



ORDINANCE NO. 52

AN ORDINANCE ESTABLISHING A FIRE LIMIT, REGULATING THE KINDS OF BUILDINGS TO BE ERECTED WHEREIN, AND PROHIBITING THE USE OF STOVEPIPES THROUGH THE ROOFS, CEILINGS OR PARTITIONS OF BUILDINGS WITHIN SAID LIMITS.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, IDAHO:

SECTION I – It shall be unlawful for any person to erect within the fire limits hereinafter described any building in the construction of the exterior walls or roof of which is used or contained any material other than brick, stone, iron or other fire proof material; provided that this section shall not apply to small outbuildings (other than smoke houses or ash houses) not more than twelve feet square and ten feet high, and detached from any building by at least fifteen feet, nor to the erection of sheds having one or more sides entirely open, but no person shall within said fire limit rebuild or repair, beyond what is necessary to make good any ordinary deterioration, enlarge or add to any wooden buildings now standing within said fire limit, or remove any wooden buildings now standing within said fire limits, or remove any wooden buildings from one place to another within said fire limits.

SECTION II – The fire limits hereinbefore mentioned shall be as follows, to-wit: The north side of Main Street, between Second East and First West, and running to First North Street; and the south side of Main Street, between Second East and First West; and running to First South Street. Provided, however, that commencing at a point two hundred feet deep from the inside of each sidewalk on Main Street, and between First and Second West and First North and First South Streets, all residence buildings may be constructed of lumber, provided they comply with provisions of this ordinance as to flues.

SECTION III – All buildings now erected, or which may hereafter be erected or altered within the above described limits, shall have chimneys of either brick, adobe or stone attached to them, and the owner or owners, or the person or persons having control of any building or buildings now erected within said limits, which have stove pipes projecting through the roof, or out of the side, and wherein fire is used are hereby required to build flues or chimneys of brick, adobe or stone in said building or buildings; and all stove pipes now in use projecting through the roof, or out of the side of any building, shall be removed by the owner or owners, or the person or persons having control thereof; provided, that whenever chimneys of brick, adobe or stone are used or attached to buildings the same shall be carried up at least four feet above the extreme height of the building to which they are attached; and should such chimneys be deemed by the inspector of buildings to be appointed by the board of trustees of the village of Rexburg, unsafe to the building or buildings adjoining, they shall be carried four feet above the extreme height of said building or buildings adjoining, wither with brick or sheet iron smokestacks securely fastened. All chimneys in frame buildings shall be built so as not to increase in size from the foundation, when flues are built in brick, adobe or rock walls, the same shall be carried up at least two feet above the top of the fire wall, and be subject to the same rule as the chimneys; and no flue or chimney shall have any joist or timber resting on or entering into the same further than will leave at least six inches between the end thereof and the inside the chimney or flue. Every chimney or flue shall be plastered on the inside with good plaster in mortar. No chimney or flue shall, in any case, be less than eight by eight inches; and if intended for full two stories, not less than eight by twelve inches; and if or three stories or more, not less than eight by sixteen inches.

SECTION IV – No person shall, within said fire limits, keep any hay, straw, shavings, or other like combustible material in stock or pile, without having the same enclosed so as to protect it

from flying sparks of fire; and no owner or occupant of a livery or other stable, or any other person, shall use therein, or in any other place containing hay, straw or other combustible material any lighted candle or other light except the same be enclosed in a lantern or other suitable covering to protect the same.

SECTION V – That hereafter, any person, company or corporation desiring to erect any building within the area of the above described fire limits, shall first file application to the clerk of said village for building permit and pay the sum of \$3.00 upon the issuance of said permit, upon doing which the clerk shall issue the permit. Said application shall give the name or names of the person, company or corporation intending to erect said building, together with the kind of material which said building is to be constructed of, approximate cost of construction, name of contractors, and time in which said building is to be completed.

SECTION VI – Any person guilty of violating any of the provisions of this ordinance, shall be fined in any sum not exceeding \$300.00 or imprisonment not to exceed three months in the city jail, or by both such fine and imprisonment.

SECTION VII – All ordinances shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED AND APPROVED THIS 7TH DAY OF MARCH, 1903.

(SEAL)

W. N. STEPHENS

Chairman

ATTEST: A. M. CARBINE

Clerk

AMENDED BY ORD. 157, 209