

Chapter 16

FIRE PREVENTION*

* **State Law References:** Municipal authority to equip and control fire department, S.C. Code 1976, § 5-25-20; local permits for fireworks displays, S.C. Code 1976, § 23-35-60.

Article I. In General

Sec. 16-1. Enforcement.
Sec. 16-2. Appeals.
Secs. 16-3--16-22. Reserved.

Article II. Prohibited Acts

Sec. 16-23. False alarms.
Sec. 16-24. Police officers to enforce provisions.
Sec. 16-25. Responding to alarms; right-of-way of fire and police departments.
Sec. 16-26. Parking at hydrants; obstructing fire equipment or members.
Sec. 16-27. Following or parking near fire equipment; bystanders.
Sec. 16-28. Riding fire trucks.
Sec. 16-29. Failure to obey lawful orders.
Sec. 16-30. Use or damage of fire equipment.
Sec. 16-31. Driving over fire hose.
Sec. 16-32. Fire hydrants.
Sec. 16-33. Burning yard debris; bonfires.
Sec. 16-34. Fire hazard upon lots, buildings, premises; accumulation, growth, etc.
Sec. 16-35. Buildings burned or destroyed more than half its value.
Secs. 16-36--16-58. Reserved.

Article III. Fire Department

Sec. 16-59. City council to supervise; composition; appointment of volunteers.
Sec. 16-60. Appointment of chief.
Sec. 16-61. Appointment of officers; department regulations.
Sec. 16-62. Fire calls outside corporate limits; contracts.
Sec. 16-63. Firemen's insurance and inspection fund--Board of trustees.
Sec. 16-64. Same--Disposition of funds.
Secs. 16-65--16-86. Reserved.

Article IV. Fireworks

Sec. 16-87. Permit required for public displays.

ARTICLE I.

IN GENERAL

Sec. 16-1. Enforcement.

This chapter shall be enforced by the chief of the fire department.
(Code 1989, § 9.102)

Sec. 16-2. Appeals.

Whenever the chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of 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 chief to the city building code board of appeals within 30 days from the date of the decision appealed.
(Code 1989, § 9.104)

Secs. 16-3--16-22. Reserved.

ARTICLE II.

PROHIBITED ACTS

Sec. 16-23. False alarms.

It shall be unlawful for any person to knowingly give a false fire alarm by telephoning, informing any person that an emergency exists, knowing the same to be untrue, or in any other manner, communicating falsely to the fire department that an emergency exists.
(Code 1989, § 9.201)

Sec. 16-24. Police officers to enforce provisions.

Police officers shall enforce the provisions of this chapter. Immediately upon their arrival at the scene of a fire, and subject to availability of personnel, they may station one police officer at each end of the block wherein the fire occurs. They may require motor vehicles or other vehicles parked within said block to be moved immediately.
(Code 1989, § 9.202)

Sec. 16-25. Responding to alarms; right-of-way of fire and police departments.

All motor equipment of the fire department and police department shall have the right-of-way over all other vehicles when responding to an alarm.
(Code 1989, § 9.203)

Sec. 16-26. Parking at hydrants; obstructing fire equipment or members.

(a) No person shall park any vehicle within 15 feet of a fire hydrant nor otherwise cause any obstruction to fire equipment at a fire or at an entrance to the fire station.

(b) It shall be unlawful to interfere with or obstruct the activities of any member of the fire department who is acting in the line of duty at or proceeding to a fire.
(Code 1989, § 9.204)

Sec. 16-27. Following or parking near fire equipment; bystanders.

(a) No driver of any vehicle, other than one on official business, shall follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block

where fire apparatus has stopped in answer to an alarm.

(b) Bystanders shall stay a safe distance away.
(Code 1989, § 9.205)

Sec. 16-28. Riding fire trucks.

It shall be unlawful for any person, who is not a member of the fire department, to ride upon any fire truck without permission from the fire chief.
(Code 1989, § 9.206)

Sec. 16-29. Failure to obey lawful orders.

Failure to obey any lawful order of any official of the fire or police department at the scene of any emergency shall constitute a violation of this article.
(Code 1989, § 9.207)

Sec. 16-30. Use or damage of fire equipment.

(a) It shall be unlawful for any unauthorized person to use, borrow or damage any equipment of the fire department without the express consent of the fire chief. The term "equipment" means all vehicles, firefighting apparatus, supplies, facilities or other material belonging to the fire department.

(b) It shall be unlawful for any person to cut, mutilate or otherwise to damage or injure any hose or other firefighting apparatus.
(Code 1989, § 9.208)

Sec. 16-31. Driving over fire hose.

It shall be unlawful for any person, without permission of the fire chief, to drive a vehicle of any description over or across a fire hose stretched or laid upon the ground for use at a fire or for any other lawful purpose of the fire department.
(Code 1989, § 9.209)

Sec. 16-32. Fire hydrants.

It shall be unlawful for any unauthorized person to open or otherwise tamper with a fire hydrant.
(Code 1989, § 9.210)

Sec. 16-33. Burning yard debris; bonfires.

It shall be unlawful to burn any yard debris or to have a bonfire within the corporate limits, without first obtaining a permit from the fire chief and permission from the property owner.
(Code 1989, § 9.211)

Sec. 16-34. Fire hazard upon lots, buildings, premises; accumulation, growth, etc.

(a) It shall be unlawful for any owner, tenant, occupant, person possessing, or any other person, to permit, allow, or cause any condition, accumulation, growth or structure, or other matter, to exist upon any lot, building or premises so as to constitute or create a fire hazard, or to increase the menace of fire.

(b) It shall be the duty of the fire chief, or his authorized agents, to notify any person of a violation of this section and to suggest proper action or precautions.

(c) Any person who shall fail, within five days of such notice, to eliminate said fire hazard shall, upon conviction, be guilty of a misdemeanor.
(Code 1989, § 9.212)

Sec. 16-35. Buildings burned or destroyed more than half its value.

If an existing building is damaged by fire, deterioration or otherwise in excess of 50 percent of its then physical value, said building shall be removed within six months after the fire.
(Code 1989, § 9.213)

Secs. 16-36--16-58. Reserved.

ARTICLE III.

FIRE DEPARTMENT

Sec. 16-59. City council to supervise; composition; appointment of volunteers.

(a) An adequate, modern and efficient fire department shall at all times be maintained under the supervision of the city council and subject to such rules and regulations as shall be adopted from time to time for its orderly operation.

(b) The department shall consist of as many officers, men, engines, hose and other equipment as the city council may, from time to time, determine.

(c) Volunteers shall be appointed by the chief.
(Code 1989, § 9.401)

Sec. 16-60. Appointment of chief.

The fire chief shall be the chief administrative officer of the fire department and shall be appointed by the city council.
(Code 1989, § 9.402)

Sec. 16-61. Appointment of officers; department regulations.

(a) The officers of the department shall be appointed by the chief to such positions as he may deem necessary for the operation of the department.

(b) The chief, and in his absence the next ranking officer available, shall absolutely control and have the management at all fires. All department personnel shall be subject to and obey his orders. He shall regulate the handling of all apparatus.

(c) It shall be the duty of all department personnel to answer all alarms.

(d) Any department personnel who are found guilty of gambling in any form, drinking or storing alcoholic beverages, promiscuous use of vulgar or profane language may be expelled or suspended by the fire chief.

(e) All department personnel shall report to the station after all fires and perform all duties pertaining to the department until dismissed by the chief or some other officer.
(Code 1989, § 9.403)

Sec. 16-62. Fire calls outside corporate limits; contracts.

(a) The fire department is hereby authorized to respond to fire calls five miles outside the corporate limits and to provide mutual assistance to aid another established department.

(b) The city is hereby authorized to enter into mutual aid agreements providing for fire protection service for property, both real and personal, outside the corporate limits as council may, from time to time, approve, adopt or amend.
(Code 1989, § 9.404)

Sec. 16-63. Firemen's insurance and inspection fund--Board of trustees.

The board of trustees of the firemen's insurance and inspection fund shall consist of the mayor, city administrator and the chief of the fire department. The board shall have the duties and powers specified in S.C. Code 1976, §§ 38-57-10--38-57-160, as amended.
(Code 1989, § 9.405)

Sec. 16-64. Same--Disposition of funds.

(a) All moneys received for the firemen's insurance and inspection fund shall be deposited promptly in a special checking account, and any disbursements therefrom shall be only upon the signatures of the clerk-treasurer.

(b) The secretary-treasurer of the fund shall submit each January a written statement of funds received and disbursed during the preceding calendar year to the state, the council and the board of trustees.
(Code 1989, § 9.406)

Secs. 16-65--16-86. Reserved.

ARTICLE IV.

FIREWORKS*

* **State Law References:** State fireworks law, S.C. Code 1976, § 23-35-10 et seq.

Sec. 16-87. Permit required for public displays.

Any person desiring to hold a public display of fireworks shall first secure from city council a written permit to hold such display at least ten days prior to the date of the proposed display. No permit shall be issued to allow any public display of fireworks at any location whereby, in the judgment of the council, life or property may be endangered.

(Code 1989, § 9.504)