

ORDINANCE No. 360

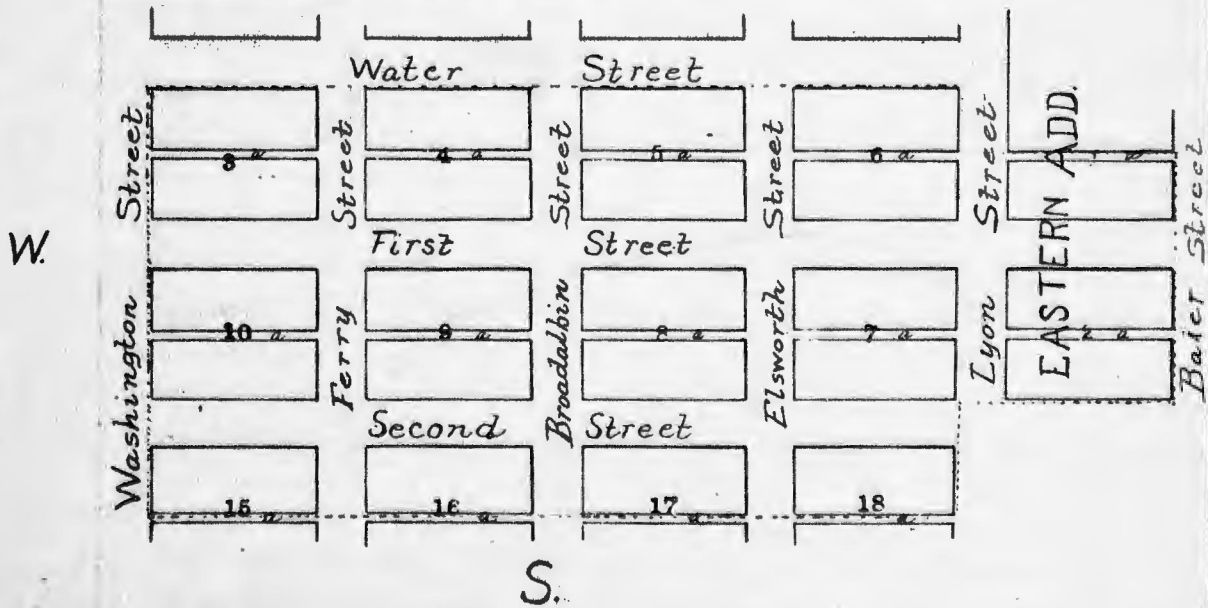
An Ordinance to provide for the prevention of fires and the protection of persons and property endangered thereby; and to establish and define the fire limits of the City of Albany; and to repeal ordinances in conflict therewith.

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The People of the City of Albany do ordain as follows:  
Section I. That all of blocks No. three (3) four (4) five (5) six (6) seven (7) eight (8) nine (9) and ten (10) and the North half of block No. fifteen (15) sixteen (16) seventeen (17) and eighteen (18) in the City of Albany, Oregon, and the south half of block No. one (1) and all of block No. two (2) in the Eastern Addition to the City of Albany, Oregon, as shown by the plat hereto attached and made a part of this ordinance, and hereby declared to be within the fire limits of the City of Albany, and the boundary lines of the several blocks described in this section shall be the boundary lines of the fire limits of said city of Albany.

N.

Willamette River





Section II. All buildings hereafter erected within the said fire limits, shall have their outside walls, party walls, and partition walls made of brick, stone or other non-combustible material; and such outside walls and party walls shall extend from the foundation to the top of, and through the roof of said buildings; and the roof shall be covered with tin or some other non-combustible material; and the walls shall be so constructed as to separate all woodwork thoroughly and completely of the interior and exterior of such buildings from all and every part of the interior and exterior of any adjoining building. The term building, as used in this section, shall be held to mean all structures covered with a roof of any kind, but shall not include privies; Providing, No blast furnace shall be erected or operated within the fire limits specified in this ordinance. The term partition wall shall be held to mean all walls running through the entire length of the building.

Section III. All repairs of buildings constructed of brick, stone or other non-combustible material, within the fire limits shall be made to conform to this ordinance.

Section IV. No wooden building within said fire limits shall be altered or changed without the written permission of the Chief Engineer, approved by the Committee of fire and water; which permit shall specify the alteration or change required, and no such permit shall be given if any increase will be made, by the proposed change or alteration, in the size of any wooden building within the fire limits, or if such repairs or alterations will increase the value of such building more than twenty-five per cent. The application therefor and a copy of such permit shall be kept on file in the office of the Recorder; Provided That not more than one permit per year shall be issued to repair any one building, except to repair damages caused by fire.

Section V. No building within said fire limits shall be removed except to a position on the same lot or premises on which it may have stood, to make room for more permanent improvements, or to a point outside the fire limits.



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Section 6. - Whenever any building shall be by any means so much injured as to be in the judgment of the Chief Engineer and committee on fire and water, a dangerous nuisance; or where any wooden building within the fire limits shall, in the judgment of the Chief Engineer and Committee on fire and water, be damaged by fire to the extent of one-half or more of the actual value, the Chief Engineer shall immediately cause to be served upon the owner or person having control thereof, a notice requiring such owner or person to remove the same forthwith, and the person receiving such notice shall within ten days after receiving the same, comply with the requirements thereof, and in case of total loss all unburned portions of said building or debris remaining on the land shall be removed at the expense of the owner of said land.

Section 7. - All buildings over one story in height hereafter erected in the fire limits, shall have scuttle frames and door or bulkhead leading to the roof, made of or covered with some fireproof material, and shall have ladders leading to the same, and such scuttles and stair ways shall be kept as as to be ready for immediate use at all times, and all scuttles shall not be less in size than two by three feet.

Section 8. - That every chimney or flue that may hereafter be built in any frame building within the fire limits, shall have walls of a good quality of brick or stone at least four (4) inches in thickness of the same material which shall commence at the ground, and be laid in good lime mortar, and be plastered on the inside, and when passing through or near woodwork to be plastered on the outside; Provided, that when chimneys or flues shall not be commenced at the ground, they shall be commenced on some solid foundation; and, no chimney or flue shall be built which shall have any joist or timber resting on, or entering into the same. They shall be well secured and shall extend at least four (4) feet above the roof of the building to which they are attached, measuring from the point where each chimney or flue passes through such roof; and should such flues or chimneys be deemed unsafe to the building or buildings adjoining, by the Chief Engineer and Committee on fire and water, they shall be carried up to such a height as may be deemed necessary, not to exceed four (4) feet above the extreme height of said building or buildings adjoining.



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Section 9. - No smoke pipe in any building inside the fire limits with wooden or combustible floors and ceiling shall enter any flue unless said pipe shall be at least eighteen (18) inches from either floor or ceiling; and in all cases where smoke pipes pass through wooden partitions of any kind, whether the same be plastered or not, they shall be guarded by a double collar of metal with at least four inches of air space and holes for ventilation or by a soap stone ring not less than three (3) inches in thickness and extending through the partition, or by a solid coating of plaster of paris three (3) inches thick, or by an earthenware ring three inches thick. No stove pipe or smoke pipe shall pass through any window, side or roof of any building.

Section 10. - When any flue, smoke pipe, smoke stack or chimney shall be deemed by the Chief Engineer and the Committee on fire and water unsafe, the Marshall shall notify in writing the owner or occupant of the building that the same must be repaired or removed within ten (10) days, and if the parties so notified shall persist in using any flue, smoke pipe, smoke stack or chimney which endangers the building to which it is attached, or adjoining buildings, the Chief Engineer and the Committee on fire and water shall cause the same to be repaired or removed, and the cost of such repairs or removal shall be made at the expense of the owner or occupant of the building.

Section 11. - No stove pipe shall stand less than two (2) feet from any wooden or cloth wall, unless such wall is fully protected by tin or zinc plates fastened thereon, and all persons using fire in stoves shall cause to be placed under such stoves, zinc or other non-combustible material sufficient to protect the floors from fire.

Section 12. - It shall be unlawful for any person to deposit any ashes in any wooden vessel or on any wooden floor in the city, or deposit them in any place on their own or other premises, that will be nearer than ten feet to any wooden work.

Section 13. - Any person making or using shaving, shall at the close of each day, cause the same to be safely stored or disposed of so as to be safe from fire. All hay, straw or other combustible material shall be



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as stored as to be safe from fire, and when not so stored the Marshal may direct the removal of the same, because the same to be protected from fire, and at the expense of the owner or occupant of the premises. No <sup>owner or</sup> occupant of any living stable in this city, shall, by himself or those in his employ, use therein or any place containing hay, straw or other combustible material, any lighted candle or other portable light, except the same be protected by a lantern. No person in this city shall have, put, or keep any straw or hay in stacks or pile without having the same enclosed or secured so as to protect it from flying sparks of fire.

Section 14.- Spark catchers shall be placed upon all chimneys or smokepipes, or stacks of any steam boiler or steam engines whenever deemed necessary for the safety of the adjoining property, by the Committee on fire and water and the Chief Engineer, or a majority of them.

Section 15.- That any person or persons who shall wilfully or maliciously make a false alarm for fire shall, upon conviction thereof by the Recorder, be fined not less than twenty (\$20) dollars not more than fifty (\$50) dollars, or be confined in the city jail not more than twenty-five (25) days for each and every offence, as the Recorder may determine.

Section 16.- All buildings hereafter erected to be used for public assemblies, in whole or in part, shall have doors that are used for the ingress and egress of the public, to the portion so used for such assemblies, so constructed that they shall open outwardly, or inwardly and outwardly, and in no case shall they be constructed so as to open inwardly only, or to slide; and all such buildings hereafter to be altered for the use of public assemblies shall be made to conform to this section. And all buildings hereafter erected, altered or changed, and intended for the above purpose shall have the main aisles and passage ways at least four feet in width.

Section 17.- No person shall keep for sale, within the fire limits heretofore prescribed, more than two-hundred gallons of kerosene oil, the same to be kept in metallic cans or tubs.

Section 18.- No person shall keep for private use in any house in the City of Albany, more than two (2) pounds of gun powder at any one time; and no



person in the City of Albany shall keep for sale or use in any store, house or warehouse, or place of business, except in a fire proof building erected for that purpose, more than one hundred (100) pounds of gunpowder at any one time; and such powder shall be kept in cans or kegs near the entrance of such house or place of business, convenient to access, in a secure tin or sheet iron box, plainly marked on the upper side in letters not less than six (6) inches long, "Powder"; and every person keeping powder for sale, or in quantities larger than five (5) pounds, shall report to the Chief Engineer and the foreman of each firm company, the exact locality where the same is kept, and he shall not move the same, unless to sell, without the consent of the Chief Engineer. No person shall keep powder in larger quantities than one hundred (100) pounds or dynamite in any quantity, unless it is deposited in an iron covered box placed in some prominent place outside of a building, said box to have painted upon the front or top thereof in not less than six (6) inch letters the word "Powder," said box to be provided with handles so it can be removed to a place of safety in case of fire.

Section 19.- It shall be the duty of the Chief Engineer and the Assistant Engineer to report to the City Council of the City of Albany, any and all persons who have violated either of sections one (1) two (2) three (3) or four (4) of this ordinance, giving all of the names of the owners of the building and the ground upon which it stands, and the person or persons who have violated the provisions of said sections or either of them; and the City Council may, by resolution authorize and direct the Chief Engineer and the Assistant Engineer and the City Marshal of the City of Albany to tear down, remove or destroy such buildings or structures erected in violation of the provisions of this ordinance and to pay the cost of tearing down, destroying and removing the same in the same manner as provided for the enforcement of liens for street improvements, provided that before said officers or either of them shall proceed



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to tear down or remove such structure, that said officer shall cause written notice to be given to the owner or occupant of said building or the ground upon which it stands, of the resolution passed by the Council, authorizing and directing said building or repair to be torn down, removed and destroyed; in said notice describing with reasonable certainty the house or repair to be torn down and removed.

Section 20.- All violations of this ordinance shall be deemed a misdemeanor, and all persons convicted thereof shall be fined not less than ten (10) dollars, nor more than fifty (50) dollars, or imprisonment in the City jail not less than five (5) days, nor more than twenty five (25) days.

Section 21.- The Chief Engineer and the Assistant Engineer and the City Marshal are required to see that the requirements and provisions of this ordinance are enforced, and to make complaint in the Recorder's Court for all violations thereof.

Section 22.- That it shall be the duty of each firmman to notify the Chief Engineer of every violation of this ordinance which may come to his knowledge.

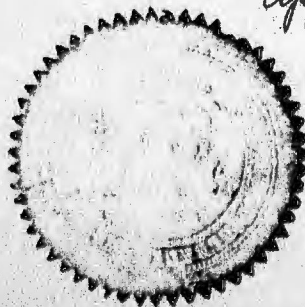
Section 23.- All ordinances or parts of ordinances, in conflict with this ordinance are hereby repealed.

Section 24.- This ordinance shall take effect and be in full force and effect its approval by the Mayor.

Approved this 28<sup>th</sup> day of June 1901

W. H. Davis  
Mayor of the City of Albany

Attest:  
J. Van Winkle  
Recorder of the City of Albany.





City Recorder's Certificate.

STATE OF OREGON. }  
COUNTY OF LINN. }

I, J. S. VAN WINKLE, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing ~~and annexed copy of~~

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has been by me carefully compared with the original *ordinance bill No. 370* now on file in my office, and that it is a true and correct copy of all and the whole of said

*Ordinance bill #370 passed by the Council of said City June 25 1901*

WITNESS, my hand and official signature and the seal of the City of Albany, this

*28* day of *June* 190*1*

*J. S. Van Winkle*  
Recorder of the City of Albany.