



**ORDINANCE NO. 157**

**AN ORDINANCE TO AMEND SECTIONS 31, 32 34 AND 35 OF THE REVISED ORDINANCES OF THE CITY OF REXBURG, IDAHO, PROVIDING FOR THE CREATION OF FIRE LIMITS; DEFINING THE SAME, DEFINING THE KINDS OF BUILDINGS THAT MAY BE ERECTED WITHIN SAID FIRE LIMITS, AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE SAME.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG:

**SECTION I** – That section 31 of the revised ordinances of the city of Rexburg be, and the same is hereby amended to read as follows; Section 31, There is hereby created and established in the City of Rexburg a fire district, to be known as the “Fire Limits” of said city, and said fire limits shall embrace and compose, and be instituted for the following, to-wit: Lot four (4) of Block thirty-two (32); Lots three (3) and four (4) of Block thirty four; Lots one (1) and (2) of Block Thirty eight (38); and lot one (1) of block Thirty nine (39) of the city of Rexburg as shown by the town site survey thereof, and it shall be unlawful for any person, firm, company, or corporation to erect within the said fire limits any building except of the kind \_\_\_\_\_ upon the conditions hereinafter defined.

**SECTION II** – That section 32 of the Revised Ordinance of the City of Rexburg, and the same is hereby amended to read as follows: Section 32 – the outside or exterior walls of all buildings hereafter erected within the fire limits of the City of Rexburg, shall be constructed entirely of brick, stone, concrete, or other similar incombustible nature. No wood or other inflammable material shall hereafter be used in the construction of or to support any such wall or any outside or exterior stairway or porch connected with any building within the said fire limits. The outside or exterior walls of all one story brick or concrete buildings shall be not less than nine inches thick; of all two story brick or concrete buildings for the first story, not less than thirteen inches thick, and for the second story not less than nine inches thick; of all three story brick or concrete buildings, for the first story not less than seventeen inches, and the second and third stories not less than thirteen inches thick. The outside walks of all one story stone buildings shall be not less than fifteen inches thick; of all two story stone buildings, for the first story not less than eighteen inches thick and for the second story, not less than fifteen inches thick; of all three story stone buildings, for the first story, not less than twenty-four inches for the second story, not less than fifteen inches thick. The foundation of all buildings erected within said fire limits shall be of stone and mortar, well laid or of reinforced concrete, and shall be at least two inches thicker than the walls resting thereon, and shall be laid upon suitable footing and in proper excavations; where concrete is used in the foundation or walk of any buildings, it shall be of standard quality, made of high grade Portland cement and clean,

sharp sand and gravel, mixed in proper proportions and shall be strongly re-enforced. The front and side walk of all such buildings shall extend above the roofs thereof, and the roofs shall be covered with tin, iron or other incombustible materials, and shall not be connected in any manner with the woodwork of and adjoining or contiguous building. Provided that the provisions of this section shall not apply to outbuildings (other than smoke houses or ash houses) not more than twelve feet square and ten feet high, detached and distant from any main building by at least fifteen feet.

**SECTION III** – That section 34 of the revised ordinances of the City of Rexburg be and the same is hereby amended to read as follows; Section 34 – That any person, firm, company or corporation who may desire hereafter to erect any building within the said fire limits of the City of Rexburg, shall, before commencing the erection thereof, submit to the City Council, plans of the proposed building, and the council after inspecting plans shall if the same are according to the provisions of this ordinance issue a permit for the \_\_\_\_ of the proposed building. No person, firm, company or corporation owning, occupying or controlling any frame or wooden building situated within the said fire limits, shall remove the same to any other place within said limits or add to any such wooden or frame building.

**SECTION IV** – That section 35 of the Revised Ordinances of the City of Rexburg be and the same is hereby amended to read as follows: Section 35 – Any person, firm, company or corporation who shall hereafter erect or cause to be erected, remove or cause to be removed any building or portion of building within the fire limits of the City of Rexburg, contrary to or in violation of the provisions of the ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine in any sum not to exceed One Hundred Dollars, or imprisonment in the city jail for not to exceed sixty days, or by both such fine and imprisonment; and any person, firm, company or corporation owning or having control of any building or portion of building erected or removed within the said fire limits in violation hereof, who permits or suffers the same to remain therein for more than ten days after being notified by the Chief of Police to tear down or remove the same shall be deemed guilty of a separate offense for each day there after that such building or portion of building is permitted or suffered to so remain, and shall be liable to a fine in any sum not to exceed Fifty Dollars for each separate offense.

PASSED AND APPROVED THIS 18<sup>TH</sup> DAY OF JUNE, 1912.

ROBERT G. ARCHIBALD

Mayor

ATTEST: J.C. ANDERSON

City Clerk

I hereby certify that the foregoing is a copy of the original ordinance.

J.C. ANDERSON, City Clerk