

Chapter 5 Fire Prevention

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Chapter 5 Fire Prevention

ARTICLE I GENERAL PROVISIONS

Sec. 5101 Application to New and Existing Conditions

The City of Caribou has designated NFPA Life Safety Code 101, 2006 edition and NFPA 1, 2003 edition. This code will be the authority for this chapter 5, of the Caribou City Codes. (See Article XVI, this chapter) The provisions of this chapter shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this Chapter shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.

Sec. 5-102 Authority to Enter Premises

The Code Enforcement Officer, Fire Chief or designee, may at all reasonable hours enter any non-residential or multi-family residential building or premises within his jurisdiction for the purpose of making any inspection, or investigation which, under the provisions of this Chapter, he may deem necessary to be made..

Sec. 5-103 Inspections of Buildings and Premises

It shall be the duty of the Code Enforcement Officer, Fire Chief or Designee, to inspect all buildings and premises, except the interiors of private dwellings, as often as may be necessary for the purpose of ascertaining and to cause to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this Chapter and of any other Chapter affecting fire hazard, and to insure compliance in all places of assembly with all laws, regulations, and orders dealing with overcrowding, use of decorative materials, maintenance of exit way, and maintenance of fire alarm and fire detecting systems, and fire extinguishing systems and appliances.

Sec. 5-104 Orders to Eliminate Fire Hazards

1. *Dangerous Conditions.* Whenever the Code Enforcement officer, Fire Chief or Designee as provided in Section 5-103 shall find in any building or upon any premises dangerous or hazardous conditions as follows, he shall order such dangerous conditions or materials to be removed or remedied in such manner as he may specify.
 - A. Dangerous or unlawful amounts of combustible or explosive matter;
 - B. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter;
 - C. Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials;
 - D. Accumulations of dust or waste materials in air conditioning systems or of grease in kitchen 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 the want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus of fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, creates a fire hazard.

Sec. 5-105 Service Orders

The service of such orders as mentioned in Section 5-104 may be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by delivering the same to and leaving it with any person in charge of 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 said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.

Sec. 5-106 Permits

1. *Requirements.* Permits required by the provisions of this Chapter shall be obtained in writing from the Fire Chief or Designee, except as provided hereafter. Permits shall be for such period as the Fire Chief or Designee may specify but not exceed one year. They shall be kept on the premises designated therein as shall be subject to inspection by the Code Enforcement Officer, any officer of the fire or police departments.
2. *No Burning Zone* – The Caribou Urban Compact Area is a no-burn zone. Exceptions to that are Campfires and other special permissions by the Fire Chief.
3. *Inspections.* Before permits are issued, the Fire Chief or Designee may make such inspections or tests as are necessary to assure that the provisions of this Chapter are complied with.
4. *Fees.* The fee for permits under this section shall be at a rate the Council may determine from time to time.

Sec. 5-107 Definitions

1. *“Approved”* shall mean accepted by the Code Enforcement Officer, Fire Chief or Designee, , as a result of investigation and experience, or by reason of test, listing of approval by Underwriters’ Laboratories, Inc., the National Bureau of Standards, the American Gas Association Laboratories or other nationally recognized testing authorities.
2. *“Person”* shall mean and include person, persons, firm, corporation or co-partnership.

Sec. 5-108 Conformity to Nationally Recognized Standard Practice

The storage, handling and use of flammable or explosive substances and the use or occupancy of buildings or premises shall be in conformity with nationally recognized standard practice for the safeguarding to a reasonable degree of life, property from the hazards of fire or explosion. Compliance with the provisions of the; Fire Prevention Ordinance Latest Edition and Amendments thereto recommended by the National Board of Fire Underwriters’, NFPA Life Safety Code 101. 2006 Edition, and NFPA 1, 2003 Edition shall be deemed to be prima facie evidence of compliance with such nationally recognized standard practice for all matters not covered by this Chapter.

Historical Note: Articles I-XIV originally Chapter 2, 1956 Caribou Code; Section 5-106 as amended November 25, 2013.

State Law References: 25 MRSA §§2351-2360; 25 MRSA §2391; District Court Civil Rule 80E.

ARTICLE II BOWLING ALLEYS

Sec. 5-201 Alley Resurfacing Operations

Resurfacing operations shall not be carried on while the establishment is open for business. The Code Enforcement Officer and Fire Chief 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, all smoking and the use of open flames prohibited during the application of flammable finishes and for one hour thereafter.

Sec. 5-202 Pin Refinishing

Pin refinishing involving the application of flammable finishes shall be done only on a special room meeting the requirements for a Type B inside storage or mixing room (for details see the Fire Prevention Code adopted by Section 5-108); such room shall not be located below grade nor shall it have communication with any pits, well, pockets or basements.

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

State Law Reference: 8 MRSA §1 et seq.

ARTICLE III CENTRAL HEATING APPLIANCES AND SOLID FUEL FIRED STOVES

Sec. 5-301 Purpose and Authority

To reduce the threat of structure fire caused by the improper installation of central heating appliances and solid fuel fired stoves. To reduce the threat of injury to the residents of the City of Caribou from fire. This ordinance is enacted pursuant to Municipal Home Rule Authority, MRSA Title 30A, 3001 and NFPA 31, 54 & 211, 2006 edition.

All new installations of central heating appliances and solid fuel fired stoves shall require a permit issued from the Code Enforcement Office and require passing inspection before a new structure is issued a Certificate of Occupancy.

Permits and inspections are required for installations in new construction and the replacement of equipment in existing structures. All installations shall meet the requirements of the 2006 Editions of the National Fire Protection Association: NFPA-31, 54 & 211.

Permits will be issued to Maine Licensed Master Tradesmen licensed for the respective fuel.

Permits will be issued to the owner of a single-family structure only when the structure is the primary residence of the applicant and the applicant states that they will be doing the installation.

All permits must be obtained prior to the installation of the equipment or the inspection fee may be doubled.

Inspection Fees:

Free standing solid fuel fired stove (wood, pellet, corn, etc)	\$20.00/ stove
Single family boiler or furnace replacement	\$20.00/ inspection
Multi-family residence boiler or furnace	\$20.00/ inspection
Commercial boiler or furnace	\$20.00/ inspection
Mini Split Heat Pumps	\$20.00/inspection

There shall be no inspection fee for central heating appliances in new single-family residential construction when a valid Building Permit has been issued.

Equipment requiring emergency replacement during the heating season may be replaced prior to obtaining the permit. All work must pass inspection as soon as possible and meet current code requirements. The permit must be obtained within 4 working days of the installation or the inspection fees are doubled.

Preventive Maintenance, service or repair of existing equipment does not require a permit or inspection.

Sec 5-302 Sprinkler Head Requirement

Purpose and authority: To reduce the threat of structure fire caused by the improper installation or failure of central heating appliances. To reduce the threat of injury to the residents of the City of Caribou from fire, this ordinance is enacted pursuant to municipal home rule authority, MRSA Title 30-A, 3001.

All new installations of central heating appliances shall be protected by no less than 1 (one) automatic sprinkler head connected to the domestic water system of the building or be part of an engineered automatic sprinkler system in compliance with NFPA-13.

Central heating appliances consist of stationary oil, gas and solid fuel fired: steam boilers, hydronic hot water heating boilers, hot air furnaces and oil fired domestic hot water heaters.

The sprinkler shall be located over the central heating appliance and installed as per the manufacturer's instructions.

Plumbing Permits shall not be required for the installation of a single sprinkler head located over the central heating appliance of 1 & 2 family residential structures. (Per Local City Code Enforcement Authority)

Plumbing permits shall be required for multiple sprinkler head installations or engineered sprinkler systems in all other structures. Sprinkler heads or systems requiring a permit shall be considered a fixture per the Maine Plumbing Code.

Historical Note: Section 5-301 as amended by City Council April 14, 2014.

ARTICLE IV DRY CLEANING PLANTS

Sec. 5-401 Definitions

1. *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 nonflammable, and it shall include the process of dyeing clothes or other fabrics or textiles in a solution of dye colors and nonaqueous liquid solvents.
2. *Rates* as applied to solvents shall mean classified as to fire hazard in accordance with Underwriters' Laboratories, Inc.'s Standard Classification.

Sec. 5-402 Classification of Systems

Dry cleaning systems shall be classified as follows:

1. *Class I System* shall be those utilizing solvents rated above 40. (Example – 50°F. Flashpoint Naphtha.)
2. *Class II Systems* shall be those utilizing solvents rated 40 or below, but which do not comply with Class III or Class IV requirements. (Example – Stoddard Solvent.)
3. *Class III Systems* shall be those employing equipment listed by Underwriters' Laboratories, Inc., utilizing solvents having specified characteristics and rated at 25 or below. (Example – 140°F. Flashpoint Solvent.)

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. (Examples – Carbon Tetrachloride and Perchloroethylene.)

Sec. 5-403 Permit Required

1. *Conditions.* No person shall engage in the business of dry cleaning without a permit, which shall prescribe the location and the class of system to be used.
2. *Solvent.* No change shall be made in the solvent used in equipment to a solvent in a more hazardous (lower) class unless permission for such change shall first have been obtained from the Code Enforcement Officer, with the advice of the Fire Chief.

Sec. 5-404 Construction of Buildings Housing Class II Systems

1. *Building construction and location.* 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 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 protecting by cement or gypsum plaster on metal lath or equivalent construction. 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 that building may be located on the property line.
2. *Proximity to other occupations and operations.* Dry cleaning operations shall be restricted to the first floor above grade and 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 there from 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.

3. *Doors.* 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.

Sec. 5-405 Construction of Buildings Housing 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 Code Enforcement Officer, with the advice of the Fire Chief, 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.

Sec. 5-406 Class IV Systems

Class IV Systems shall comply with NFPA 32, chapters 2, 3, 4 and 7.

Sec. 5-407 Drying Rooms

Rooms in which articles are hung up to dry after cleaning shall be separated from dry cleaning rooms by partitions having a fire-resistance rating of not less than two hours if Class II system solvents are used, and not less than one hour if Class III system solvents are used. Entrances to drying rooms shall be provided with approved, self-closing fire doors. Ventilation of drying rooms shall conform to the requirements for ventilation of dry cleaning rooms and the provisions for fire extinguishing equipment shall be complied with. If the drying room is in a separate building, it shall conform in construction and equipment to all requirements for dry cleaning buildings.

Sec. 5-408 Heating Equipment

1. *Class II systems.* Where Class II systems are used, heating shall be by steam or hot water only. 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.
2. *Boilers.* 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 firewall without openings into the cleaning room. For Class III systems this cut-off shall be by a fire partition without openings, having a fire-resistance rating of not less than two hours.

Sec. 5-409 Electrical Equipment

All electrical equipment in dry cleaning rooms or other sections subject to flammable vapors shall be of a type approved for Class I, Division 1 hazardous locations under the 2006 National Electrical Code.

Sec. 5-410 Ventilation

A mechanical system of ventilation shall be provided in the dry cleaning rooms of plants employing Class II systems, of sufficient capacity to insure complete and continuous change of air once every 6 minutes, and shall be provided with means of remote control.

Sec. 5-411 Storage and Handling of Cleaning Solvents

1. *Classes II and III.* Aboveground containers comprising purifiers, clarifiers and filters in Class II systems, shall not exceed 350 gallons individual capacity. Solvent storage tanks for Class II and Class III systems may be inside of buildings if individual capacity of storage tanks does not exceed 275 gallons and the aggregate capacity of storage tanks does not exceed 550 gallons. Quantities of solvents for Class II and Class III systems in excess of the above shall be in accordance with Article VIII.
2. *Closed circuit piping.* The handling of solvents from storage tanks through the various machines and back to the settling and clear solvent tank shall be through closed circuits of piping. Pumps of positive displacement type and shall have a by-pass and relief valve.
3. *Sight glasses.* Sight glasses, the breakage of which would permit the escape of liquids, shall be of a type not readily damaged by heat and shall be reliably protected against physical damage.
4. *Gauge glasses.* Liquid level gauge glasses in Class II systems shall be equipped with an automatic device, which will immediately shut off the flow of solvent if the glass is broken. These liquid level gauge glasses shall also be guarded against physical damage.
5. *Underground tanks.* When underground treating and settling tanks are used a separate suction and discharge connection shall be provided to the pump for removal of sludge. The suction pipe shall be carried to the tank bottom and the discharge connection to a suitable container.
6. *Pressure.* All piping shall be tested to a pressure of at least fifty per cent in excess of normal operating pressure and proved tight and protected against physical damage.

Sec. 5-412 Grounding of Equipment

The cylinders and shells of all washing machines, drying tumblers, outside shell of extractors and all aboveground containers shall be permanently and effectively grounded. In plants employing Class II systems, all pulleys and belting in the dry cleaning room shall have grounded collectors or other suitable devices for the removal of static electricity.

Sec. 5-413 Scouring, Brushing and Spotting

1. *Brushing table.* The brushing (pre-spotting) table shall have a liquid-tight top with a curb on all sides not less than 1 inch high. The top of the table shall be pitched so as to insure thorough draining to a 1 ½-inch drain connected to a suitable container especially provided and marked for that purpose.
2. *Solvent limits.* All scouring or brushing and spotting (pre-spotting) operations utilizing solvents rated higher than the solvent used in the plant dry cleaning machines shall be limited to one gallon and dispensed from approved safety cans. Additional storage shall be in approved safety cans of not over one gallon capacity, or in unopened shipping containers.
3. *Location.* Scouring or brushing operations utilizing in excess of one gallon of solvent shall be conducted only in a room or building conforming to all the requirements for a dry cleaning system utilizing the same type of solvent.
4. *Maximum amount; safety precautions.* The total amount of solvent rated higher than 25 used on scouring or brushing tables or in scrubbing tubs, in accordance with section 5-414(3), shall not exceed 3 gallons. The scouring or brushing table or scrubbing tub shall be so located as to ensure thorough and effective disposal of vapors through the ventilating system. Scrubbing tub shall be used only for articles the character of which prevents their washing in the usual washing machines. Scrubbing tubs shall be secured to the floor and shall be provided with permanent 1 ½-inch trapped drains to a suitable container specially provided and marked for that purpose.

Sec. 5-414 Fire Extinguishing Equipment

Adequate fire appliances of a type suitable for fighting fires involving flammable liquids shall be provided in all dry cleaning plants; at least one extinguisher shall be provided at each entrance to every room or area where flammable liquids are stored or used.

Sec. 5-415 Smoking Prohibited

Smoking in plants employing Class II or Class III systems, except in smoking rooms so designated, shall be strictly prohibited and “No Smoking” signs shall be posted.

Sec 5-416 Flashpoints

Dry-cleaning plants or systems using solvents that have a flash point below 100F(37.8C) shall be prohibited.

Sec. 5-417 Conformity to Nationally Recognized Standard Practice

This section shall conform to NFPA 1, 2003 edition

Cross Reference: Chapter 3, Article III, Caribou Code.

ARTICLE V EXPLOSIVES

Sec. 5-01 Application

This Article applies to all explosives, except small arms ammunition and pyrotechnic devices covered by Article VI.

Sec. 5-502 Permit Required

The manufacture of explosives is prohibited. A permit shall be obtained from the State Fire Marshal’s Office, to have, keep, use, store or transport any explosives.

Sec. 5-503 Storage

1. *Location.* All storage of explosives shall be in approved explosive magazines located at distances from neighboring buildings, highways and railways in conformity with the American Table of Distances for Storage of Explosives.
2. *Removal and delivery.* When explosives in excess of immediate requirements are removed from a magazine and delivered in the vicinity of a blasting operation, they shall be kept in a portable magazine consisting of either a stout tight box covered with no less than 24-gauge sheet iron and equipped with a hinged lid or in a small portable building similarly covered. Such portable magazine shall be painted red and conspicuously marked “Explosives – Dangerous”, in white block letters not less than 3 inches in height. Portable magazines as described in this paragraph shall be located as required by the State Fire Marshal’s Officer and Fire Chief or Designee.

Sec. 5-504 Transportation of Explosives

1. *Detonators.* Blasting caps, or detonators, shall not be transported over the highways or the municipality on the same vehicles with explosives.
2. *Vehicles.* Vehicles used for the transportation of explosives shall be strong enough to carry the load without difficulty, and shall be in good mechanical condition. If vehicles do not have a closed body, the body shall be covered with a tarpaulin or other effective protection against moisture and sparks. Such vehicles shall have tight floors and shall have a lining of wood or other non-sparking material, which shall cover any projections, or metal, which might come into contact with packages of explosives.
3. *Warnings.* Every vehicle while carrying explosives shall have painted on both sides and rear, in letters at least four inches high, in contrasting colors, the word “EXPLOSIVES”, or in lieu thereof shall display in such manner that it will be visible from all directions, a red flag with the word “EXPLOSIVES” printed, stamped or sewed thereon in white letters at least six inches high.
4. *Prohibited materials when transporting explosives.* No metal, metal tools, oils, matches, firearms, electric storage batteries, flammable substances, acids, oxidizing or corrosive compounds shall be carried in the bed or body of any vehicle transporting explosives.

Sec. 5-505 Use of Explosives

1. *Written notice.* At least 24 hours in advance of blasting, the blaster shall give written notice specifying the location and intended time of blasting to appropriate representative of the gas, electric, water, fire alarm, telephone, telegraph and steam utilities which operate within the municipality. In an emergency the Fire Chief or Designee may waive the time limit and allow verbal, instead of written notice to be given.
2. *Radio Transmissions.* No radio use to avoid accidental discharge of electric blasting caps by radio transmitters or other source of extraneous electricity.

State Law Reference: 25 MRSA §2441 et seq., State of Maine Laws for the Fire Service 1997 edition

ARTICLE VI FIREWORKS

5-601 Storage and Sales of Consumer Fireworks:

All new commercial Consumer Fireworks storage and sales facilities must be approved by the Caribou Planning Board under Site Design Review.

No person may store or sell consumer fireworks for commercial purposes without first obtaining an annually issued municipal permit from the Caribou Fire Chief. All Commercial Consumer Fireworks Storage and sales Permits shall expire on April 1 of each year. The annual permit fee for a Commercial Consumer Fireworks Storage and sales permit shall be \$100.00. (one hundred dollars). All Fireworks storage and sales facilities shall be inspected for compliance annually by the Caribou Fire Chief or their designee and the code enforcement officer prior to issuance of the initial permit and annually prior to the renewal of a permit.

Storage: A person authorized to sell consumer fireworks may store the fireworks only in a permanent, fixed, stand-alone building dedicated solely to the storage and sale of consumer fireworks in accordance with this subsection.

- A. The building must be constructed, maintained and operated, and all consumer fireworks must be stored, in compliance with the requirements of National Fire Protection Association Standard 1124, as adopted by the Office of the State Fire Marshal, relevant building codes, zoning ordinances and other municipal ordinances. All consumer fireworks storage and sale facilities shall have approved Sprinkler Systems in compliance with NFPA-13.
- B. The building may not be less than 60 feet from any other permanent building and may not be less than 300 feet from a structure at which gasoline, propane or other flammable materials are stored, sold or dispensed.
- C. **Insurance.** A person authorized to sell consumer fireworks under subsection 1 shall at all times maintain public liability and product liability insurance with minimum coverage limits of \$2,000,000 to cover the losses, damages or injuries that might ensue to persons or property as a result of the person storing or selling consumer fireworks. Proof of insurance is a prerequisite of obtaining a permit from the Fire Chief.
- D. Consumer Fireworks storage and sales shall be allowed in the Commercial 2, Residential-Commercial 2, Industrial 1, Industrial 2 and Residential 3 Zones. Consumer Fireworks storage shall not be allowed in the Commercial 1, Residential 1, Residential 2 or Hospital Zones.

5-602 Use of Consumer fireworks:

The use of consumer fireworks is governed by this subsection.

- A. Aerial Consumer Fireworks are not allowed within the Urban Compact Zone of The City of Caribou unless the property provides an ignition location of at least 100' distance to any property line. No Aerial Consumer fireworks shall be used within 100' of any building or structure.
- B. No Consumer Fireworks may be used without first obtaining a permit from the Caribou Police Department for a fee to be set by the City Council. Aerial Consumer Fireworks may only be used on days indicated as Low or Moderate Fire Danger by the Caribou Fire Department.

- C. Consumer fireworks may only be used within the City of Caribou after first obtaining a permit from the Caribou Police Department. The Caribou Fire Department may restrict the use of consumer fireworks throughout all of Caribou due to location and or fire hazards at the discretion of the Caribou Fire Chief or designee.
- D. Consumer fireworks may be used between the hours of 9:00 a.m. and 10:00 p.m., except that on the following dates they may be used between the hours of 9:00 a.m. and 12:30 a.m. the following day: (1) July 4th & (2) December 31st; and (3) The weekends immediately before and after July 4th and December 31st.
- E. A person may use consumer fireworks only on that person's property or on the property of a person who has consented to the use of consumer fireworks on that property. No person under the age of 21 shall possess or use consumer fireworks when not in the direct supervision of a parent or guardian. No person shall use Consumer Fireworks if they are intoxicated or have a blood alcohol level of .08 % or greater.

Penalty:

Any person found to be in violation of this ordinance may be charged and a civil action brought against them in District Court. The minimum fine for violation of this ordinance is \$100.00 (one hundred dollars) plus all court costs and legal fees. Any expenses incurred by the Caribou Fire & Ambulance Department or Caribou Police Department due to misuse or damage caused by Consumer Fireworks shall be assessed to the property owner and or responsible person.

5-603 Definitions:

Consumer Fireworks. "Consumer fireworks" has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. "Consumer fireworks" does not include the following products which are illegal:

- A. Missile-type rockets, as defined by the State Fire Marshal by rule.
- B. Helicopters and aerial spinners, as defined by the State Fire Marshal by rule.
- C. Sky rockets and bottle rockets. For purposes of this paragraph, "sky rockets and bottle rockets" means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.
- D. Fire Crackers
- E. M-80's
- F. Cherry Bombs

Fireworks. "Fireworks" means any:

- A. Combustible or explosive composition or substance;
- B. Combination of explosive compositions or substances;
- C. Other article that was prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including blank cartridges or toy cannons in which explosives are used, the type of balloon that requires fire underneath to propel it, firecrackers, torpedoes, skyrockets, roman candles, bombs, rockets, wheels, colored fires, fountains, mines, serpents and other fireworks of like construction;
- D. Fireworks containing any explosive or flammable compound; or
- E. Tablets or other device containing any explosive substance or flammable compound.

The term "fireworks" does not include **"consumer fireworks"** or toy pistols, toy canes, toy guns or other devices in which paper caps or plastic caps containing 25/100 grains or less of explosive compound are used if they are constructed so that the hand cannot come in contact with the cap when in place for the explosion, toy pistol paper caps or plastic caps that contain less than 20/100 grains of explosive mixture, sparklers that do not contain magnesium chlorates or perchlorates or signal, antique or replica cannons if no projectile is fired.

Historical Note: Article VI Fireworks revised & adopted by the City Council March 12, 2012; Section 5-602 B&C were amended by the City Council on February 11, 2013.

ARTICLE VII FIRE PROTECTION EQUIPMENT

Sec. 5-701 Fire Chief will Survey Premises and Specify Equipment to be provided

The Fire Chief or Designee and/or the State Fire Marshal's Office, shall survey each mercantile and manufacturing establishment, school, place of assembly, hospital, place of detention, hotel and multi-family house and shall specify suitable fire detecting devices and extinguishing appliances which shall be provided in or near boiler rooms, kitchens or restaurants, clubs and like establishments, storage rooms involving considerable combustible material, rooms in which hazardous manufacturing processes are involved, garage sections, 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 class of fire, manual or automatic covers, Dry Powder or carbon dioxide or other inert gas extinguishing systems. In especially hazardous processes or storages, appliances of more than one type or special systems may be required.

Sec. 5-702 Maintenance of Fire Suppression and Associated Equipment and Reports

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 from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations or additions. The Fire Chief or designee shall be notified before such tests, repairs, alterations or additions are started unless the work is to be continuous until completion. A copy of all sprinkler maintenance and test reports to be sent to the Caribou Fire Chief. According to State adopted NFPA 25, 2002 edition, it is the owner's responsibility to have the fire sprinkler system maintained and operable. The State of Maine under specific conditions has two shutdown procedures, one Permanent and one Seasonal. Copies of these procedures can be obtained in the City Code Enforcement Office or the Office of the Fire Chief.

ARTICLE VIII FLAMMABLE LIQUIDS

Sec. 5-801 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 wherein conformity with Interstate Commerce Commission regulations, or regulation lawfully on file with and approved by the Interstate Commerce Commission.

The City of Caribou will follow Chapter 66 of NFPA 1, 2003 edition for the storage, use, and handling of flammable and combustible liquids, including waste liquids.

Sec. 5-802 Definition

Flammable liquids shall be divided into three classes as follows:

Class I shall include those having flash points below 100°F.

Class IA shall have flash points below 73°F & Boiling points below 100°F

Class IB shall have flash points below 73°F & Boiling points above 100°F

Class IC shall have flash points above 73°F but below 100°F

Class II shall include those having flash points above 100°F but below 140°F.

Class III shall include those having flash points above 140°F.

Class IIIA shall have flashpoints above 140°F but below 200°F

Class IIIB shall have flashpoints above 200°F

When artificially heated to temperatures equal to or higher than their flash points, Class II and III liquids shall be subject to the applicable requirements for Classes I and II liquids. The provisions in this Article shall also be applied to high flash point liquids which otherwise would be outside of its scope when they are so heated.

Sec. 5-803 Permits (Issued by the Fire Chief or designee)

Permits shall be required in accordance with Table 1.12.19a page 19 of NFPA 1, 2003 edition.

1. *Maximum for storage, handling or use of Class I.* Storage, handling, or use of Class I flammable liquids in excess of 5 gallons in a dwelling or other place of human habitation; or in excess of 10 gallons in any other building or occupancy; or in excess of 15 gallons outside of any building; except that no permit shall be required for the following:
 - A. 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.
 - B. For Business Garages and Filling Stations (see Article IX)
 - C. C. 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.
2. *Maximum for Class III storage, handling or use.* 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.
3. *Flammable liquids.* For the manufacture, processing, blending or refining of flammable liquids.
4. *Stationary tanks.* For the storage of flammable liquids in stationary tanks.

Sec. 5-804 Outside Aboveground Tanks must conform to NFPA 30

1. *Within Fire Limits.* The storage of Class I flammable liquids in aboveground tanks outside of buildings is prohibited, within the Fire Limits of the City, defined as “The Compact Zone” of the City of Caribou Except those areas that have been approved before this ordinance or with approval of the Fire Chief and Code Enforcement Officer.
2. *Adjoining property.* 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 that that set forth in Table 804.

TABLE 66.2.3.2.1.1(a) and 66.2.3.2.1.1(b) page 796 NFPA 1 2003 edition

Minimum Distance of Outside Aboveground Tanks for Stable Flammable Liquids Other Than Crude Petroleum at pressures not in excess of 2.5 psig. To Line of Adjoining Property Which May Be Built Upon

Tank Capacity (Gals)	Minimum Distance from Property Line that is or can Be built upon, including the Opposite side of a public way (ft)	Minimum Distance from Nearest Side of any public way or from nearest important building on same property (ft)
275 or Less	5	5
276 to 750	10	5
751 to 12,000	15	5
12,001 to 30,000	20	5
30,001 to 50,000	30	10
50,001 to 1,000,000	100	35
1,000,001 to 2,000,000	135	45
2,000,001 to 3,000,000	165	55
3,000,000 or more	175	60

3. *Other tanks.* The location of a tank for the storage of any flammable liquid with respect to any such other tank shall be of such that the distance between them shall follow Table 66.2.3.2.2.1 page 799 of NFPA 1, 2003 edition.
4. *Tank supports.* Tanks shall rest directly on the ground or on foundations made of concrete, masonry, piling or steel. Fire-resistive materials to provide a fire-resistance rating of not less than two hours shall protect exposed piling or steel supports. Tank foundations shall be designed to minimize the possibility of uneven settling of the tank and to minimize corrosion of any part of the tank resting on the foundation. (30:2.3.1.1 *Unprotected steel supports for tanks shall be prohibited*)

5. *Connections.* Each connection to an aboveground tank storing flammable liquids located below normal liquid level shall be provided with an internal or external control valve located as close as practicable to the shell of the tank. Except for flammable liquids whose chemical characteristics are incompatible with steel, such valves, when external and their connection to the tank shall be of steel. Installation must meet the requirements of NFPA 30.
6. *Protection:* All Above Ground Tanks over 250 gallons capacity, will have a form of protection from being hit, approved by the Fire Chief

Sec. 5-805 Control of Spills

Every tank that contains a Class I, Class II or Class IIIA liquid shall be provided with means to prevent an accidental release of liquid from endangering important facilities and adjoining property or from reaching waterways. Such means shall meet the requirements of 2.3.2.3.1, 2.3.2.3.2 or 2.3.2.3.3 of NFPA 30, whichever is applicable (30:2.3.2.3)

Sec. 5-806 Underground Tanks

The City of Caribou will use NFPA 30-23 for the installation of Underground Tanks. All such installations will conform to NFPA 30.

1. *Location Class I and II.* An underground tank for Class I or Class II flammable liquids shall be located not less than the distance indicated in Table 806, measured horizontally from the nearest point of the shell to the nearest line of adjoining property that may be built upon and the nearest outside wall of any basement or pit, of which the floor is lower in elevation than the top of such tank. Where such location causes unnecessary hardship, an underground tank may be placed closer than the distance specified if enclosed, encased or otherwise protected from physical damage.

TABLE 806
Minimum Distance from Underground Tanks for Class I or II Flammable Liquids to Basements or To Line of Adjoining Property that May be built upon

Individual Tank Capacity Class I and II	Location If top of tank is above the lowest floor, basement, or part of any building which is not less than:
550 Gallons	5 feet away
5,000 Gallons	10 feet away
10,000 Gallons	15 feet away
15,000 Gallons	20 feet away
Unlimited	25 feet away

2. *Depth and cover.* Underground tanks shall be set on firm foundation and surrounded with soft earth or sand well tamped in place. Tanks shall be covered with a minimum of 2 feet of earth, or shall be covered with not less than one foot of earth on top of which shall be placed a slab of reinforced concrete not less than four inches thick. When subject to traffic or likely to be so subjected in the future, tanks shall be protected against damage from vehicles passing over them by at least 3 feet of earth cover, or 18 inches of well-tamed earth plus either 8 inches of asphaltic concrete or 6 inches of reinforced concrete. When asphaltic or reinforced concrete paving is used as part of the protection it must extend at least 1 foot horizontally beyond the outline of the tank in all directions.

Sec. 5-807 Tanks Inside of Buildings, Class I or II Liquids

Tanks for storage of Class I and II flammable liquids, not including vehicle tanks, shall not be installed inside buildings except using Maximum Allowable Size Containers, Intermediate Bulk Containers and Portable Tanks shown in Table 66.4.2.3 page 815 of NFPA 1, 2003 edition.

Sec. 5-808 Tanks Inside of Buildings, Class III Liquids

1. *Unenclosed tanks.* Unenclosed tanks shall not be located within 5 feet, horizontally of any appliance with a flame.
2. All other tanks inside of building must be in compliance with NFPA 31 and State Statue Title 32 MRSA Chapter 33 and Chapter 66 of NFPA 1, 2003 edition.

Sec. 5-809 Design and Construction of Tanks

Tanks shall be designed and constructed to withstand safely the service to which subjected. Tanks shall be permitted to be of any shape, size, or type consistent with sound engineering design. Metal tanks shall be welded, riveted and caulked, or bolted, or constructed using a combination of these methods (30:2.2.1) and be in compliance with chapter 66 or the NFPA 1, 2003 edition.

Sec. 5-810 Vents on Outside Aboveground Tanks

1. Vents for normal breathing. Tanks shall have normal venting capacity sufficient to permit the filling and emptying of such tanks, plus their breathing due to temperature changes, without distortion of tank shell or roof. Tanks storing Class I and Class II flammable liquids shall be equipped where practical with either venting devices which shall be normally closed when not under pressure or vacuum, or with approved flame arresters, except that tanks under 2,500 gallons capacity for Class I liquids may have openings vents.
2. Vents for emergency relief. In addition to the provisions for normal venting herein required, every aboveground storage tank shall have some form of construction or device that will relieve excessive internal pressure, caused by exposure fires that might cause the rupture of the tank shell or bottom. In a vertical tank, this construction may take the form of a weakened seam in the roof. Where entire dependence for such additional relief is placed upon some device other than a weak roof seam or joint, the total venting capacity for both normal and emergency vents shall be enough to prevent rupture of the shell or bottom of the tank if vertical, or of the shell or heads if horizontal. Such devices may be a self-closing manhole cover, or one using long bolts that permit the cover to lift under internal pressure, or an additional or larger relief valve or valves.
3. All vent construction and methods must be in compliance with NFPA 1, 2003 edition.

Sec. 5-811 Vents on Tanks Underground or in Buildings

1. Location and arrangement of vent – Class I or II: Vent pipes from tanks storing Class I or Class II flammable liquids shall be so located that the discharge point is outside of buildings, higher than the fill pipe opening and not less that 12 feet above the adjacent ground level. Vent pipes shall discharge only upward or horizontally (not downward) in order to disperse vapors. Vent pipes 2 inches or less in nominal inside diameter shall not be obstructed by devices that will reduce their capacity and thus cause backpressure. Vent pipe outlets shall be so located that flammable vapors will not enter building openings, or be trapped under eaves or other obstructions. If the vent pipe is less than 10 feet in length or greater than 2 inches in nominal inside diameter the outlet shall be an approved flame arrester located in the vent line at the outlet or within the approved distance from the outlet. In no case shall a flame arrester be located more than 15 feet from the outlet end of the vent line.
2. Location and arrangement of vents – Class III: Vent pipes from tanks storing Class III flammable liquids shall terminate outside of building and higher than the fill pipe opening. Vent outlets shall be above normal snow level. They may be fitted with return bends, course screens or other devices to minimize ingress of foreign material.
3. Size of vents. Each tank shall be vented through piping adequate in size to prevent blowback of vapor or liquid at the fill opening while tank is being filled. Vent pipes shall not be less than 1 ¼ inches nominal inside diameter.
4. Vent piping. Vent pipes shall be so laid as to drain toward the tank without sags or traps in which liquid can collect. They shall be located so that they will not be subjected to physical damage above ground Vent pipes from tanks storing the same class of flammable liquids may be connected into one outlet pipe. The outlet pipe

shall be as least one pipe-size larger than the largest individual vent pipe connected thereto. In no case shall the point of connection between vent lines be lower than the top of any fill-pipe opening. The lower end of a vent pipe shall enter the tank through the top and shall not extend into the tank more than 1 inch.

5. Venting must be in compliance with NFPA 1, 2003 edition.

Sec. 5-812 Fill and Gauge Openings and Drainage on Tanks Underground or in Buildings

1. *Fill and discharge piping.* Filling and discharge lines for Class I and Class II liquids, and for Class III liquids where practicable, shall enter tanks only through the top and shall be graded toward the tank.
2. *Fill openings.* The fill-pipe opening shall be located outside any building. For Class I or II flammable liquid storage, the fill-pipe opening shall not be less than 5 feet from any door or cellar opening. For Class III flammable liquid storage the fill-pipe opening shall not be less than 2 feet from any building opening at the same or lower level. The fill-pipe opening shall be closed and liquid tight when not in use. Fill-pipe for filling by tank car or tank truck shall be not larger than 4 inches nominal inside diameter and shall not be constricted. Fill-pipe openings shall be identified by a definite color scheme or other means.
3. *Gauge Openings.* Gauge openings, if independent of fill-pipe, shall be provided with liquid tight cap or cover. Where Class I or Class II liquids are stored within a building, such gauge opening shall be protected against vapor release or liquid overflow by means of a spring-loaded check valve or other approved device.
4. *Drainage of tanks in buildings.* Inside storage tanks for Class III flammable liquids shall be provided with draw-off or drain openings. Tanks shall be installed so that the bottom pitches to the draw-off or drain openings at a slope of not less than 1/4-inch per foot of length. The draw-off or drain opening shall be provided with suitable connection to provide sump from which water or sediment can be drained readily.
5. Be in compliance with NFPA 1, 2003 edition

Sec. 5-813 Piping, Valves and Fittings

1. *Design.* Piping, valves and fittings for flammable liquids shall be designed for the working pressures and structural stresses to which they may be subjected.
2. *Support.* Pipe systems shall be substantially supported and protected against physical damage and excessive stresses arising from settlement, expansion or contraction.
3. *Number of valves.* Pipe systems shall contain sufficient number of valves to operate the system properly and to protect the plant. Pipe systems in connection with pumps shall contain a sufficient number of valves properly to control the flow of liquid in normal operation and in the event of physical damage. Connections to pipe lines, by which equipment such as tank cars or tank vehicles discharge flammable liquids by means of centrifugal pumps into above ground storage tanks shall be provided with, check valves for automatic protection against back-flow.
4. *Be in compliance with NFPA 1, 2003 edition*

Sec. 5-814 Dispensing Devices at Service Stations

All installations must be in compliance with Chapter 30, NFPA 1, 2003 edition

1. Fixed Fire Protection is required
2. *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. Devices meeting the standards of the Underwriters' Laboratories, Inc., shall be deemed to be in compliance with this section. 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 or 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.

3. *Automatic dispensing devices.* The installation and use of coin-operated dispensing devices for Class I flammable liquids are prohibited. The dispensing of Class I flammable liquids into the fuel tank of a vehicle or into a container shall at all time 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 discharge nozzle is removed from the nozzle control lever, is hereby forbidden except when using an automatic nozzle as provided in Section 5-814(2)(A).
4. 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 any 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.
5. *Location.* Dispensing devices at automotive service stations shall be so located that all parts of the vehicle being served will be on private property.

Sec. 5-815 Ventilation

1. All ventilation methods must conform to Chapter 30 and 66 of NFPA 1, 2003 edition
2. Rooms or enclosures in which Class I or Class II flammable liquids are pumped or dispensed, used in open vats or dip tanks, or mixed or blended shall be provided with natural or mechanical ventilation that will prevent the accumulation of flammable vapors in hazardous concentrations.

Sec. 5-816 Commercial and Industrial Establishments

Must be in compliance of Chapter 66 of NFPA 1, 2003 edition

1. *Class I and II Liquids.* Class I or Class II flammable liquids shall be stored in aboveground tanks out of doors, in underground tanks in closed containers outside of buildings, in rooms of buildings meeting the requirements of Type A or Type B Inside Storage or Mixing Rooms, or in outside storage houses used exclusively for the storage and mixing of flammable liquids; storage inside of buildings, not in Type A or B rooms, shall be in sealed containers or in approved safety cans of not more than 5 gallons capacity, and the aggregate capacity shall not exceed 25 gallons unless in a storage cabinet which may be utilized for storage of not over 50 gallons.
2. *Standards.* Inside storage or mixing rooms, outside storage houses and storage cabinets shall conform to nationally recognize standard practice as specified in Section 5-108.
3. *Class III.* Class III flammable liquids shall be stored in aboveground tanks out of doors, or within buildings, in underground tanks, in tank in enclosures in closed containers out of doors or within buildings, in room meeting the requirements of Type A or Type B inside storage or mixing rooms or in outside storage houses. Containers in buildings, other than sealed containers of not over 5 gallons capacity each, shall not exceed an aggregate quantity of 275 gallons, unless stored in Type A or B inside storage rooms.
4. *Set back.* Containers of flammable liquids stored outdoors shall be segregated by an open space of at least 10 feet from roadways, sidewalks and structures so as not to constitute an immediate life or property hazard in event of fire. Special attention should be given to routes of egress of building occupants, window and door openings, and combustible exterior walls, platforms, cornices and roofs in securing the desired separation. Containers piled one upon the other shall be separated by dunnage sufficient to provide stability and to prevent excessive stress on container walls. The height of piles shall be consistent to provide stability. Drums and barrels stored on their sides shall have their heads facing aside so that leakage or bungs may be detected. Containers storing flammable liquids shall have caps, plugs or bungs replaced immediately after use and when the container is empty.
5. *Class I and II.* Class I or Class II flammable liquids shall not be drawn from or dispensed into vessels or containers within a building except by means of a device drawing from top of the tank of the container.

Sec. 5-817 Sources of Ignition

Open flames, heating devices and processes employing temperatures capable of igniting the vapors of the flammable liquids used shall be prohibited in buildings, rooms and other confined spaces in which Class I or Class II flammable liquids are used in the open, or in which Class III flammable liquids are used for the purpose of saturating, coating or otherwise treating goods or materials. Artificial lighting shall be by electricity only. Electric devices located within the possible path of vapor travel shall be of a type approved for such location. Compliance with applicable provisions of the Standards of the National Board of Fire Underwriters known as the “National Electrical Code” shall be deemed prima facie evidence of compliance with this section. Smoking shall be prohibited and suitable signs to that effect shall be displayed.

Sec. 5-818 Fire Extinguishers

Where flammable liquids are used or dispensed, fire extinguisher appliances shall be provided in such quantities as required by NFPA 10, 2007 Edition.

Sec. 5-819 Oil Burners

1. All installations shall conform to NFPA 31, Chapter 33, State Statute Title 32.
2. Heating and other devices using oil burners shall be installed, maintained and operated in accordance with nationally recognized standard practice as specified in Section 5-108

Sec. 5-820 Tank Vehicles for Flammable Liquids

1. *Tank vehicle* shall mean any vehicle other than railroad tank cars and boats, with a cargo tank mounted thereon or built as an integral part thereof used for the transportation of flammable liquids. Tank vehicles include self-propelled vehicles, and full trailers and semi-trailers without motive power and with wheels carrying either part or the entire load.
2. *Standards.* Tank vehicles used for the transportation of flammable liquids shall be constructed, maintained and operated in accordance with nationally recognized standard practice as specified in Section 5-108.

Historical Note: “Fire limits” were originally established by Sec. 110 of the 1956 Building Code.
Cross Reference: Chapter 4, Article II.

ARTICLE IX GARAGES

Sec. 5-901 General

Garages shall conform to all applicable requirements of Chapter 30, NFPA 1, 2003 edition, as well as the following provisions.

Sec. 5-902 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 from the Code Enforcement Officer with the advice of the Fire Chief.

Sec. 5-903 Repair Work

Welding and cutting and other processes involving direct application of flame shall not be carried on in any garage housing more than twenty automobiles on any floor unless the garage is equipped with an approved automatic sprinkler system, or such process are carried on in a room enclosed by walls and ceiling of construction having a fire-resistance rating of not less than one hour with openings therein protected by approved fire doors or fire windows, and with no opening from such room to any upper story. No repairs of any kind shall be made in any garage the floor of which is more than two feet below the drive-in entrance level.

Sec. 5-904 Cleaning with Flammable Liquids

No flammable liquid with a flash point below 100°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.

Sec. 5-905 Handling of Gasoline or Oils

1. *Vehicle fuel tanks.* 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 8. No transfer of gasoline in any garage shall be made in any open container.
2. *Floor drains.* No garage floor drain shall connect to any sewer unless provided with an oil separator or trap.

ARTICLE X GAS PIPING AND APPLIANCES

Sec. 5-1001 Installation to Conform to Standard Safe Practices

Standards. Gas piping and gas appliances in buildings shall be installed in accordance with standard safe practice. Installation of gas piping and appliances for domestic and commercial uses, in accordance with NFPA 37, 54, 58, 61, 82, 86, 96, 302, 501A and 501C shall be deemed prima facie evidence of installation in accordance with standard safe practice.

Sec. 5-1002 Pressure Regulation

1. *When regulator required.* Where the pressure of gas supplied to domestic, commercial or other low pressure gas piping systems in buildings is in excess of one pound per square inch, an approved gas pressure regulator of sufficient size shall be installed in the service pipe of each such system to prevent pressure in excess of one pound per square inch from being introduced into such building piping.
2. *Vent pipe.* If located inside a building, the above required regulator shall be equipped with a vent pipe leading to the outer air. Means shall be employed to prevent water from entering this pipe and also to prevent stoppage of it by insect or foreign matter.

Sec. 5-1003 Pipe Entrance to Buildings

Where gas piping enters a building through a wall or floor of masonry or concrete any gas pipe or other nearby pipes entering the same wall or floor shall be suitably sealed against entrance of water or gas.

Sec. 5-1004 Outside Valves

Approved means for shutting off the flow of gas from outside the building shall be provided on every gas service pipe 2 inches or larger in diameter or which supplies gas at a pressure in excess of one pound per square inch. Outside gas shut-off cocks or valves shall be located so as to be readily accessible and, when underground, shall be placed in suitable valve boxes, manholes or vaults the covers of which shall be clearly marked "Gas".

ARTICLE XI LIQUIFIED PETROLEUM GASES

Sec. 5-1101 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 is iso-butane) and butylenes. All installations must conform to NFPA 58 & 1, 2003 edition

Sec. 5-1102 Permits and Reports of Installations

1. When permit required. 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 of 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 Code Enforcement Officer and follow compliance with the requirements of this code is shown by said plans, a permit shall be issued by the Code Enforcement Officer, with the advice of the Fire Chief.
2. Records. Installers shall maintain a record of all installations for which a permit is not required by paragraph (1) above (but not including installation of gas burning appliances and replacing or portable cylinders) and have it available for inspection by the Code Enforcement Officer.

Sec. 5-1103 Standards for Liquefied Petroleum Gas Equipment and Its Installation

All installations of liquefied petroleum gas equipment including such equipment installed at utility gas plants, shall be in conformity with generally recognized standards for safety to persons and property. Except as otherwise provided in this Article or in other laws or regulations legally in effect, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases (Pamphlet No. 58), and in the case of liquefied petroleum gases at utility gas plants, conformity with the Standards of the National Board of Fire Underwriters for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants (Pamphlet No. 59) shall be prima facie evidence of conformity with generally recognized standards for safety to persons and property.

Sec. 5-1104 Location of Containers

Within the Fire Limits as defined in Sec. 5-804(1) of this Chapter, the bulk storage of liquefied petroleum gas is restricted for the protection of the heavily congested commercial area, 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 Code Enforcement Officer, with the advice of the Fire Chief, 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.

Sec. 5-1105 Container Protection

Any LP tank over 250 gallons will have protection around tank approved by the Fire Chief.

ARTICLE XII PRECAUTIONS AGAINST FIRE, GENERAL

Sec. 5-1201 Outdoor Fires and Permits

The Caribou Fire and Ambulance Department Chief or designee, (AHJ), shall have the authority to issue all fire permits within the jurisdiction:

1. Camp Fire, Bonfires and all other Outdoor Fires. Kindling or maintaining any open fire on either public or private property within the City of Caribou, must have a written fire permit. Instructions and stipulations on the permit shall be adhered to. These permits shall only be issued to owners, renters, lessee or contractors hired for lot cleaning of property where the burning operation is to occur.
2. Except for special events or conditions, cooking fires or other fires approved by the Fire Chief, there will be no burning within the Compact Zone of the City of Caribou.
3. Fire permits for Campfires or fires for cooking purposes or any other purpose can be issued for the season. These fires must be wood only and be contained within a metal, masonry or stone fireplace, pit or ring. These fires must be a minimum of 50 feet from any building.
4. In some cases, the Chief or designee may require inspection of the site prior to burning.

The Fire Chief or designee may prohibit any or all outdoor fires within the City of Caribou.

5. You shall be liable for Response and Suppression Cost if you are burning without a permit or the fire escapes due to negligence or not following the safety requirements listed on the permit. All open burning shall be in conformity to existing laws and regulation of the Maine Forest Service, Department of Environmental Protection and the City of Caribou Fire Prevention Ordinance. In accordance with Title 12 statutes, the out-of-door burning of plastic, rubber, Styrofoam, metals, food wastes, chemicals, treated wood or other solid wastes, except for wood wastes, is prohibited in all areas of the State. Any person who engages in out of door burning or who fails to comply with any stated permit condition or restriction commits a Class E crime.

Sec 5-1202

(SAMPLE)

**CARIBOU FIRE DEPARTMENT
OPEN BURNING PERMIT
Must call 493-4204 (before 9PM) before burning to activate this permit**

Business: 493-4204 Permit # _____
In Case of Emergency Dial 9-1-1

Permission to _____

With permission from property owner _____ is permitted to kindle an open fire for:
 Permittee Address
 () Cooking () Burning Leaves () Burning Brush () Burning Grass () Seasonal Campfire
 () Other (specify type) _____

Location of Burn _____
 Date of Burn ____-____-____ Time to Burn [] 5 pm to 12 am [] All day to 12 am
 [] 12 am to 8 am [] Seasonal to 12-31-_____
 Thru ____-____-_____

PLEASE READ SAFETY REQUIREMENTS

Specify number of adults: _____ () Portable Pump () Charged Garden Hose () Hand Tools
 Other equipment (specify): _____

This permit is granted in good faith that the fire is carefully watched and controlled by sufficient force of adults and adequate equipment. You shall be liable for suppression if fire escapes due to negligence or not following listed safety requirements. All open burning shall be in conformity to existing laws and regulations of the Maine Forest Service, Department of Environmental Protection and the City of Caribou Fire Prevention Ordinance. No open burning of tires, rubber products, wire insulation, paints, solvents or sludge is allowed. Violation of this permit can be punishable by a fine of not less than \$100.00 nor more that \$1,000.00 in accordance with the City of Caribou Fire Prevention Code.

Permittee's Phone #: _____ Time Issued: _____ AM - PM

 Signature of Permittee Date Issued Signature of person issuing permit

State law requires permit to be in hand during burning operations
 (White Copy – FD) (Yellow Copy – Permittee)

Sec. 5-1203 Hot Ashes and Other Dangerous Materials

No person shall deposit hot ashes or cinders, or smoldering 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 must be kept at least two feet away from any combustible wall or partition.

Sec. 5-1204 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 courtyard, vacant lot or open space. All weeds, grass, vines or other growth, when sane endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

Sec. 5-1205 Handling Readily Combustible Materials

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sack, bags, litter hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause such materials 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 Code Enforcement Officer, with the advice of the Fire Chief, 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.

Sec. 5-1206 Storage of Readily Combustible Materials

1. Permit required. No person shall store 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 materials without a permit.
2. 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 building. Storage in 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 compacted and orderly.

Sec. 5-1207 Flammable Decorative Materials in Stores

Cotton batting, straw, dry vines, leaves, trees or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of stores unless flame-proofed; provide, however, that nothing in this section shall be prohibit the display of saleable goods permitted and offered for sale. Highly flammable materials shall not be stored or used for sale or decorative purposes in any commercial business establishments unless flameproofed or contained in the original manufacturer's packaging.

Sec. 5-1208 Chimneys and Heating Appliances to be maintained in Safe Condition

1. Shall conform to NFPA 31

All chimneys; smokestacks or similar devices for conveying smoke or hot gases to the outer air in the stoves, furnaces, fireboxes or boilers to which they are connected shall be constructed and maintained in such manner as not to create a fire hazard. All chimneys must be 3' above the highest point of the building and 2 feet above any part of the building within 10 feet of such chimney.

Sec. 5-1209 Use of Torches or Flame-producing Devices 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.

Historical Note: Article XII, Sec. 5-1201 & sec. 5-1207 as amended January 9, 2006

State Law References: 25 MRSA §2432 and §2436-A, 12 MRSA §9321 and §9325

ARTICLE XIII SMOKING PROHIBITED UNDER CERTAIN CONDITIONS

Sec. 5-1301 Definition

“Smoking” shall mean and include the carrying of a lighted pipe, cigar, cigarette or tobacco in any form. State of Maine Law prohibits smoking in any public building.

Sec. 5-1302 Chief to Designate Area 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 Chief of the Fire Department 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 Chief of the Fire Department shall designate specific safe locations, if necessary in any building structure or place in which smoking may be permitted.

Sec. 5-1303 No Smoking Signs

“No Smoking” signs required in accordance with Section 5-1302 shall read “By Order of the Chief of the Fire Department”.

Sec. 5-1304 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.

State Law Reference: 25 MRSA §2433

ARTICLE XIV ADMINISTRATION OF FIRE PREVENTION CODE

Sec. 5-1401 Enforcement

The Code Enforcement Officer, the Fire Chief or Designee shall enforce this code, hereby adopted.

Sec. 5-1402 Definition

Wherever the word “Municipality” is used in this Chapter, it shall be held to mean the City of Caribou.

Sec. 5-1403 Appeals

Whenever the Code Enforcement Officer, with the advice of the Fire Chief, or the Fire Chief disapproves an application or refuses to grant a license or permit applied for, or when it is claimed that the provisions for the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Code Enforcement Officer or Fire Chief to the Board of Appeals or Superior Court within 30 days of the date of the decision.

Sec. 5-1404 Penalties

1. *Fine; imprisonment.* Any person who shall violate the provisions of this Chapter or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate or permit issued there under, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100) nor more than twenty five hundred (2500.00) or by imprisonment for not exceeding six months or by both such fine and 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, each ten days that prohibited conditions are maintained shall constitute a separate offense. Some violations will be considered a Class E Crime.
2. *Abatement.* The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Sec. 5-1405 Validity

The City Council of the City of Caribou hereby declares that should any section, paragraph, sentence or word of this Chapter hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this Chapter independent of the elimination here from of any such portion as may be declared invalid.

Historical Note: Sections 5-101 to 5-1405 were originally Chapter 2 of the 1956 Caribou Code, as amended June 4, 1980

ARTICLE XV COMMERCIAL & PRIVATE BUILDING ACCESS LOCK BOXES

Sec 5-1501 Lock Box System

The City of Caribou, Caribou Fire and Ambulance Department, will use a lock box system of access to commercial & private buildings chosen by the Fire Chief. Current provider is Easton Electronics, 4 Pequot Way, Canton, Ma 02021. No other system will be used without the Fire Chief’s approval.

In certain cases, by order of the Fire Chief, these lock boxes will be required to be purchased and installed on building by the owner. The keys to these boxes will be in each Police Cruiser and all Fire and Ambulance Vehicles. No other keys will be permitted without Fire Chief’s approval.

Applications to purchase these lock boxes will be provided in the Fire Chief’s Office.

ARTICLE XVI

Sec. 5-1601 Adoption of Code

A certain document, one copy of which will be on file in the City of Caribou’s Code Enforcement Office and one copy of which will be on file in the Fire Chief’s Office marked and designated as the *Life Safety Code 101, 2006 Edition* as prepared and published by the National Fire Protection Association, is hereby adopted as the safety code of the City of Caribou regulating construction and storage activities in order to minimize danger to life resulting from fire, smoke, fumes, panic, etc., providing for the issuance of permits and the collection of fees thereof; and each and all of the regulations, provisions, conditions and terms of such *Life Safety Code 101, 2006 Edition*, on file in the office of the Code Enforcement and Fire Chief ,

Sec. 5-1602 Deletions, Additions, Insertions

Historical Note: Adopted June 4, 1980

City of Caribou, Chapter 5 Fire Prevention – completely Revised and Adopted June 23, 2008; Article VI Fireworks revised and adopted by the City Council on March 12, 2012.

State Law Reference: 30 MRSA §2156.