

ORDINANCE NUMBER EIGHTY-SEVEN

PROVIDING FOR THE CREATION AND ORGANIZATION OF A MILLS FIRE DEPARTMENT, DEFINING AND REGULATING THE DUTIES THEREOF, PROVIDING FOR THE SELECTION AND QUALIFICATION OF THE OFFICERS AND MEMBERS OF SUCH FIRE DEPARTMENT, ENUMERATING AND ESTABLISHING THE DUTIES, RESPONSIBILITIES AND AUTHORITIES OF SUCH OFFICERS AND MEMBERS, AND PROVIDING FOR THEIR TERMS OF OFFICE AND REMUNERATION; ESTABLISHING FIRE PREVENTION REGULATIONS, AND FOR THE ENFORCEMENT THEREOF; PROVIDING FOR FIRE EXTINGUISHMENT, FOR FORCING EVACUATION AND ABANDONMENT OF ANY BUILDING WHICH IS ABLAZE OR IN IMMEDIATE DANGER FROM ANY CLOSELY ADJACENT FIRE, AUTHORIZING MEMBERS OF THE FIRE DEPARTMENT TO ENTER ANY BUILDING FOR THE PURPOSE OF PROTECTING SUCH BUILDING OR THOSE IMMEDIATELY ADJACENT FROM FIRE, BY FORCE IF NECESSARY; AUTHORIZING DEMOLITION OF BUILDING WHEN NECESSARY TO PREVENT THE SPREAD OF FIRE; AUTHORIZING THE FIRE CHIEF TO ORDER DISCONTINUANCE OF FIRE EXTINGUISHMENT EFFORTS, FOR THE PURPOSE OF CLEANING UP THE PROPERTY INVOLVED; REPEALING SECTION NINE OF ORDINANCE FIFTY-TWO AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A PENALTY FOR VIOLATION HEREOF, AND FOR THE ABATEMENT OF ANY FIRE HAZARD IN THE ABSENCE OF THE OWNER THEREOF; DECLARING THE EXISTANCE OF AN EMERGENCY AND PROVIDING FOR THE IMMEDIATE EFFECTIVENESS OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MILLS, WYOMING:

SECTION 1.--CREATION OF FIRE DEPARTMENT AUTHORIZED, COMMITTEE TO BE APPOINTED FOR ORGANIZATION OF SUCH FIRE DEPARTMENT, ABBREVIATION OF TERMS DEFINED.

That the creation of an organization to be known as the "MILLS FIRE DEPARTMENT" is hereby authorized; that the Mayor and Town Council of the town of Mills are hereby authorized and directed to appoint a committee of five persons, electors of the town of Mills, whose duties it shall be to organize the said Fire Department, according to and in compliance with the provisions of this ordinance; said appointments to be made in the same manner as are other official appointments, with names put forth by the Mayor and affirmed or denied by action of the Town Council; and notification of appointees made by the Town Clerk, who shall also be furnished with sufficient substitute names to be certain of obtaining five acceptances of such appointments. That the said committee shall name a member thereof to act as Chairman, and that it shall be the duty of the said Chairman to arrange meetings of the said committee for the purpose of performing the duties thereof as provided in this ordinance; and that the said committee shall be automatically dissolved upon completion of its official duties as herein specified and provided.

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SECTION 1.-- CREATION OF FIRE DEPARTMENT AUTHORIZED, ETC., (Continued) Provided that the terms, "the committee" and "committeeman" as employed in this ordinance shall be understood to refer to the committee, and the members thereof, whose appointment is herein provided and that the terms, "Fire Department" and "The Department" shall mean and refer to the Mills Fire Department and none other, and that "The Town" shall be understood to mean and refer to the town of Mills, Wyoming, and that none of the said terms as employed herein shall be otherwise construed unless a different meaning is clearly indicated by the context in which it appears.

SECTION 2.--MEETING, ENACTMENT OF BY-LAWS; ORGANIZATION BY COMMITTEE. That the committee whose appointment is hereinbefore provided shall, as soon as reasonably possible, hold a meeting of the members thereof, and shall thereupon arrange for the holding of general meeting of the male residents of the Town, at such time and place as the committee may choose, but not in any case later than thirty days following the appointment of such committee. And that, upon the assembling of residents of the Town in such general meeting as aforesaid, it shall be the duty of the said committee to supervise the enactment of a body of rules and by-laws and to record such body of rules and by-laws as a constitution under which the Fire Department shall be organized and governed; except that such constitution shall not be deemed official, nor effective, except as herein otherwise provided, until its approval by the Town Council; that the Chairman of the aforesaid committee shall preside in the organizational meeting herein provided; and that the constitution herein authorized to be enacted meet the following requirements:

1. It shall define the qualifications necessary for men between the ages of 21 and 65, inclusively, to become members of the Department, and shall require accepted members to attend meetings of the said Department and drill practice, specifying the number of either such meetings or drills which may be missed by any member without disqualifying and voiding his membership.
2. It shall enumerate the offices which shall be created for government of the Department, including a presiding officer, such number of deputies as may be decided upon, Secretary, Treasurer, and such other officers as may be deemed necessary, and the manner in which such officers shall be selected.

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SECTION 2.--ENACTMENT OF BY-LAWS BY COMMITTEE (Continued)

3. It shall establish qualifications, duties, authorities, and terms of office of all officers in the positions aforesaid.
4. It shall provide for the naming of a Fire Chief, who may or may not be the presiding officer of the Department, and an assistant Fire Chief, but neither officer shall hold office except unofficially until the approval of his appointment by the Town Council, and shall provide for the naming of a substitute appointee for each of the said offices, to be submitted to the Town Council in the event of the failure by that body to approve the appointment of the first person selected by the Fire Department for each appointment.
5. It shall provide the time and place of regular meetings of the Department, for the calling of special meetings, and the number of members required to be present in any meeting to constitute a quorum for the transaction of the business of the Department.
6. It shall provide for the holding of regular drill practice, together with checking and testing of equipment, at least twice during each calendar month.
7. It shall provide for the keeping of records of the proceedings of the meetings of the Department, particularly with regard to the disbursement of money, and for the making of periodic reports to the Town Council concerning such disbursements, such reports to be made at such intervals as the said Council may require, but in any case not less than once every three months.
8. It shall require the Presiding Officer and the Secretary of the Department to certify the appointment of the Fire Chief, assistant fire chief, and Treasurer of the Department, to the Town Council, for the consideration by that body of the said appointments.
9. It shall require all members and officers of the Department to perform such duties as are provided by law and by the ordinances of the Town, and may require such additional duties, not repugnant to such law and ordinances, as may be established by majority vote of the Department.
10. It shall provide the manner in which amendments to such constitution are to be enacted, and for the proper recording of such constitution together with such amendments, and for the presenting of the constitution and all such amendments, to the Town Council for approval.
11. It shall not prohibit the combining of any two offices, except in those cases where the duties of such offices make it obviously necessary that they remain separate.

SECTION 3. ELECTION OF FIRST OFFICERS OF THE DEPARTMENT. That, upon enactment of the constitution as herein provided, the committee shall supervise the registering of members possessing the qualifications set forth in the aforesaid constitution and volunteering to serve on the Fire Department, and upon completion of the said registration of such volunteers, shall supervise the nomination and election of the several officers of the Department, as provided in such constitution, and the provisions of Section 2 hereof requiring approval by the Town Council of such constitution, shall not be construed as prohibiting compliance with such constitution as herein provided.

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SECTION 4.--DUTIES OF COMMITTEE COMPLETED. That it shall be the duty of the committee to certify the election of all the first officers of the Fire Department to the Town Council, whereupon the duties of such committee shall be deemed accomplished and the committee shall then be automatically dissolved, as provided in Section 1 hereof.

SECTION 5.--DUTIES OF THE DEPARTMENT. That it shall be the duty of the Fire Department whose creation is hereby authorized to prevent and extinguish dangerous or harmful fires, to care for all fire fighting apparatus and other town property in its charge, and to perform such additional and other duties as may be assigned to it by resolution or ordinance of the Town Council.

SECTION 6.--FUNDS, EXPENDITURES, INDEBTEDNESS. The Fire Department shall be a self-governing unit, with authority to raise funds through intra departmental levies of assessments, social activities, donations and otherwise, for the purpose of defraying expenses of the Department, and to possess such funds and make disbursements therefrom for such purposes as aforesaid, but no member of the department or any other person shall contract any indebtedness on behalf of the Department unless authorized to do so by vote of such Department, and no debts shall be contracted in any case by such Department if the total new and existing indebtedness of the Department would thereby raised to exceed fifty (\$50.00) dollars, unless such indebtedness is authorized by the Town Council. And moneys appropriated from the general fund of the Town for expenses of the fire Department, shall be disbursed by the Town Treasurer directly and in the same manner as other disbursements are made, except that sums of not to exceed fifty (\$50.00) at any one time, may be placed in the Treasury of the Fire Department for the purpose of defraying miscellaneous expenses, whenever the Town Council may deem such action desirable or necessary.

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SECTION 7.--DRILLS AND PAY, IMMUNE TO POLL TAX. Fire Drills shall be held by the Fire Department at least twice in each calendar month and each drill shall last for a period of approximately one hour. Unless and until otherwise provided by Ordinance of the Town Council, members of the Fire Department shall receive no remuneration for attendance at such drills, except that (as provided in Sec. 52-305, W. R. S.) all such members shall be exempt from payment of any poll tax, such exemption to be effective during the incumbency of such membership. Provided, however, that all members of the Department, including the officers thereof, shall receive payment for each fire alarm attended, at the rate of One (\$1.00) dollar for each such response to a fire alarm ~~attended~~ by any member; and if the fire is one that cannot be extinguished by use of chemicals and requires water spray for its extinguishment, then the pay of each member of the Department attending such fire extinguishment shall be Two (\$2.00) dollars for each such fire attended. Provided further that it shall be the duty of the Fire Chief, or the assistant Fire Chief, to furnish the Town Clerk with a list of the names of all members of the Department present at the scene of any such fire extinguishment, and payment for such attendance as herein provided, shall be made from the general fund of the Town Treasury.

SECTION 8.--COMPANIES. That the Fire Department shall be divided into such number of companies, hose company, chemical company, ladder company, salvage company, etc., as shall be authorized by vote of a majority of the members of the Department, subject to the approval of the Town Council.

SECTION 9.--INSIGNIA. That the insignia of the Fire Department shall be determined by vote of the members thereof, and no member of the Department shall attend any drill practice or respond to any fire alarm without wearing such insignia, whenever compliance

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SECTION 9.--INSIGNIA (Continued) with this section is reasonably possible, and if attendance at any such fire drill or fire without such insignia is unavoidable, it shall be the duty of any member lacking such identification, to wear a helmet, slicker, or other distinctive garb as designated by the officer in charge of such drill or fire fighting procedure, by which such member may be readily identified as a member of the Department. Provided however that no member failing through inadvertence and no fault of his own to comply with this section, shall be penalized under the terms of this ordinance for such failure.

SECTION 10.--LOSS OR DAMAGE TO EQUIPMENT, APPARATUS NOT TO BE LOANED, OUTSIDE ALARMS. That accidents involving loss or damage to equipment of the Fire Department shall be reported immediately to the Mayor and Town Council by the Chief of the Department. That fire fighting apparatus and other town property in the charge of the Department shall not be loaned or rented except by permission of the Chief of the Department and with the approval of a majority of the members of the said Department. And that the Department shall not respond to alarms from outside the corporate limits of the town of Mills, except that the said Department may cooperate with the department of any neighboring community to assist such department in any actual emergency in any degree deemed expedient or necessary;;and provided that any alarm arising from the United States Department of the Interior Reclamation Bureau employee settlement adjacent to the said corporate limits, shall be treated as are alarms from within such corporate limits, and response to such alarms from such Reclamation District shall not be deemed as being prohibited by the provisions of this section.

SECTION 11--FIRE ALARM SYSTEM NOT TO BE MOLESTED. That no person shall know/ingly give a false alarm of fire except those for test purposes given or caused to be given by the Chief of the Department; and no person shall interfere with any part of the fire alarm system unless authorized to do so by the aforesaid Chief.

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SECTION 12.-- DUTIES OF OFFICERS AND MEMBERS OF DEPARTMENT. OFFICERS of the Department shall be a Chief, Assistant Chief, Secretary, Treasurer, and for each company, a Captain and a Lieutenant, and such other officers as may be provided for in the by-laws of the said Department. Such officers and all members shall be selected as provided in the aforesaid by-laws, except that no person shall assume the duties and the office of Chief or Assistant Chief whose entire time, both day and night, is not habitually spent within the Town limits, and who has not been a member of the Department for at least two years, except when fewer than five members are thus qualified.

That it shall be the duty of every officer and member of the Department to obey without question the orders of his superior officers at all times while in the fire station or at or going to or returning from fires.

The Chief shall be responsible for the discipline, good order and proper conduct of the entire Department, and for the enforcement of all ordinances and regulations pertaining thereto; he shall be responsible for the proper care of the houses, fire apparatus, and all other property of the Department or in its charge. He shall have command and control over all officers and members of the Department and of all houses, fire apparatus and other property of the Department or in its charge, and he likewise shall have control of all persons present at fires and shall have power, if need be, to summon any and all able bodied persons present to aid in extinguishment of any fires, in removing property from any burning or exposed or endangered building and in guarding such property, and any able bodied person refusing to obey such summons shall be liable to penalty under a subsequent section of this ordinance. Provided that in the absence of the Chief, when responding to any alarm, the Assistant Chief, Captain, Lieutenant, or senior officer or member present, in order of rank and seniority, shall assume the duties and full authority of the Chief, until the arrival of a superior officer. After responding to an alarm, no member shall leave the scene of the fire or the apparatus until the fire shall have been extinguished and the apparatus returned to the station and properly cared for, except by permission of the commanding officer.

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SECTION 13.--RECORD AND REPORTS CONCERNING PERSONNEL AND EQUIPMENT. That the Chief of the Fire Department, immediately after assuming office and annually thereafter, shall make an inventory of all property owned by the Department or in its charge, noting the condition of each article; which said inventory shall be submitted to the Mayor and Town Council at the regular meeting of the said Council last occurring before the meeting in which the said Council annually considers and enacts the appropriation of funds to defray expenses of the municipality for the fiscal year. Provided that the said Chief shall accompany the said inventory of equipment with a list of his recommendations for the purchase of additional equipment, and repairs to existing equipment he may deem necessary, and any other recommendations he may desire to submit affecting the Fire Department.

That the Chief shall inspect or cause to be inspected by members of the Department, at least twice annually, and oftener if necessary, all fire hydrants and shall list those needing attention in his next succeeding report to the Town Council.

That the Chief shall maintain in the office of the Town Clerk an accurate list of the members of the Department, and shall report promptly any additions to or withdrawals from the membership; provided that accidents involving members of the Fire Department in the performance of their duties shall be reported immediately, by the said Chief, to the Mayor and Town Council.

SECTION 14.--INSPECTIONS. That it shall be the duty of the Fire Chief to inspect, or cause to be inspected by officers or members of the Department, as often as may be necessary, but not less than twice each year in outlying districts and four times each year in the closely built portions of the Town, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violation of the provisions or intent of any ordinance of the Town affecting safety and/or fire prevention.

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SECTION 15.--COMPLIANCE WITH ORDERS OF FIRE INSPECTOR REQUIRED. That whenever any officer or member of the Department shall find in any building, or upon any premises or other place, combustible or explosive matter or any dangerous accumulation of rubbish or unnecessary accumulation of waste paper, boxes, shavings or any other highly inflammable materials especially liable to fire, and which is so situated as to endanger property, or shall find any obstruction to or on any fire escape, stair, passageway, door or window, liable to interfere with the operations of the Department, or egress of occupants, in case of fire, or shall find any condition dangerous to life or property by reason of the fire hazard thereby created, such member of the Department shall be fully authorized and it is hereby made his duty to order any such hazardous condition as herein described to be removed or remedied, and whether or not such member is engaged in any routine fire inspection shall not affect the validity of such order, but such order shall forthwith be complied with by the owner or occupant of such premises or building, subject to appeal within twenty-four (24) hours to the Mayor, who shall within ten (10) days review such order and file his decision thereon, and unless the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant as aforesaid, and any owner or occupant failing to comply with any such order within ten (10) days after said appeal shall have been determined, or if no appeal is taken, then within (10) ten days after the service of the said order, shall be liable to a penalty under the terms of a subsequent section of this ordinance.

Provided that in those instances in which the owner and occupant of a building, or of any premises, is not one and the same person, the occupant of ^{such} a building or premises shall first be held responsible for the abatement of any dangerous condition as herein before described, but in the event of the said occupant being unavailable or otherwise immune to process, the owner of such building or premises shall be responsible.

Provided that the Fire Chief shall have full authority to order the immediate discontinuance of the use of any stove, stovepipe, flue, furnace, electric wiring or other hazardous device, pending the result of such an appeal to the Mayor as herein provided.

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SECTION 16.--PAY FOR INSPECTIONS. That unless they are otherwise paid for such service, the Chief of the Fire Department or officers or members of such Department acting under the orders of the said Chief, shall be paid fifty (50c) cents per hour for time spent in making inspections as provided in Section fifteen (15) hereof.

SECTION 17.--POLICE AUTHORITY AND RIGHT OF ENTRY. The Chief of the Fire Department and members acting under his orders shall have full and complete police powers and authority within the fire station, at fires and proceeding to and returning from them in all matters pertaining to the Fire Department, and shall also have authority to make arrests for violation of all Town ordinances, the enforcement of which is under his jurisdiction; at fires, the said Chief or other officer in charge shall have authority to prescribe limits within which no person shall be admitted except by order of the said officer; provided that while actually attendant at a fire, the Town Marshal and his Deputy and all other law enforcement officers of the Town shall be under the orders of the Chief or other officer of the Department in charge of such fire, and such law enforcement officers shall cooperate with such officer in charge in the enforcement of such ordinances as aforesaid. In the case of an emergency, the Chief of the Fire Department and members of such Department acting under the orders of the said Chief shall have authority to enter any building in the proper performance of their duties.

SECTION 18.--BUSINESS LICENSE SUBJECT TO APPROVAL OF CHIEF. That in the case of any business the conduct of which might constitute a fire hazard, no license for the operating of any such business shall be issued by the Town Council, unless and until the issuance of such license is approved by the Fire Chief, and the said Fire Chief shall not approve the issuance of any such license until he has inspected the building and surroundings in which it is proposed to operate such business and has thoroughly investigated the proposed manner in which such business is to be conducted and is satisfied that due care is to be exercised in such operation and that no person is to be endangered and no adjacent property placed in danger of fire by such operation of such business.

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SECTION 19.-- OFFICIAL QUALIFICATION OF OFFICERS? CHIEF TO BE BONDED. That the Chief of the Fire Department and such other officers of the said Department as may be decided upon by vote of the membership thereof, shall take and subscribe an official oath, and shall file such oath with the Town Clerk, such oath to be the same as the oath taken by other officers of the Town except for such additions and/or alterations as may be obviously necessary or desirable to render such oath suitable and adaptable to the intent of such officer or officers and which may be authorized by the Town Council. And that, in addition to such oath of office as aforesaid the Chief shall execute a bond to the people of the town of Mills, in such amount as directed by the Town Council, conditioned for the faithful performance of the duties of his office in accordance with law and within the boundaries of his authority, and shall file such bond with the Town Clerk, the expense of such bond to be paid out of the general fund of the Town Treasury, in the same manner as that in which the expense of bonds for other officers of the Town is paid; and none of the officers aforesaid shall enter upon the official duties of his office unless and until he has complied with the provisions of this section, unless such entry upon such duty of office shall be temporarily necessary and shall be authorized by the Town Council.

SECTION 20.--EVACUATION, ABANDONMENT. DEMOLITION-FORCIBLE ENTRY AUTHORIZED.

That for the purpose of protecting persons or property, the Fire Chief or other officer of the Fire Department in charge of extinguishment of any fire, shall have authority to order the evacuation and/or abandonment of any building in immediate danger from an imminent spreading of such fire, the members of the Fire Department themselves removing the contents of any threatened building whenever the hereby authorized order for such action cannot be otherwise carried out, and the officer in charge of extinguishment of any fire shall have complete police authority in the matter of removing persons from any threatened building.

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SECTION 20.-- EVACUATION, ABANDONMENT, DEMOLITION - FORCIBLE ENTRY AUTHORIZED (Continued)

And that for the purpose of investigating the extent of any fire, or the extent of damage or danger and/or the need for evacuation, abandonment, or other action to be taken for the protection of persons or property, the Chief or other officer in charge as aforesaid, and members of the Fire Department working under the orders of such officer, shall have authority to enter any building, private residence or otherwise, breaking into such building if necessary; provided that no break in or other entry without consent of the owner, proprietor or occupant of such building shall be ordered or made except in those cases in which such owner, proprietor or occupant is absent, or in which such owner, proprietor, or occupant is present but refuses to grant such consent; and when such entry is immediately necessary for the protection of any person or for the protection of any valuable property.

And that such officer in charge as aforesaid shall have authority to order demolition of any building whose existence is liable further the spread of any dangerous fire, and the town of Mills shall not be liable for the loss to the owner of such building incurred by reason of such demolition.

Provided that whenever any forcible entry has been made as herein authorized, or any building demolished as herein provided, the officer ordering and/or making such entry or demolition shall be required to appear at the next subsequent regular meeting of the Town Council and therein to make a complete report of the said action taken, explaining the necessity for such action, and shall file with the Town Clerk a sworn statement that he did so enter (or demolish) such building, naming the date of such action, and stating that the said entry (or demolition) was necessary for the purpose of protection persons or property (as the case may be) and at least two members of the Department shall join with such officer in signing such statement, and if the Town Council shall agree that the said action was fully necessary and properly justified by the circumstances described, the Mayor shall likewise attach his signature to the said statement and such signature shall have the effect of an endorsement of the related action by the Town Council, and as proof of the ratification of such action by such Town Council.

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SECTION 21. - WATER SHUT OFF DURING FIRE. That the Water Commissioner, or other person having authorized charge of the Water Department, shall cooperate with the Fire Department in the matter of securing all possible water pressure during a fire emergency, for the purpose of extinguishing such fire; and for the aforesaid purpose the said person in authority in the Water Department shall shut off or cause to be shut off all water outlets in any particular section of the Town, at the request or order of the Fire Chief for such action, whether such shut off shall be accomplished by means of a main shut off at the end of a block or by shutting off individual water supply lines within such block, and such shut off shall continue until the need for extra water pressure is past by reason of the abatement of the emergency; but in no case may the water be turned on, following such emergency as herein described, without the consent of the Fire Chief.

SECTION 22.-- DISCONTINUANCE OF EXTINGUISHMENT. That the person in charge of extinguishment of any fire shall have authority to order discontinuance of efforts to extinguish such fire, whenever such officer shall deem it desirable, at the request of the owner of the premises or otherwise, to allow such fire to continue for the purpose of cleaning up the property by consuming dangerous or unsightly material which would otherwise remain at the site.

SECTION 23.-- RECORDS AND REPORTS. That the Chief of the Fire Department shall keep or cause to be kept, a complete record of the activities of the Fire Department and shall make a thorough investigation of each fire and report to the Mayor and Town Council, at least quarterly, giving in detail the following information in regard to each, if available: cause, location, time, owner, tenant, occupancy, type of building, insurance carried, insurance paid, building loss, contents loss, how extinguished, apparatus used, firemen present adequacy of water supply and pressure, and any other information of value in such report, or desired by any Councilman.

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SECTION 24.-- INTERFERING WITH FIRE DEPARTMENT PROHIBITED. That no person shall enter or be allowed to enter the fire station unless accompanied by a member of the Department, unless authorized so to enter by a member of the Department, and no person not a member of the Fire Department shall use any of the fire apparatus at fires or otherwise unless acting under orders of the officer of the Fire Department in charge of such fire, no shall any person interfere in any way with the said Department, nor any member thereof, in the performance of its, or his, duty.

That, upon hearing a fire alarm, all drivers of vehicles shall take due warning and upon the approach of fire apparatus shall move promptly to the right curb and stop, in order to leave the middle of the street clear for passage of such apparatus. Vehicles shall not follow fire apparatus nearer than one full block and shall not proceed to any point within one full block of the fire, provided that this section shall not apply to those vehicles driven by members of the Department proceeding to such fire for the purpose of assisting in its extinguishment. But no vehicle shall be parked within fifteen feet of any fire hydrant no before the entrance of any theatre, hall, or other building in which large assemblages are held, and no vehicle shall be driven over any fire hose or other fire fighting apparatus.

SECTION 25. -- CO-OPERATION OF WATER DEPARTMENT. That the Water Department shall co-operate in every way possible with the Fire Department, to provide an adequate supply of water at pressures suitable for fire fighting and shall supply the Fire Department one or more accurate maps of the water distributing system, showing the size and location of all mains, valves and fire hydrants, which shall be posted and maintained in a conspicuous place in the Fire Station, and shall report promptly to the Fire Department the opening and closing of all valves in street mains, and any other information relative to the water supply to any and all parts of Town, which information shall also be posted for the information of Firemen and other interested residents of the Town.

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SECTION 25.--CO-OPERATION OF WATER DEPARTMENT (Continued)

That it shall be the duty of the Water Commissioner, or of some other officer of the Water Department acting for the said Water Commissioner, at the request of the Fire Chief, to appear at a meeting of the Fire Department and to thoroughly instruct all members of the said Department in the manner of opening fire plugs.

SECTION 26. --BURNING PROHIBITED. That it shall be unlawful for any person to burn trash, lumber, leaves, straw or other material in any street, alley or vacant lot, except by special permission of the Chief of the Fire Department, when such burning shall be done in screened metallic receptacles approved by the aforesaid Chief and under such proper safeguards as he may direct as to time and weather, provided that the said Chief may issue a general permit, by publication, during certain seasons of the year, for the burning of leaves or other like material where conducted during daylight and with an adult in constant attendance.

SECTION 27.-- TRASH, OILY RAGS, ASHES, DISPOSAL. That no person shall keep or permit to be kept on his premises any oily waste or oily rags, unless at all times when not actually in use such oily waste or rags be kept in a metal can with self-closing cover and riveted joints, standing on metal legs which raise the bottom of the said container at least five inches above the floor. That no ashes shall be kept or deposited in any part of town unless the same shall be kept in a secure incombustible container, and every owner or proprietor of property where ashes are kept or deposited shall erect upon such property a secure incombustible receptacle or ash pit for that purpose, so located as not to endanger walls, fences or other adjacent structures; and no person shall place ashes, or allow them to be placed, within any building in any box, barrel, or other wooden vessel, or upon any wooden vessel or floor. That no person shall allow empty boxes, barrels, waste paper, excelsior, or any other rubbish or trash to remain for more than thirty-six hours, or over night, in any alley or on any sidewalk or premises within thirty feet of any building.

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SECTION 28.--STORAGE OF EXPLOSIVES AND OTHER COMBUSTIBLE MATERIALS. That it shall be unlawful for any person to store or keep any dynamite, nitor-glycerine, giant powder, or other explosives or explosive material, other than gun powder, within the Town limits whether in any storeroom, warehouse, or other building, or unhoused; and no hay, straw, lumber or other combustible material shall be piled or stored within the Town unless completely enclosed within a building built in conformity with Town Ordinances, except by special permission of the Chief of the Fire Department.

SECTION 29.--OIL BURNERS - HAZARDOUS PRACTICES. That oil burners and systems for domestic heating in stoves and furnaces shall not be used or installed within the town of Mills unless approved by the Underwriter's Laboratories and installed in accordance with the standards of the National Board of Fire Underwriters, and such standards are hereby made a part of the requirements of this Ordinance; provided that the provisions of this section shall apply likewise to systems using butane and/or propane, but shall not apply to any oil burner using a wick. But no inflammable liquids shall be stored, drawn or handled in dangerous proximity to any fire or open flame, and it is hereby expressly prohibited to open or fill any gasoline tank of any automobile, motorcycle or other internal combustion engine while the motor thereof or the engine is running.

SECTION 30.--DRY CLEANING ESTABLISHMENTS. That no dry cleaning establishment, automobile garage, repair shop or other business using or keeping on hand at any one time gasoline or other highly volatile inflammable liquids in quantities exceeding five gallons shall be operated or established within the town of Mills in any building not wholly constructed of non-combustible material, or used for other occupancy, nor located less than ten feet from any other building which is not incombustible, but the provisions of this ordinance shall not be construed as applying to gasoline or other inflammable liquids while contained in washers used in connection with any dry cleaning establishment housed as required by this section.

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SECTION 31. --COMPLAINTS That upon receiving any complaint of any dangerous condition within the Town, it shall be the duty of the Fire Chief to go at once, or as soon as possible in the daytime if possible, and ascertain from personal inspection whether any fire hazard or other dangerous condition actually exists, obtaining a search warrant to authorize his entry into any building to which he is not permitted entry and in which any fire hazard is alleged to exist. And when the Fire Chief, inspecting as herein authorized, shall find any stove, furnace, grate, stovepipe, chimney, or any other article used to hold fire or to conduct smoke from any fire to be in a defective condition as to either make, material, location or otherwise, so that persons or property may be endangered by reason of such defect, he shall in writing notify the owner or occupant of the premises within or upon which such defective fire equipment is situated, to repair the same so as to prevent the continuation of such dangerous condition, specifying the manner in which such repair is to be made; provided that for the purpose of making an inspection as herein provided, the Fire Chief shall be permitted entry into any house or building within the Town to which he may request such entry, unless there is logical and valid reason to refuse such entry; but in no case shall the Fire Chief be prevented from making the inspection as herein provided for a period of more than thirty days; and any person refusing for a longer time, or in any case arbitrarily and unreasonable, to allow such inspection shall be deemed guilty of a misdemeanor and subject to fine as provided in a subsequent section of this ordinance; provided that nothing herein contained shall be construed as limiting the authority of the Fire Chief to order immediate discontinuance of the use of any fire equipment as provided in Section fifteen of this ordinance.

SECTION 32.-- COMPLIANCE WITH ORDER OF FIRE CHIEF REQUIRED. That upon the receipt of an order from the Fire Chief to abate any dangerous condition or fire hazard as described in Section thirty-one hereof, the owner or proprietor of the premises upon which such fire hazard or dangerous condition exists, shall comply at once with such order, and if such owner or proprietor has not complied with such order within three days following its issuance, the Fire Chief shall sign and file a complaint with the

PROVIDING FOR THE CREATION AND ORGANIZATION OF AMILLS FIRE DEPARTMENT, ETC.

SECTION 32.--COMPLIANCE WITH ORDER OF FIRE CHIEF REQUIRED (Continued)

Police Justice of the Town, accusing the said owner or proprietor of a misdemeanor and setting forth the nature of the offense committed and, if convicted the defendant named in such complaint shall be fined as provided in a subsequent section of this ordinance and shall be ordered by the said Police Justice to comply with the said order of the Fire Chief, and thereafter every day that the said offensive condition is continued in existence shall constitute a separate and punishable offense, in addition to which a separate fine for contempt of court may be imposed; provided that the said Police Justice may permit the said defendant a longer time in which to abate the said condition if he deems such leniency necessary.

SECTION 33.--ABATING A FIRE HAZARD WHERE OWNER OF PREMISES IS NOT AVAILABLE. That in those instances in which a fire hazard or dangerous condition is found to exist, as provided in Sections Fifteen and Thirty-one hereof, and the owner or proprietor of such premises is not to be found within the Town, nor otherwise available upon the exertion of reasonable effort upon the part of the Fire Chief, the said Fire Chief shall notify the Town Council at the next ensuing regular meeting thereof of the existence of such fire hazard or dangerous condition and the location thereof and the fact that the proprietor thereof is not available; and upon receipt of such notice the Town Council shall take such action as it deems necessary, provided that the said Town Council is hereby authorized to order the abatement of the condition reported as herein provided, such order to be issued following a vote of the membership of the said Council, and to be carried out by the proper officer or officers of the Town, members of the Fire Department or otherwise, and the expense of such abatement shall be paid out of the general fund of the Town Treasury and shall be included in a bill charged against the owner of the property within or upon which the fire hazard or dangerous condition was found to exist.

PROVIDING FOR THE CREATION AND ORGANIZATION OF A MILLS FIRE DEPARTMENT, ETC.

SECTION 34-- REPEALING SECTION NINE OF ORDINANCE NUMBER FIFTY-TWO. That Section NINE, which is a section providing for the appointment, qualification, term of office, duties, and removal from office of the Mills Fire Warden, and providing for the Town Marshal to be ex officio Fire Warden, said section being a portion of Ordinance Fifty-two, which is an Ordinance providing for the government of the town of Mills by a Town Council, etc., ---is hereby repealed; and that all other Ordinances and parts of ordinances in conflict with the provisions herein contained are hereby repealed.

SECTION 35.--PENALTY. That except as otherwise provided, violation of any of the provisions of this ordinance shall constitute a misdemeanor and any person found guilty thereof shall be fined in any sum not less than Five (\$5.00) dollars, nor more than One Hundred (\$100.00) dollars; provided that the herein established penalty shall not be applied to members of the Fire Department in the performance of their duties as such, nor to others acting under the orders of the Fire Chief, but any such member of the Fire Department or other person as aforesaid committing any such violation shall be dealt with in accordance with the by-laws of the Fire Department; and payment of any penalty shall not be construed as preventing the imposing of additional penalty upon any person refusing or failing to comply with a legal order of the Fire Chief or otherwise to comply with the provisions of this ordinance.

SECTION 36. ORDINANCE TO BE IMMEDIATELY EFFECTIVE. That due to an emergency deemed by the Town Council to exist and hereby declared as such, this ordinance shall take effect immediately upon its enactment by the Town Council.

Passed and Approved this First day of March, 1950.

Sign. W. W. Clapp,
Mayor

Seal.

Attest: G. Martha Kethley,
Town Clerk

I, G. Martha Kethley, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance Number Eighty-sevebm

PROVIDING FOR THE CREATION AND ORGANIZATION OF A MILLS FIRE DEPARTMENT, ETC.

entitled: "Providing for the Creation and Organization of a Mills Fire Department, Etc.," approved and passed by the Town Council of the town of Mills, at a regular meeting thereof, held on the First day of March, 1950, and that the ayes and nays were taken and entered upon the journal of the meeting of the said Town Council.

Sign G. Martha Kethley

I, the undersigned, regularly appointed and qualified Town Clerk of the town of Mills, Wyoming, and acting in that capacity, do hereby certify that signed, attested, sealed and certified copies of this Ordinance (Number Eighty-seven) approved and passed as certified above and immediately effective as provided in Section Thirty-six thereof, were nevertheless by me posted up for a period of ten days within the town of Mills as provided by law.

Sign. Lois A. Maurer.