

AN ORDINANCE PROVIDING FOR THE CREATION OF A FIRE DEPARTMENT OF THE CITY OF DELRAY BEACH, FLORIDA, AND DEFINING ITS JURISDICTION.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA.

Section 1. That a department to be known and designated as the Fire Department be and it is hereby created for the City of Delray Beach, Florida.

Section 2. The Fire Department shall consist of the Chief of Fire ^{or} and as many subordinate ^{officers} officers, firemen and employees as the chief may deem necessary and property, subject to confirmation by the City Council.

Section 3. The Fire Department shall have control of, and management of, all fires within the limits of the City of Delray Beach, and its officers shall have the power to prevent anyone interfering in any way with the department or with any of the employees of the department in the performance of their duties.

Section 4. The Chief of Fire ^{or} shall have charge of all equipment of said department and shall make an inventory semi-annually and report to the City Council the amount of equipment on hand and the condition of such equipment, and shall report to the City Council from time to time, the needs of said department. The Chief of Fire ^{or} shall have authority to have minor repairs made upon equipment belonging to the department as well as emergency repairs, when same may be necessary.

Section 5. The Chief of Fire ^{or} and certain of the firemen appointed by him shall have police authority at fires in the City of Delray Beach and shall be in charge of the territory immediately adjacent to, ~~the~~, and in the vicinity of, the fire. There are hereby authorized to arrest and take into custody any person violating any of the rules or regulations promulgated by him, with reference to the control of fires.

Section 6. Whenever any officer or member shall find in any building or upon any premises or other place combustible or explosive matter or dangerous accumulation of rubbish or oily waste, ashes in combustible receptacles, unnecessary accumulation of



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waste paper, boxes, shavings or any other highly inflammable materials, especially liable to fire, and which is so situated as to endanger property, or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operation of the fire department or egress of occupants, in case of fire, or fire-doors or shutters obstructed or in poor repair or interior fire fighting equipment not in servicable condition, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within twenty-four hours to the Mayor, who shall within ten days review such order and file his decision thereon, and unless the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant.

Within twelve months after the passage of this ordinance it shall be the duty of the Chief of Fire Department to inspect or cause to be inspected, all stoves, furnaces, boilers, flues, chimneys and smokestacks, including chimneys, flues, and heating appliances in private dwellings constructed or installed prior to the passage of this ordinance, and in event any such installation is found unsafe he shall order the same to be removed or corrected within ten days, subject to appeal to the Mayor as hereinabove set forth.

Any owner or occupant failing to comply with such order within ten days after said appeal shall have been determined, or, if no appeal is taken, then within ten days after the service of the said order, shall be liable to a penalty as hereinafter stated.

The service of any such order shall be made upon the occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon 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 true

copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owners last known post office address.

Any person or persons, firms or corporation violating any of the provisions of this ordinance or any of its sections, shall, upon conviction, forfeit and pay a fine not to exceed One Hundred Dollars or thirty days imprisonment, or by both fine and imprisonment.

Section 7. All weeds, saw palmettoes, wild growth, rubbish, undergrowth, trash, and dead trees standing or fallen within the limits of the City of Delray Beach are hereby declared to be nuisances and a fire hazard against the safety of the City. The owner of any lot upon which are any of the aforesaid fire hazards shall be deemed guilty of a misdemeanor and after being served with a three days written notice from the Chief of Fire, shall be required to remove said weeds, palmettoes, etc. If at the expiration of said notice, the same shall not have been removed the said chief shall proceed to remove the same, or the same may be removed by the proper department of the City of Delray Beach, and the cost thereof assessed against the lot or parcel of land, as provided in the Charter of the City of Delray Beach. Any person failing to comply with a notice so served, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than One Hundred Dollars and by imprisonment at hard labor for not longer than Thirty Days, or by both fine and imprisonment in the discretion of the Municipal Judge.

Section 8. Upon the sounding of the City fire siren all traffic within the corporate limits of the City of Delray Beach shall drive as close as possible to the right hand curb and stop, and remain stationary for the period of three minutes from the sounding of the alarm.

Section 9. Any person driving any vehicle over and across a fire hose in use, or about to be in use, or lying in the street or other public thoroughfare after being placed in or used by the Fire Department for extinguishing any fire that may occur in the corporate limits of the City of Delray Beach, shall be deemed



guilty of a misdemeanor, and upon conviction before the Municipal Judge, shall be punished by a fine not to exceed One Hundred Dollars or by imprisonment at hard labor for not more than thirty days or by both fine and imprisonment in the discretion of the Municipal Judge.

Section 10. No person other than regular or volunteer firemen shall be allowed to ride any of the apparatus of the fire department except with the permission of the Chief of Fire.

Section 11. Upon the approach from any direction of any vehicle or apparatus of the Fire Department answering an alarm of fire or emergency, sounding a siren or bell or any other gong known to be the alarm of warning of the approach of such apparatus or vehicle, the driver of any other vehicle shall drive as close as possible to the right hand curb, and stop, and shall not proceed further until such apparatus or vehicle shall have passed on for a distance of two city blocks and shall not follow within two city blocks thereof.

Section 12. No vehicle, except by the permission of the Fire Chief or other authorized officer of the fire department shall park or approach within one city block of a fire or piece of fire apparatus, at any time, or be parked or left standing so as to in any way interfere with the performance of the duties of the fire department providing that this section shall not apply to ambulances, apparatus or vehicles of the police department.

Section 13. It shall be unlawful for any person to use in any manner a warning device of the sort and/or character as used by the officers or employees of ambulances of the fire department within the corporate limits of the City of Delray Beach.

Section 14. No vehicle shall be parked within ten feet of a fire hydrant.

Section 15. No person shall kindle, maintain or assist in maintaining a bonfire or other exposed fire within the limits of the City of Delray Beach, nor store or cause to be stored any highly inflammable or combustible material without first obtaining written permit from the Chief of Fire which said permit shall obligate the grantee thereof to be responsible for any damages



resulting therefrom.

Section 16. All apartment houses, hotels, business houses, theatres or other public places conducted for profit shall be required to properly equip such places of business with approved fire apparatus, which shall be approved by the Chief of Fire. Any person, firm or corporation refusing to conform to the terms of the preceding sections, upon conviction shall be punished by a fine not to exceed One Hundred Dollars or by imprisonment at hard labor for not longer than thirty days or by both fine and imprisonment in the discretion of the Municipal Judge.

(omit) Section 17. A sum of money equal to the budget as drawn by the Chief of Fire and approved by the City Council of the City of Delray Beach, shall be appropriated to the Fire Department to cover the necessary expenses of the said Department. Said appropriation is to constitute a fund out of the general fund from which expenditures may be made within the department in the manner as provided in this ordinance. Any amount in excess of the accepted budget shall be voted by the City Council on the recommendation of the Chief of Fire.)

omit Section 18. The Chief of Fire shall flush all water mains and fire hydrants at least every thirty days and at such other times as directed by the Council, and same shall be a part of his duties as chief.

Section 19. It shall be the duty of the Chief to call at least two practices a month, for which firemen shall receive remuneration as outlined hereinafter. Any other practices which might be called by the Chief shall be without compensation.

Section 20. The Chief of Fire shall receive as compensation *Twenty Four* ^{2400.00} Eighteen Hundred (~~\$1800.00~~) Dollars per annum, payable ^{Five} ~~Five~~ Hundred ^{200.00} ~~50~~ Fifty (~~\$150.00~~) Dollars per month.

The assistant chief of fire shall receive as a remuneration for his services as much the sum of One Hundred Twenty (\$120.00) Dollars per annum, payable Ten Dollars per month.

Each regular fireman or in his absence a reserve fireman shall receive a compensation of Four Dollars for his attendance at



each fire.

Each fireman except the officer, shall receive the compensation of One Dollar for each practice as above outlined.

Each officer shall receive for their services the following compensation for the regular practices they attend as outlined above, the sum of to-wit:

Captain, \$2.50; First Lieutenant \$2.00; Second Lieutenant \$1.50.

Section 21. This ordinance shall take effect and be in force from its passage as provided by law.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED by the City Council of the City of Delray Beach, Florida, this the 13th day of February, A. D. 1928.

Laurens C. Hand
City Clerk.

J. L. Brown
Pres of Council

Examined and approved by me this 14th day of February, A. D. 1928.

Walter W. Johnson
Mayor.



copy of Ord. # 2 Book 4. -

not word for word but approximately the same

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Ordinance No. 2.

AN ORDINANCE PROVIDING FOR THE CREATION OF A FIRE DEPARTMENT IN THE CITY OF DELRAY BEACH, FLORIDA, AND DEFINING ITS JURISDICTION.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF DELRAY BEACH, FLORIDA.

Section 1. That a department be known and designated as the Fire Department and it is hereby created for the City of Delray Beach, Florida.

Section 2. The Fire Department shall consist of the Chief of Fire and as many subordinate officers, firemen and employees as the chief may deem necessary and proper, subject to confirmation by the City Council.

Section 3. The Fire Department shall have control of and management of all fires within the limits of the City of Delray Beach and its officers shall have the power to prevent anyone interfering in any way with the department or with any of the employees of the department in the performance of their duties.

Section 4. The Chief of Fire shall have charge of all equipment of said department and shall make an inventory semi-annually and report to the City Council the amount of equipment on hand and the condition of such equipment and shall report to the City Council from time to time, the needs of said department. The Chief of Fire shall have authority to have minor repairs made upon equipment belonging to the department, also any emergency repairs, when same may be necessary.

Section 5. The Chief of Fire and certain of the firemen appointed by him shall have police authority at fires in the City of Delray Beach and shall be in charge of the territory immediately adjacent to and in the vicinity of the fire. They are hereby authorized to arrest and take into custody any person or



persons violating any of the rules or regulations promulgated by him, with reference to the control of fires.

Section 6. Whenever the Chief of Fire or any officer or member designated by him as inspector, shall find in any building or upon any premises or other place combustible or explosive matter or dangerous accumulation of rubbish or oily waste, ashes in combustible receptacles, unnecessary accumulation of waste paper, boxes shavings or any other highly inflammable materials, especially liable to fire, and which is so situated as to endanger property, or shall find obstructions to or in fire escapes, stairs, passageways, doors or windows, liable to interfere with the operation of the fire department or egress of occupants, in case of fire or fire doors or shutters obstructed or in poor repair or interior fire fighting equipment not in serviceable condition, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within twenty-four hours to the Mayor, who shall within ten days review such order and file his decision thereon, and unless the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant.

Within twelve months after the passage of this ordinance it shall be the duty of the Chief of the Fire Department to inspect or cause to be inspected, all stoves, furnaces, boilers, flues, chimneys, and smokestacks, including chimneys, flues, and heating appliances in private dwellings constructed or installed prior to the passage of this ordinance, and in event any such installation is found unsafe he shall order the same to be removed or corrected within ten days, subject to appeal to Mayor as hereinbefore set forth.

Any owner or occupant failing to comply with such order within ten days after said appeal shall have been determined, or, if no appeal is taken, then within ten days after the service of the said order, shall be liable to a penalty as hereinafter stated.

The service of any such order shall be made upon the occupant of the premises to whom it is directed, by either delivering a true copy of same to such occupant personally or by delivering



the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises; by affixing a copy thereof in a conspicuous place on the doors 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 true copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owners last known post office address.

Section 7. All weeds, saw palmettoes, wild growth, rubbish, uncompleted and deserted buildings, or those partially destroyed by fire, undergrowth, trash, and dead trees standing or fallen within the limits of the City of Delray Beach are hereby declared to be nuisances and a fire hazard against the safety of the city. The owner or any lot upon which are any of the aforesaid fire hazards shall be deemed guilty of a misdemeanor and after being served with a three days written notice from the Chief of Fire shall be required to remove said weeds, palmettoes, etc. If at the expiration of said notice, the same shall not have been removed the said chief shall proceed to remove the same, or the same may be removed by the proper department of the City of Delray Beach, and the cost thereof assessed against the lot or parcel of land, as provided in the Charter of the City of Delray Beach.

Section 8. Upon the sounding of the city fire sirens all traffic within the corporate limits of the City of Delray Beach shall drive as close as possible to the right hand curb and stop, and remain stationary for the period of three minutes from the sounding of the alarm.

Section 9. Any person driving any vehicle over and across a fire hose in use or about to be in use or lying in the street or other public thoroughfare after being placed in or used by the Fire Department, shall be deemed guilty of a misdemeanor.

Section 10. No person other than regular or volunteer firemen shall be allowed to ride any of the apparatus of the fire department except with the permission of the Chief of Fire.



and any person or persons violating same shall be deemed guilty of a misdemeanor.

Section 11. Upon the approach from any direction of any vehicle or apparatus of the Fire Department answering an alarm of fire or emergency, sounding a siren or bell or any other gong known to be the alarm of warning of the approach of such apparatus or vehicle; the driver of any other vehicle shall drive as close as possible to the right hand curb, and stop, and shall not proceed further until such apparatus or vehicle shall have passed on for a distance of two city blocks and shall not follow within two city blocks thereof. Any person or persons violating same shall be deemed guilty of a misdemeanor.

Section 12. No vehicle, except by the permission of the Fire Chief or other authorized officer of the fire department shall park or approach within one city block of a fire or piece of fire apparatus, in use at such fire, at any time, or be parked or left standing, so as to in any way interfere with the performance of the duties of the fire department, providing that this section shall not apply to ambulances, apparatus or vehicles of the police department. Any person or persons violating same shall be deemed guilty of a misdemeanor.

Section 13. It shall be unlawful for any person other than the drivers of ambulances or vehicles of the police department to use in any manner a warning device of the sort or character as is used by the fire department within the separate limits of the City of Delray Beach. Any person or persons violating same shall be deemed guilty of a misdemeanor.

Section 14. No vehicles shall be parked within ten feet of a hydrant, and person or persons violating same shall be deemed guilty of a misdemeanor.

Section 15. No person shall kindle, maintain or assist in maintaining a bonfire, or other exposed fire within the ^{immediate} limits of the City of Delray Beach, ~~nor store or cause to be stored any~~
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highly inflammable or combustible material without first obtaining written permit from the Chief of Fire which said permit shall obligate the grantee thereof to be responsible for any damages resulting therefrom. Any person or persons violating same shall be deemed guilty of a misdemeanor.

Section 16. All apartment houses, hotels, business houses, theatres or other public places conducted for profit, shall be required to properly equip such places of business with approved fire appliances, which shall be approved by the Chief of Fire.

Section 17. Any person or persons, or officers of any firm or corporation who violate any of the rules and regulations promulgated by the Chief of Fire or who shall violate or refuse to comply with or conform to the terms of any of the preceding sections shall be deemed guilty of a misdemeanor and upon conviction before the municipal judge shall be punished by a fine not to exceed One Hundred (\$100.00) Dollars, or by imprisonment at hard labor for not longer than thirty (30) days, or by both fine and imprisonment in the discretion of the municipal judge.

Section 18. A sum of money equal to the budget as drawn by the Chief of Fire and approved by the City Council of the City of Delray Beach, shall be appropriated by the Fire Department to cover the necessary expenses of the said Department. Said appropriation is to constitute a fund out of the general fund from which expenditures may be made within the department in the manner as provided in this ordinance. Any amount in excess of the accepted budget shall be voted by the city council on the recommendation of the Chief of Fire.

Section 19. The Chief ^{of Fire} shall flush or cause to be flushed all fire hydrants at least every thirty days and at such other times as directed by the council, and same shall be a part of his duties as chief.



Section 20. It shall be the duty of the Chief of Fire to call at least two practices a month, for which firemen shall receive remuneration as outlined hereinafter. Any other practices which might be called by the Chief shall be without compensation.

Section 21. The Chief of Fire shall receive as compensation Eighteen Hundred (\$1800.00) Dollars per annum, payable One Hundred Fifty (\$150.00) Dollars per month.

The assistant Chief of Fire shall receive as a remuneration for his services as such the sum of Hundred Twenty (\$120.00) Dollars per annum, payable ten (\$10.00) Dollars per month.

Each fireman or in his absence a reserve fireman shall receive a compensation of Four (\$4.00) Dollars for his attendance at each fire, the same to be approved by the Chief of Fire.

Each fireman except the officers, shall receive the compensation of One (\$1.00) Dollar for his attendance at each regular practice as above outlined, the same to be approved by the Chief of Fire.

Each officer shall receive for his services the following compensation for the regular practices he attends as outlined above, the sum of to-wit:

Captain: \$3.50; First Lieutenant: \$2.00; Second Lieutenant: \$1.50.

Section 22. This ordinance shall take effect and be in force from its passage as provided by law.

Section 23. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed by the City Council of the City of Delray Beach, Florida, this 13th day of February, A. D. 1928.

ATTEST: James C. [Signature]
City Clerk.

J. L. [Signature]
President of the Council.

Examined and approved by me this the 14th day of February; A. D. 1928.

[Signature]
Mayor.

