

Title XVII Chapter 91 Health and Safety

Garbage Regulations

170.91.25 Garbage Disposal; Public Disposal Site

The area located generally east of the fairgrounds and identified by signage as "Burn Site" is hereby designated a "Public Disposal Site". Residents of the Municipality may utilize said site for the deposit and/or disposal of grass, branches, shrubs, leaves and other worthless vegetation. No other items or materials of any kind shall be deposited or disposed of at said site. The deposit or disposal of said vegetation shall be the only authorized activity at the Public Disposal Site.

Hours of Use: Members of the public may utilize the site only during the following times: one-half hour before sunrise and one-half hour after sunset. It shall be unlawful for anyone to utilize the site for any purpose other than the deposit or disposal of grass, branches, shrubs, leaves and any other worthless vegetation. Burning of any materials at the site by members of the public is hereby prohibited.

Added by Ordinance 747, June 13, 2006

170.91.26 Garbage Disposal; Public Disposal Site; Penalty

Penalties: Any person who is found guilty of violating Section 170.91.25 of the Nebraska Basic Code, Local Legislation of Stanton, Nebraska shall be fined:

1. Not more than \$100.00 for the first offense;
2. Not more than \$200.00 for a second offense within a 1 year period.

Added by Ordinance 747, June 13, 2006

Fire Regulations

170.91.60 Fires; Preservation of Property

Any official of the Municipal Fire Department shall have the power during the time of a fire to cause the removal of any private or public property whenever it shall become necessary to do so for the preservation of such property from fire, to prevent the spreading of fire, or to protect adjoining property. The said officials may direct the Municipal firefighters to remove any building, structure, or fence for the purpose of checking the progress of any fire, and the official in charge of the fire fighting effort shall have the power to blow up, or cause to be blown up, with powder or otherwise, any building or erection during the progress of a fire for the purpose of extinguishing or checking the same.

170.91.61 Fires; Equipment

It shall be unlawful for any person except the Fire Chief and the members of the Municipal Fire Department to molest, destroy, handle or in any other way to interfere with the use and storage of any of the fire trucks and other apparatus belonging to the Municipality.

It shall be unlawful for any person, without the consent of the Fire Chief to drive any vehicle over unprotected hose of the Fire Department.

170.91.62 Fires; Interference

It shall be unlawful for any person or persons to hinder or obstruct the Municipal Fire Chief or the members of the Fire Department in the performance of their duty.

170.91.63 Fires; Obstruction

It shall be unlawful for any person to obstruct the use of a fire hydrant, or have or place any material within fifteen (15) feet of the said hydrant. Any vehicle or material found as an obstruction may be immediately removed by the Fire Chief or any member of the Fire Department, at the risk, cost and expense of the owner or claimant.

170.91.64 Fire; False Alarm

It shall be unlawful for any person to intentionally and without good and reasonable cause raise any false alarm of fire.

170.91.65 Fire; Fire Code Enforcement

It shall be the duty of all Municipal officials to enforce the incorporated fire code provisions and all infractions shall be immediately brought to the attention of the Fire Chief.

170.91.66 Fire; Violation Notice

It shall be the duty of the owner, lessee, or occupant of any building or structure that was lawfully inspected as hereinbefore prescribed, and who receives written or verbal notice of a violation of any of the provisions of the Municipal ordinances to correct the condition that violates the said ordinance or ordinances within five (5) days from the date of receipt of such notice.

170.91.67 Fire; Fires Regulated

It shall be unlawful for any person to set out a fire on the pavement, or near any curb, now built or hereafter to be built, within the Municipality.

It shall be lawful to build or set out fires; Provided, that the person building such fires shall have the substance to be burned in a fireproof trash burner constructed so as to prevent the escape of burning paper or other substance; Provided further, that such lawful open burning shall be limited to and consist solely of straw, hay, leaves, brush, paper, or other wood products. If any person shall require a fire of materials other than those lawfully allowed, such fire shall be built and maintained in the manner prescribed by the Fire Chief.

170.91.68 Fire; Following Fire Apparatus

The driver of any vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet, or drive into, or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

170.91.69 Fire; Fire Limits Defined

The area within the city limits of the Municipality according to the Official Zoning Map shall be and constitute the fire limits.

Gases

170.91.70 Poisonous and Flammable Gases

Any person, firm, or corporation desiring to store or keep in the Municipality for any period of time any form of poisonous or flammable gas or liquefied petroleum gas in excess of sixty (60) gallons or add to, enlarge, or replace any facility used for the storage of such gases must first obtain a permit from the Governing Body. The Governing Body shall require the name of the gas, the place of storage, and the amount of gas stored. If a permit is granted, the Governing Body shall prescribe such rules, regulations, and precautionary actions as they may deem necessary. Any such present use that is discontinued for a period of sixty (60) days shall not be revived without a permit.

Explosives

170.91.71 Explosives; Storage Permit

Any person, firm or corporation desiring to store or keep for any period of time dynamite, gunpowder, nitroglycerine, or other high explosives within the Municipality shall first obtain a permit to do so from the Governing Body. The permit shall contain the type of explosives to be stored, place of storage, and amount stored. Any change in ownership, location, amount or type of explosives shall necessitate application for a new permit on the part of the owner thereof.

All high explosives, including dynamite, gunpowder and nitroglycerine shall be stored in a proper receptacle which shall be closed at all times, except when actually in use. Such cement, metal or stone receptacle shall not be located in any room where there is a flame or flammable materials. The area surrounding storage facilities shall be kept clear of rubbish, brush, dry grass, or trees for not less than twenty-five (25) feet in all directions. Any other combustible materials shall be kept a distance of not less than fifty (50) feet from outdoor storage facilities.

170.91.72 Bullets

Cartridges, shells and percussion caps shall be kept in their original containers away from flame, flammable materials, and high explosives.

170.91.73 Blasting Permits

Any person wishing to discharge high explosives within the Municipality must secure a permit from the Governing Body and shall discharge such explosives in conformance with their direction and under their supervision, and in no case shall any person perform blasting operations unless operating under the direct supervision of a person in possession of a valid user's permit issued by the State Fire Marshal.

170.91.74 Transportation

Any person wishing to transport high explosives in the Municipality shall first acquire a permit from the Municipal Police and shall take such precautions and use such route as he may prescribe. Nothing herein shall be construed to apply to the Municipal Police, or any of the Armed Services of the United States. No vehicle transporting explosives shall make an unscheduled stop for longer than five (5) minutes within the Municipality and in the event of mechanical failure, immediate notice of such breakdown shall be given the Police Chief who shall then prescribe such precautions as may be necessary to protect the residents of the Municipality and a reasonable time for removal of the vehicle from the Municipality.

Fireworks

170.91.80 Regulations

It shall be unlawful for any person to ignite or cause to be exploded fireworks or firecrackers of any description whatsoever, except sparklers, Vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells without explosive charges for the purpose of making a noise, color wheels, lady fingers, not exceeding seven-eighths inch (7/8") in length or one-eighth inch (1/8") in diameter, and which do not contain more than fifty (50) milligrams each in weight of explosive material. Color wheels, top cap pistols and permissible caps may be sold at retail at all times; provided, that all other permissible fireworks that are authorized may be sold only between June 25th and July 4th of each year.

Fireworks may be discharged, exploded or used in the City on June 25th through and including July 4th of each year during the following times:

June 25th through July 3rd 8:00 a.m. to 11:00 p.m.

July 4th 8:00 a.m. to Midnight

The discharge or exploding of fireworks within the City on any dates and times other than those set forth in this section or as otherwise allowed by this Article shall constitute an offense unless prior approval for this discharge or exploding has been acquired from the City Council. The provisions of this section shall not apply to any fireworks to be used for purpose of public exhibitions or display which has been approved by the City Council or to fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal.

A person commits the offense of unlawful throwing of fireworks if he or she throws any firework, or any object which explodes upon contact with another object:

- a. From or into a motor vehicle
- b. Onto any street, highway, alley or sidewalk
- c. At or near any person
- d. Into any building
- e. Into or at any group of persons.

The driver of any motor vehicle from which any offense as set forth under subsection (3) of this section shall have been committed shall be prima facie responsible for the commission of said offense and may be charged accordingly. Unlawful throwing of fireworks is punishable under the general penalty section of this code.

170.91.81 Defined

Fireworks shall mean any composition or device for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation and which meets the definition of common or special fireworks set forth by the United State Department of Transportation in Title 49, Code of Federal Regulations.