment.

Oil burning equipment shall be of approved type.

Section 1204. General Installation Requirements.

a. The installation shall be made in accordance with the instructions of the manufacturer.

b. The installation shall be such as to provide reasonable accessibility for cleaning heating surfaces, removing burners, replacing motors, controls air filters, draft regulators and other working parts and for adjusting cleaning and lubricating parts requiring such attention.

c. After installation of the oil burning equipment, a complete cycle of operation tests shall be conducted to make certain that the burner is operating in a safe and acceptable manner and that all safety devices function properly.

Section 1205. Fuel Oil.

The grade of fuel oil used in a burner shall be that for which the burner is approved and as stipulated by the manufacturer. Crankcase oil or any oil containing gasoline shall not be used.

Section 1206. Installation of Fuel Oil Tanks.

a. An unenclosed inside fuel oil supply tank shall have a capacity of not more than 275 gallons. Not more than 2 such tanks shall be connected to one oil burning appliance and the aggregate capacity of such tanks installed in the lowest story, cellar or basement of a building shall not exceed 1100 gallons unless separation is provided for each 550 gallons aggregate capacity. Such separation shall consist of an unperforated masonry wall or partition extending from the lowest floor to the ceiling above the tanks and having a fire resistance rating of not less than 2 hours.

b. Stoves which are designed for barometric feed shall not be connected to separate oil supply tanks.

c. Non flue connected stoves shall be equipped with integral tanks of capacity not more than 2 gallons.

d. Gravity oil supply tanks installed in conversion range oil burners shall not exceed one 4-gallon metal tank or two 3-gallon glass bottles.

e. Supply or storage tanks located above the lowest story, cellar or basement shall not exceed 60 gallons capacity and the total capacity of tanks so located shall not exceed 60 gallons.

f. Oil supply tanks other than those furnished as an integral part of the stove or range shall not be located within 5 feet, horizontally, of any fire or flame; except that tanks not over 6 gallons capacity may be within this distance but not within 3 feet of the stove or range in which the burner is installed, provided the temperature rise of the oil supply at this distance is not excessive when the burner is operated at full capacity.

g. Tanks exceeding 275 gallons individual capacity shall be installed in an enclosure constructed as follows: The walls of the enclosure shall be constructed of solid masonry units or poured concrete construction having a fire resistance rating of not less than three hours. Such enclosures shall be installed only on concrete or other fire-resistive floors and shall be bonded to the floors. Enclosures shall have tops of reinforced concrete at least 5 inches thick or equivalent fire-resistive construction, except that where floor or roof construction above the enclosure is concrete or other fire-resistive construction, the walls may be extended to and bonded to the underside of the construction above in lieu of the provision of a separate top. Any openings to such enclosures shall be provided with fire doors or other approved closures and six-inch non-combustible liquid-tight sills or ramps. Provision shall be made for adequate ventilation of such enclosures prior to entering for inspection or repairs on tanks.

Section 1207. Installation of Fill, Return, Supply, and Vent Piping.

a. A fill pipe on a tank larger than 60 gallons shall terminate outside of a building at least two feet from any building opening. Every fill terminal shall be equipped with a tight metal cover.

b. A return line from a burner or pump in a supply tank shall enter the top of the tank.

c. An auxiliary tank installed in the supply piping between a burner and its main fuel supply tank shall be filled by pumping from storage tanks.

d. All piping except the burner supply line from a 275-gallon tank and the cross connection between two such tanks shall be connected into the top of the supply tank.

e. The burner supply connection to tank or tanks having a capacity of more than 550 gallons shall be connected to the top of the tank except in commercial and industrial installations for Nos. 5 and 6 oil, the burner supply connection may be below the liquid level.

2. Vent pipes shall terminate outside of buildings not less than two feet measured vertically or horizontally from any window or other building opening. Vent terminals shall terminate in a weather-proof vent cap which shall have a minimum free open area equal to the cross-sectional area of the vent pipe. The static head of the vent pipe when filled with oil shall not exceed that pressure at which the tank was pressure tested.

g. Pressure feed from tanks shall not be used.

h. All tanks in which a constant oil level is not maintained by an automatic pump shall be equipped with an approved method of determining the oil level.

Section 1308. Pumps, Piping and Valves.

a. An oil pump not a part of an approved burner shall be a positive displacement type which automatically shuts off the oil supply when stopped.

b. All piping shall be standard full weight wrought iron, steel or brass pipe with standard fittings or brass or copper tubing with fittings of an approved type, except that approved flexible metal hose may be used for reducing the effect of jarring and vibration or where rigid connections are impracticable. Cast iron fittings shall not be used.

c. Aluminum tubing shall not be used between the fuel oil tank and the burner unit.

d. Piping shall be substantially supported and protected against physical damage and where necessary protected against corrosion. All buried piping shall be protected against corrosion.

e. Where a shutoff is installed in the discharge line of an oil pump not an integral part of a burner, a pressure relief valve shall be connected into the discharge line between the pump and the shut off valve and arranged to return surplus oil to the supply tank or to bypass it around the pump, unless the pump includes an internal bypass.

Section 1309. Means for Manually Stopping.

Oil burners other than oil stoves with integral tanks, shall be provided with some means for manually stopping the flow of oil to the burner. Such device or devices shall be placed in a convenient location at a safe distance from the burner.

ARTICLE 13 PLACES OF ASSEMBLY

Section 1301. Permit Required.

a. No place of assembly as defined in paragraph (b) of this section shall be maintained, operated or used as such without a permit, except that no permit shall be required for any place of assembly used solely as a place of religious worship.

b. "Place of Assembly" shall mean a room or space used for assembly or educational occupancy for 100 or more occupants or which has a floor area of 1,500 square feet or more used for such purpose. Such room or space shall include any similarly occupied connecting room or space in the same story, or in a story or stories above or below, where entrance is common to the rooms or spaces.

Section 1302. Decorative Material.

a. "Decorative material" shall include all such materials as curtains, draperies, streamers, surface coverings applied over the building interior finish for decorative, acoustical or other effect, and also cloth, cotton batting, straw, vines, leaves, trees and moss used for decorative effect, but it shall not include floor coverings, ordinary window shades, nor materials one fortieth" of an inch or less in thickness applied directly to and adhering tightly to a noncombustible base.

* May be measured by folding a piece to 5 thicknesses and measuring to see if the thickness of 5 layers exceeds 1/4 inch.

b. No decorative material shall be used which as applied will ignite and allow flame to spread over the surface when exposed to a match flame test applied to a piece removed from the material and tested in a safe place. The piece shall be held in a vertical position and the bottom edge exposed to a flame from a common match held in a horizontal position, one-half inch underneath the piece, and at a constant location for a minimum of 15 seconds.

c. Treatments used to accomplish this flameproofing shall be renewed as often as may be necessary to maintain the flameproof effect.

Section 1303. Pyroxylin Coated Fabrics.

Pyroxylin coated fabric used as a decorative material in accordance with section 1302, or as a surface covering on fixed furnishings shall be limited in amount to the following:

Such fabrics containing 14 ounces or more of cellulose nitrate per square yard shall not be used in excess of a total amount equivalent to one square foot of fabric surface to 15 cubic feet of room volume. Each square foot of such fabric which contains 17 ounces or more of cellulose nitrate per square yard shall be counted as two square feet in making this computation.

Section 1304. Motion Picture Screen.

In places of assembly no motion picture screen or screen masking shall be used which will ignite and allow flame to spread over the surface when exposed to the match flame test described in section 1302b.

Section 1305. Exit Doors.

During the period of occupancy, no exit door shall be locked, bolted, or otherwise fastened or obstructed by any means so that the door cannot be opened from the inside by the use of the ordinary door latch or knob or by pressure on the door or on a panic release device.

Section 1306. Aisles.

In each room where chairs or tables and chairs are used, the arrangement shall be such as will provide for ready access by aisles to each exit doorway. Aisles leading directly to exit doorways shall have not less than 36 inches clear width which shall not be obstructed by chairs, tables or other objects.

Section 1307. Use of Exit Ways.

No part of a stairway, whether interior or exterior, nor of a hallway, corridor, vestibule, balcony or bridge leading to a stair way or exit of any kind, shall be used in any way that will obstruct its use as an exit or that will present a hazardous condition.

Section 1308. Ash Trays.

Where smoking is permitted, there shall be provided on each table and at other convenient places suitable noncombustible ash trays or match receivers.

Section 1309. Fire Appliances.

All fire protection equipment required under article 8 shall be kept in working condition. Extinguishers and hose and similar appliances shall be visible and convenient at all times. It shall be the duty of the owner and the tenant of each building, or part of a building, occupied as a place of assembly to properly train sufficient regular employees in the use of fire appliances so that such appliances can be quickly put in operation.

Section 1310. Plan of Exit Ways and Aisles.

A plan showing the capacity and location of exit ways and of aisles leading thereto shall be submitted for approval to the Fire Inspector and an approved copy shall be kept on display in the premises.

Section 1311. Marking of Exitways.

a. In rooms accommodating more than 100 persons, required exit doorways, other than those normally used for entrance, shall be plainly marked by approved exit signs, sufficiently illuminated when the floor area is occupied, to be readily distinguished.

b. Where the exit doorways are not visible from all locations in public corridors, directional signs, as required by the Fire Inspector of the District shall be placed on walls or otherwise displayed in conspicuous locations to direct occupants to exit doorways.

Section 1312. Lighting of Exit Ways.

Required stairways, hallways and other means of egress including exterior open spaces to or through which exit ways lead, shall be kept adequately lighted at all times that the building served thereby is occupied.

ARTICLE 14

PRECAUTIONS AGAINST FIRE, GENERAL

Section 1401. Bonfires and Outdoor Rubbish Fires.

a. PERMIT REQUIRED. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on or in any public street, alley, road or other public ground without a permit or other proper authorization. During construction or demolition of buildings or structures no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or other proper authorization.

b. LOCATION RESTRICTED. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless (1) the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure, or (2) the fire is contained in an approved waste burner with closed top, located safely not less than 15 feet from any structure.

c. Who may prohibit. The Chief of the Fire Department or the Fire Inspector of the District may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

Section 1402. Kindling of Fire on Land of Others Restricted.

No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.

Section 1403. Use of Torches for Removing Paint.

Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done. In all cases, the person doing the burning shall remain on the premises 1 hour after the torch or flame-producing device has been used.

Section 1404. Hot Ashes and Other Dangerous Materials.

No person shall deposit hot ashes or cinders, or smouldering coals, or greasy or oily substances liable to spontaneous ignition, into any wooden receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case shall be kept at least two feet away from any combustible wall or partition or exterior window opening.

Section 1405. Accumulations of Waste Materials.

Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property.

Section 1406. Handling Readily Combustible Materials.

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered receptacles or bins. The Fire Inspector of the District shall require suitable baling presses to be installed in stores apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

Section 1407. Storage of Readily Combustible Materials.

a. PERMIT REQUIRED. No person shall store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material without a permit.

b. STORAGE REQUIREMENTS.

Storage in buildings shall be orderly, shall not be within two feet of the ceiling, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.

Section 1408. Flammable Decorative Materials in Buildings of Mercantile and Institutional Occupancy.

Highly flammable materials such as cotton batting, straw, dry vines, leaves, trees, artificial flowers or shrubbery and foam plastic materials shall not be used for decorative purposes in show windows or other parts of mercantile and institutional occupancies unless flameproofed. Electric light bulbs in mercantile and institutional occupancies shall not be decorated with paper or other combustible materials unless such materials shall first have been rendered flameproof.

Section 1409. Use of Open Flame or Light Restricted.

a. No person shall take an open flame or light into any building, barn, vessel, boat or any other place where highly flammable, combustible, or explosive material is kept, unless such light or flame shall be well secured in a glass globe, wire mesh cage or similar approved device.

b. No heating or lighting apparatus or equipment capable of igniting flammable materials of the types stored or handled shall be used in the storage area of any warehouse storing rags, excelsior, hair or other highly flammable or combustible material; nor in the work area of any shop or factory used for the manufacture, repair or renovating of mattresses or bedding; nor in the work areas of any establishment used for the upholstering of furniture.

Section 1410. Chimneys and Heating Appliances to be Maintained in Safe Condition.

a. All chimneys, smokestacks or similar devices for conveying smoke or hot gases to the outer air and the stoves, furnaces, incinerators, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a hazardous condition.

b. Commercial and industrial type incinerators used for burning of rubbish or other readily combustible solid waste material and flue-fed incinerators shall be provided with approved spark arrestors or other effective means for arresting sparks and fly particles.

**ARTICLE 15
SMOKING PROHIBITED UNDER CERTAIN CONDITIONS**

Section 1501. Definition.

"Smoking" shall mean and include the carrying of lighted pipe, cigar, cigarette or tobacco in any form.

Section 1502. Fire Inspector to Designate Areas Where Smoking shall be Prohibited.

Where conditions are such as to make smoking a hazard in any areas of piers, wharves, warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Fire Inspector of the District is empowered and authorized to order the owner or occupant in writing to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Fire Inspector of the District shall designate specific safe locations, if necessary, in any building, structure or place in which smoking may be permitted.

Section 1503. No Smoking Signs.

"No Smoking" signs of approved sized lettering and location required in accordance with section 1502 shall read "By Order of the Fire Inspector."

Section 1504. Smoking and Removal of No Smoking Signs Prohibited.

It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place, where such signs are posted.

ARTICLE 16

Section 1601. Safeguards.

A. When operated in the performance of duty the following shall have the right of way: fire department, police, emergency repair of public service corporations, ambulances and the military, but this does not relieve the driver or owner of any vehicle from consequences of the arbitrary or careless exercises of this right.

B. A vehicle must not be driven so as to impede or obstruct the progress of the apparatus of a fire department or of any official or employee of the town in the discharge of his duty at a fire. The operator of a vehicle, not a part of the municipal fire apparatus, shall not operate in through or within the established fire lines. On the approach of fire apparatus, as evidenced by suitable and continuous warning, the operator of a vehicle which is not a part of the fire apparatus must immediately draw up such vehicle as near as practicable to the right-hand curb and parallel thereto, and bring it to a standstill until the fire apparatus has passed.

C. No vehicle of any kind shall at any time be parked upon any street, avenue or highway, in front of any fire house.

D. No vehicle of any kind, not a part of the municipal fire apparatus, shall at any time be parked within a radius of ten feet of any fire hydrant.

E. No vehicle of any kind, except fire apparatus, shall, at any time, be parked or stopped within a line of 100 feet distant each way from any building which is on fire. Any vehicle which shall be parked in violation of this ordinance may be summarily removed by the fire department.

F. No vehicle of any kind, not a part of the municipal fire apparatus, shall at any time be driven over fire hose or other fire equipment.

G. No person, except a driver of fire apparatus, shall follow in a vehicle of any kind within 200 feet of any fire apparatus answering a fire alarm.

H. No person or persons shall willfully or designedly make or raise a false cry of fire or cause a false alarm to be sounded.

I. No person or persons shall at any time interfere with the work of a fire department at any fire or in the course of any work incidental thereto.

J. No person or persons shall at any time interfere with any Fire Inspector in his duties or in carrying out an inspection or in the performance of any other duties as such representative.

K. Any person or persons, partnership, or corporation maintaining electric wires for whatsoever purposes, shall keep such wiring so arranged, insulated and protected as to be in conformity with the current edition of the National Electrical Code approved by the American Standards Association, and any wiring, designed to convey electricity, found, by the authority empowered to grant a permit, to be in an unsafe condition, or any wiring cut or removed by the fire department in the discharge of its duties, must be repaired or replaced, by the owner or lessee thereof, in accordance with said code and in a safe and proper manner. Whether such repair or replacement is in conformity with such code is a fact to be determined by the fire inspectors having jurisdiction of the premises.

L. All buildings used for public amusement, public lodge, or other meetings, offices, hotels, boarding houses, and factories, must have reasonable means for fire protection and for the safety of their patrons, especially as to exists and fire escapes.

M. No person or persons shall construct a chimney in, or attach any chimney to, any building unless such chimney shall have an approved flue lining; no smoke pipe shall be placed within eighteen inches of any woodwork, unless such woodwork shall be protected in a manner approved by the fire inspectors having jurisdiction of the premises.

N. All owners, or lessees, in charge of property, must keep all chimneys in any buildings thereon reasonably clean.

O. No person shall, without the permission of a fire chief or the man in charge of the fire force during a fire, enter upon the premises where such a fire is located or in any space within a radius of 100 feet therefrom.

P. All school buildings and factories, that are more than three stories in height not of fireproof construction at least up to the third floor, and all school buildings and factories that are two stories in height not of fireproof construction, present a fire hazard and such shall be equipped with exterior fire escapes. Such fire escapes must be approved by the Fire Inspector having jurisdiction over the premises.

Q. All fire escapes hereafter erected shall be constructed of non-combustible materials and of sufficient strength to safely sustain a super-imposed load of 100 lbs. per square foot. The owner or

lessee of any building upon which a fire escape is erected shall keep the same in good order and repair.

R. Every non-fireproof tenement house exceeding two stories in height erected prior to the adoption of these ordinances, shall be provided either with fireproof outside stairways or other free escapes, and such fire escapes must be properly accessible to each apartment. Whoever may be in control of any tenement house shall keep all fire escapes therein in good order and repair. No person shall at any time place any encumbrance of any kind before or upon any such fire escape. All fire escapes must be kept clear.

TABLE 89a

Minimum Distance of Outside Aboveground Tanks for Flammable Liquids Other Than Crude Petroleum to Line of Adjoining Property Which May Be Built Upon

Capacity of Tank	Class of Liquid Flammable	Minimum Distance
0 to 275 gals.	III	0 feet
276 to 750 gals.	III	5 feet
0 to 750 gals.	I and II	10 feet
751 to 12,000 gals.	III	10 feet
751 to 12,000 gals.	I and II	15 feet
12,001 to 24,000 gals.	I, II, and III	15 feet
24,001 to 30,000 gals.	I, II, and III	20 feet
30,001 to 50,000 gals.	I, II, and III	25 feet

Tanks with capacities in excess of 50,000 gallons shall be located in accordance with the following provisions (applicable to gas-tight tanks including conservation type tanks):

Tank Protection	Distance from line of adjoining property which may be built upon shall be not less than
1) An approved permanently attached extinguishing system 2) An approved floating roof	Greatest dimension of diameter or height of tank, except that such distance need not exceed 120 feet
Not equipped with either of the above	1½ times the greatest dimension of diameter or height of tank except that such distance need not exceed 175 feet

The Vote---Councilman Stotzky, Yes; Councilman Benedict, Yes; Justice Pike, Yes; Justice Zaloga, Yes; and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

The Town Board convened as a Board of Audit and examined all Town Bills to date, the totals of which was as follows: General Town---\$14,428.48 and Machinery Fund---\$1,803.54. On motion and vote, it was Resolved that the bills be approved as submitted.

There being no further business on motion and vote, the meeting adjourned to meet on Tuesday, August 5, 1958 at 9:30 A. M.

Anthony F. Gadzinski
Anthony F. Gadzinski, Town Clerk

AFG:mvb

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STANDARD B & P "NOTEPAR"