

ORDINANCE NO. 81

AN ORDINANCE TO RENDER PROPERTY MORE SECURE AGAINST FIRE, REQUIRING SUBSTANTIAL CHIMNEYS AND FLUES AND REGULATING THE CONSTRUCTION THEREOF.

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

Section 1. Every chimney or flue that is built or maintained within the corporate limits of the City of Drain shall have walls of good quality of brick or stone at least four inches in thickness and a bottom not less than six inches in thickness of like material. Such brick or stone shall be laid in good lime mortar, plastered on the inside and when passing through or near woodwork shall be plastered on the outside. Said chimneys and flues shall be well secured to prevent falling and shall extend at least two feet above the roof. Every stovepipe or flue passing through the ceiling or partition shall be protected by a tin cylinder or other non-combustible material so as to be at least three inches from any woodwork and no stove pipe shall be permitted to pass through any window or the roof of any building except the same be protected as herein provided. No stove shall be permitted to stand within eighteen inches of any wooden or cloth wall unless such wall be fully protected by tin or zinc plates or asbestos covering and all stoves shall be set upon a zinc, tin, asbestos, brick or other non-combustible material, which material shall extend to and beyond the edges of the stove on all sides and shall extend not less than six inches beyond the stove under the door of the firebox so as to protect the floor from falling ashes and coals.

Section 2. Any person designated as inspector by the Council shall at all times have the right to enter and examine any building within the City of Drain for the purpose of inspecting chimneys and flues and the installation of stoves in such building and to ascertain and determine if such flues, chimneys or stoves are properly installed to conform with the provisions of this ordinance and to render the property sufficiently safe and secure and if in the judgment of such inspector any flue, chimney or stove shall be deemed unsafe it shall be his duty to notify the owner or occupant of the premises of the fact and order that the same be immediately repaired. If the party so interested or notified shall refuse or neglect to make the required repairs they shall be deemed guilty of a misdemeanor and be punished as hereinafter provided.

Section 3. In case any person so notified by the inspector shall persist in using such chimney or flue or stove in violation of this ordinance said inspector shall cause the repairs or alterations to be made and the expense thereof may be collected by an action brought before the City Recorder for the recovery of the expense of said repair or alteration together with the costs of the action and a reasonable attorney's fee for instituting said action to be determined by the City Recorder.

Section 4. Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than Five Dollars (\$5.00) nor more than Two Hundred Fifty Dollars (\$250.00) or by imprisonment in the City Jail not more than ninety (90) days, or by both such fine and imprisonment.

PASSED BY THE COUNCIL of the City of Drain, Oregon on the \_\_\_\_\_ day of \_\_\_\_\_, 1958.

\_\_\_\_\_  
City Recorder

APPROVED BY THE MAYOR on the \_\_\_\_\_ day of \_\_\_\_\_, 1958.

\_\_\_\_\_  
Mayor