

ORDINANCE NUMBER 43

AN ORDINANCE AMENDING THE MINIMUM REGULATIONS GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING, AND USE OF HAZARDOUS SUBSTANCES, MATERIALS, AND DEVICES; AND FROM CONDITIONS HAZARDOUS TO LIFE AND PROPERTY IN THE OCCUPANCY OF BUILDINGS OR PREMISES; AND FROM CONDITIONS WHICH COULD IMPEDE OR INTERFERE WITH FIRE SUPPRESSION FORCES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, AND MAKING INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; KNOWN AS THE FIRE PREVENTION CODE; AND REPEALING EXISTING ORDINANCE #34 OF THE LAKE ST. LOUIS FIRE PROTECTION DISTRICT OF ST. CHARLES COUNTY, MISSOURI.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LAKE ST. LOUIS FIRE PROTECTION DISTRICT OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. ADOPTION OF FIRE PREVENTION CODE.

That a certain document, three (3) copies of which are on file in the office of the Fire Marshal of the Lake St. Louis Fire Protection District of St. Charles County, Missouri, being marked and designated as "*The International Fire Code – 2003*" including Appendix Chapters D, E, F, and G as published by the International Code Council is hereby adopted as the Fire Prevention Code of the Lake St. Louis Fire Protection District of St. Charles County, Missouri, for the control of buildings, structures and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of said *International Fire Code – 2003*, are hereby referred to, adopted and made part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section 2 of this Ordinance.

SECTION 2. ADDITIONS, INSERTIONS, DELETIONS AND CHANGES.

The International Fire Code – 2003 is amended and changed in the following respects:

SECTION F-101.1 (page 3) – Delete in its entirety and insert in lieu thereof:

101.1 Title. These regulations shall be known as *The Fire Prevention Code of the Lake St. Louis Fire Protection District of St. Charles County, Missouri*, hereinafter referred to as "this code."

101.1.1 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

Fire Code Official: The Fire Marshal of the Lake St. Louis Fire Protection District of St. Charles County, Missouri, or his duly authorized representative.

Chief Appointing Authority of the Jurisdiction: The Board of Directors of the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

Fire District: The Lake St. Louis Fire Protection District of St. Charles County, Missouri.

The Board of Directors: The Board of Directors of the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

SECTION 103 (page 2) – Delete sections 103.1, 103.2, 103.3 in their entirety and insert in lieu thereof:

103.1 Creation of enforcement agency. The Department of Fire Prevention is hereby created and the official in charge thereof shall be known as the fire code official. The fire code official shall be appointed by and serve at the pleasure of The Board of Directors. The fire code official, if not the Fire Chief, shall report to the Fire Chief.

103.2 Deputy. The Board of Directors may designate a deputy who shall exercise all the powers of the fire code official during the temporary absence or disability of the fire code official.

103.3 Restriction of Employees. An official or employee connected with the enforcement of this code shall not be engaged in or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a structure, or the preparation of construction documents thereof, unless the person is the owner of the structure; nor shall such officer or employee engage in any work which conflicts with the official duties or with the interests of the Fire District.

SECTION 105.6 (pages 5) – Delete section 105.6 in its entirety and insert in lieu thereof:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.47. Unless specifically addressed elsewhere in this ordinance a fee of \$100.00 will be issued for such permits.

SECTION 105.6 (pages 5-9) – Delete the following Sections in their entirety:

105.6.1 Aerosol products.

105.6.3 Aviation facilities.
105.6.5 Battery systems.
105.6.6 Cellulose nitrate film.
105.6.7 Combustible dust-producing operations.
105.6.8 Combustible fibers.
105.6.9 Compressed gases.
105.6.10 Covered mall buildings.
105.6.11 Cryogenic fluids.
105.6.12 Cutting and welding.
105.6.13 Dry cleaning plants.
105.6.16 Fire hydrants and valves.
105.6.17 Flammable and combustible liquids.
105.6.18 Floor finishing.
105.6.19 Fruit and crop ripening.
105.6.20 Fumigation and thermal insecticide fogging.
105.6.22 HPM facilities.
105.6.23 High-piled storage.
105.6.24 Hot work operations.
105.6.25 Industrial ovens.
105.6.26 Lumber yards and woodworking plants.
105.6.27 Liquid- or gas-fueled vehicles or equipment in assembly buildings.
105.6.28 LP-gas.
105.6.29 Magnesium.
105.6.32 Open flames and torches.
105.6.33 Open flames and candles.
105.6.34 Organic coatings.
105.6.38 Pyroxylin plastics.
105.6.39 Refrigeration equipment.
105.6.40 Repair garages and motor fuel dispensing facilities.
105.6.42 Spraying or dipping.
105.6.43 Storage of scrap tires and tire byproducts.
105.6.45 Tire rebuilding plants.
105.6.46 Waste handling.
105.6.47 Wood products.

SECTION 105.7 (pages 9-10) – Delete the following Sections in their entirety:

105.7.2 Compressed gases.
105.7.7 Industrial ovens.
105.7.10 Spraying or dipping.

SECTION 106 (Page 10) – Insert additional provisions as follows:

106.4 Change in Occupancy Inspection. Whenever there is a change in the ownership or occupancy of a building or structure, or any portion thereof, the

owner shall notify the fire code official at least two (2) business days in advance of the change in occupancy. The code official shall then schedule and conduct an inspection of the building or structure for the purposes of ascertaining and causing to be corrected any violations of the provisions of this code.

106.4.1 Fee. The change in occupancy inspection shall be made upon receipt of a fee of Sixty Dollars (\$60.00).

Exception: Change in occupancy inspections of dwelling units in Use Group R-2 shall be made upon receipt of a fee of Thirty Dollars (\$30.00).

106.4.2 Occupancy permit. If no violations of the provisions of this code, or upon correction of all noted violations, the fire code official shall issue an occupancy permit, which is valid until the next change of ownership or occupancy, unless revoked by the fire code official for reasons as set forth in this code or the Building Code of the Fire District.

106.4.3 Conditional occupancy. The fire code official may, at his discretion, issue a conditional occupancy permit under circumstances where the owner or purchaser have made an affidavit stating that the violations will be corrected within a time period specified by the fire code official.

106.4.4 Unlawful occupancy. Any person who occupies, conspires to occupy, or permits to be occupied any building or structure or part thereof without the issuance of an occupancy permit or conditional occupancy permit as required by this section, shall be deemed guilty of a misdemeanor and subject to the penalties as specified in Section 109. The provisions of this section shall also apply to title companies and real estate agencies that fail to ensure a valid occupancy permit exists before permitting the closure of a sale.

106.5 Annual commercial inspections. Each commercial structure or building, and each business occupancy within said structure or building shall be inspected at least once each 12 month period by the fire code official for the purposes of ascertaining and causing to correct violations of this code or the Building Code of the Fire District.

106.5.1 Fee. The annual commercial inspection shall be made without charge. One follow-up inspection to ensure that violations have been corrected shall also be made without charge. Additional follow-up inspections to ensure that violations have been corrected shall be made upon receipt of a fee of Twenty-Five Dollars (\$25.00).

106.5.2 Occupancy permit. If no violations are noted, or upon correction of all noted violations, the code official shall issue a Business Occupancy

Permit, which shall be valid until the next inspection is made or fourteen (14) months after issuance, whichever is greater. The Business Occupancy Permit must be prominently displayed in a public area within the occupancy.

106.5.3 Conditional occupancy. The code official may issue a conditional Business Occupancy Permit under circumstances where the business owner has made an affidavit stating that the violations noted will be corrected within a time period specified by the code official.

106.5.4 Unlawful occupancy. Any person who occupies, conspires to occupy, or conducts business within, or on, any premises that does not have a valid Business Occupancy Permit or conditional Business Occupancy Permit as required by this section, shall be deemed guilty of a misdemeanor and subject to the penalties as specified by Section 109.

SECTION 108 (page 11) – Delete in its entirety and insert in lieu thereof:

SECTION 108 MEANS OF APPEAL

108.1 Appeals. Any person aggrieved or injured by any determination or order or decision of the code official under this Ordinance, may appeal the same to the Board of Directors, but not later than ten (10) days after the making of such order, determination or decision, or the giving of notice thereof by the code official where such giving of notice is required, whichever date is later. Such appeal shall be in writing, addressed to the Board of Directors, and shall state the order or determination or decision of the code official which is appealed from, and the reasons of the appellant for disagreement therewith, and the facts of the situation relevant thereto. However, no such appeal shall be required to be in any particular form or style of technical pleadings. No such appeal shall stay the order or decision or determination of the code official unless the Board of Directors, by majority vote, shall so direct the code official after receipt of such an appeal. The Board of Directors, on receipt of such an appeal, shall fix a time not more than forty-five (45) days later and a place at which such appeal shall be heard. At such hearing the appellant shall be permitted to produce proof why his or her appeal should be granted. Such hearing shall be informal, and shall not be bound by the rules of evidence adhered to in courts. At such hearing, the appellant may appear in person, or by agent, or by attorney. At such hearing, the Board of Directors may request such further information, either from the appellant, or from the code official or from other members of the staff of the Fire District, as the Board of Directors may consider appropriate to the matter. After the conclusion of such hearing, the Board of Directors may decide the question forthwith by majority vote of the Directors, or the Board of Directors may take the matter under advisement to be decided by majority vote of the Board of Directors at such other time, not later than twenty (20) days after such hearing, as the Board of Directors may determine. The decision of the Board of Directors

shall be entered in the minutes of the Board of Directors, in the form of a resolution, and may approve or disapprove the matter appealed. If such decision is made at the time of the hearing, then the Board of Directors shall announce the same forthwith to the appellant, or his or her agent or attorney. If the decision is made thereafter, then the Board of Directors shall notify the appellant or his or her agent or attorney who appeared at the hearing, in writing, of such decision promptly after the making thereof.

SECTION 109.3 (page 12) – Delete in its entirety and insert in lieu thereof:

109.3 Violation penalties. It shall be unlawful for any person to violate any of the provisions of this Ordinance in any manner, or fail to comply with any order issued pursuant to any section thereof. Each day that any violation of the provisions of this Ordinance continues after due notice has been served, shall be deemed a separate offense. The imposition of any fine or prison term shall not excuse the violation, nor permit the continuance thereof, nor prevent the Fire District from taking any other such action as may be appropriate and as may be permitted by law in connection therewith.

In addition to any fines stated below, a person found guilty of any violation of any provisions of this Ordinance shall also pay a surcharge equal to the attorney's fees, expert witness fees, and any other costs incurred by the Fire District if the violations are prosecuted by a Special Assistant Prosecuting Attorney appointed by the County Prosecutor. All fines and surcharges shall be paid to the Fire District.

The pursuit or imposition of the criminal penalties prescribed by this code shall not preclude the Fire District, or any other officer or official appointed or designated by the Fire District, from instituting appropriate action to prevent unlawful construction, reconstruction, alteration, relocation, maintenance, occupancy, or any use of any building or structure; or to restrain, correct or abate a violation of this code; or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Fire District prevails to any extent in such action, the person against whom the action is taken shall pay the Fire District the attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

In all cases where the same offense may be made punishable, or shall be created by different clauses or sections of the Fire District's Ordinances, the prosecuting officer may elect under which to proceed.

109.3.1 Misdemeanors. Any person who shall in any manner violate any of the provisions of this Ordinance (except those designated specifically as infractions, or shall fail to comply with any order issued pursuant to any section thereof, shall be deemed guilty of a Class B misdemeanor, and

upon conviction thereof shall be punished therefore by a term of imprisonment of up to six (6) months and/or a fine of not less than Fifty Dollar (\$50.00) and not exceeding Five Hundred Dollars (\$500.00) for each such violation, such fine and imprisonment recoverable with the cost of suit.

109.3.2 Infractions. Any person who shall in any manner violate any provisions of this Ordinance that designate the violation as an infraction, shall be deemed guilty of an infraction, and upon conviction thereof shall be punished therefore by a fine of not less than Ten Dollars (\$10.00) and not exceeding Two Hundred Dollars (\$200.00) for each such violation.

109.3.3 Criminal charges by the Prosecuting Attorney. The Board of Directors may refer any violation of any of the provisions of this Ordinance to the prosecuting attorney for the Fire for criminal prosecution pursuant to this Ordinance and/or State law.

109.3.4 Civil action. The Board of Directors may refer any violation of any of the provisions of this Ordinance to the attorney for the Fire District for the prosecution of any civil or injunctive remedies provided by this Ordinance and/or State law.

SECTION 111.4 (page 12) – Delete in its entirety and insert in lieu thereof:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor and subject to the penalties as specified by Section 109.

SECTION 307.2 (page 26) - Insert additional provisions as follows:

307.2.3 Application. Application for open burning shall be submitted in writing not less than ten (10) business days before such burning is to take place.

307.2.4 Fee. A permit for open burning shall not be issued until receipt of a fee of One Hundred Dollars (\$100.00).

SECTION 503.6 (page 40) – Delete in its entirety and insert in lieu thereof:

503.6 Obstructions: All streets and fire department access roads shall be maintained clear of any fences, gates, chains, bars, pipes, wood or metal sawhorses or any other type of obstruction that reduces the dimensions or clearances required by this section.

Exception: Gates meeting the following requirements may be installed:

- 1.) The gate shall be at least 50 feet (15240 mm) back from the edge of the cross street from which the gated area is accessed, and shall open the full required width of the street.
- 2.) If the gate is manually operated, all locking mechanisms shall be approved by the fire code official.
- 3.) If the gate is electrically operated, it shall be provided with a key switch in addition to the normal operating mechanism. This key switch shall accept the Fire District's master key and shall be designed to keep the gate open until reset. The gate shall release in the event of a power failure, and be manually operable.

503.7 Removal of obstructions: When any obstruction or encroachment is found contrary to the provisions of this code, the fire code official shall notify the person(s) by whom the same was placed or is maintained to remove it forthwith. If upon the expiration of the time period outlined in a Notice of Violation or Order to Comply, the obstructions or encroachments are not removed, the fire code official shall proceed to remove the same, and report the expense to the Board of Directors. The Board of Directors may authorize legal counsel to institute appropriate actions for the recovery of such expenses, as well as reasonable attorney fees and costs.

SECTION 505 (Page 40) – Insert additional provisions as follows:

505.1.1 Large set-backs. All buildings which are set back more than 75 feet (22860 mm) from the curb, shoulder, or berm of the street which the building faces shall display the address number assigned to the building within 35 feet (10668 mm) of the curb, shoulder, or berm of such street, in an approved size, color and form.

SECTION 506.2 (pages 40-41) – Delete in its entirety and insert in lieu thereof:

506.2 Install as specified. The type and specifications of the key box may be stated by the fire code official on Building, Fire, or Occupancy Permits. If a specific type of key box is so stated on the Permit, it must be installed. Key boxes shall be installed in accordance with the manufacturer's recommendations in a location approved by the fire code official.

506.3 Owner's responsibility. All owners of buildings or structures required to have key boxes shall be responsible for the purchase, installation, and maintenance of the boxes. The owner shall provide all keys necessary to gain access to the building and all interior areas designated by the fire code official.

The owner shall notify the fire code official of any key changes necessary to maintain the intended level of building access. .

SECTION 607.3 (page 50) – Delete in its entirety and insert in lieu thereof:

607.3 Prohibited lockout systems, key-ways, and devices: The use of security lockout systems, key operated floor selection buttons, or other devices which are not automatically rendered inoperative by the fire sensing devices or the key operated fire service master switch is prohibited. Walls, security bars, equipment, or storage may not obstruct access to any building level from any elevator.

607.4 Emergency access to hoistways: Unlocking devices shall be provided on all new elevator hoistway doors at all floor levels. An unlocking device shall permit the opening of hoistway doors from any floor landing irrespective of the position of the elevator cars inside the hoistway. The operating key or device for unlocking the doors shall be kept on the premises in a location readily accessible to fire department personnel in case of an emergency, but where they are not accessible to unauthorized persons. Unlocking devices and related hardware shall comply with ASME A-17.1 listed in Chapter 45.

SECTION 903.2.7 (page 66) – Add an exception as follows:

Exception: Occupancies in Group R-3.

SECTION 907.2.10.1.2 (page 176) – Add new item “4” to list after the first paragraph:

4. In each furnace room or mechanical room that is separated from adjacent habitable spaces by a wall, partition, or door.

SECTION 907.2.24 (page 81) – Insert additional provisions as follows:

907.2.24 Carbon Monoxide Detectors. Not less than one (1) approved carbon monoxide detector complying with UL Standard 2034 shall be installed on each occupiable level of all buildings containing a Group R occupancy and which also contain an appliance, furnace, or fireplace which uses coal, natural gas, kerosene, oil, or wood as a fuel source.

Exception: Unfinished basement levels.

907.2.24.1 Placement of detectors: The required detectors shall be located as close to the entrances to the sleeping areas as possible.

907.2.24.2 Unlawful to make detector inoperable: It shall be unlawful for any person to, in any way make inoperable a carbon monoxide detector required under this section, except that this provision shall not apply to

any building owner, manager or agent of said building owner or manager in the normal procedure of maintenance of the detector, including battery replacement.

907.2.24.3 Maintenance: The owner of a building or structure that is subject to the provisions of this section, shall supply, install, test, and maintain the detector in accordance with the manufacturer's recommendations. The owner shall supply all necessary equipment required for the safe operation of the carbon monoxide detectors.

SECTION 907.3.3 (page 82) – Insert additional provisions as follows:

907.3.3 Carbon Monoxide Detectors. Carbon monoxide detectors shall be installed and maintained in accordance with Section 907.2.24 in all existing buildings containing a Group R occupancy and which also contain an appliance, furnace, or fireplace which uses coal, natural gas, kerosene, oil, or wood as a fuel source.

SECTION 3204.3.1.1 (page 262) – Delete in its entirety and insert in lieu thereof:

3204.3.1.1 Location. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.

SECTION 3404.2.9.5.1 (page 292) – Delete in its entirety and insert in lieu thereof:

3404.2.9.5.1 Location. Storage of Class I and II liquids in above-ground tanks outside of buildings must be approved by the fire code official.

SECTION 3406.2.4.4 (page 312) – Delete in its entirety and insert in lieu thereof:

3406.2.4.4 Location. Storage of Class I and II liquids in above-ground tanks must be approved by the fire code official..

SECTION 3804.2 (page 338) – Delete in its entirety and insert in lieu thereof:

3804.2 Maximum capacity. The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

(Exception to remain unchanged).

SECTION 3. BASIC FIRE CONTROL MEASURES AND REGULATIONS

Section 3.1 Adoption of Fire Control Measures and Regulations: There is hereby adopted by the Fire District the fire control measures and regulations herein set forth for the purposes of controlling conditions which could impede or interfere with fire suppression forces.

Section 3.2 Authority at Fires and Other Emergencies: The Chief of the Fire District, or his duly appointed representative as may be in charge at the scene of a fire or other emergency involving the protection of life and property, hereinafter referred to as "the incident commander," is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The incident commander may prohibit any person, vehicle, or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle, or object which may impede or interfere with the efficient operations of the Fire District. The incident commander may remove or cause to be removed any person, vehicle, or object from hazardous areas. All persons ordered to leave a hazardous area shall immediately do so and shall not re-enter the area until authorized to do so by the incident commander.

Section 3.3 Interference with Fire District Operations: It is unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any Fire District emergency vehicle in any way, or to interfere with attempt to interfere with, conspire to interfere with, obstruct or hamper any Fire District operation.

Section 3.4 Compliance with Orders: A person shall not willfully fail or refuse to comply with any lawful order or direction of the incident commander or to interfere with the compliance attempts of another individual.

Section 3.5 Vehicles Crossing Fire Hoses: A vehicle shall not be driven or propelled over any unprotected fire hose without the consent of the incident commander.

Section 3.6 Definition of Emergency Vehicle: Authorized emergency vehicles shall be restricted to those that are defined and authorized as such under the laws of the State of Missouri.

Section 3.7 Operation of Vehicles on Approach of Emergency Vehicles: Upon the approach of any emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the emergency vehicle or vehicles have passed, unless otherwise directed by the incident commander or a police officer.

Section 3.8 Vehicles Following Fire Apparatus: It is unlawful for the operator of any vehicle, other than a vehicle on official business, to follow closer than three hundred (300) feet from any fire apparatus traveling in response to a fire alarm, or to drive any

vehicle within the block or immediate area where fire apparatus have stopped in answer to an emergency call.

Section 3.9 Unlawful Boarding or Tampering with Fire District Equipment: A person shall not, without proper authorization from the incident commander, cling to, attach oneself to, climb upon or into, board, or swing upon any Fire District vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or part of, any Fire District vehicle.

Section 3.10 Damage or Injury to Fire District Equipment or Personnel: It is unlawful for any person to damage or deface, or attempt or conspire to damage or deface any Fire District emergency vehicle at any time, or to injure, attempt or conspire to injure Fire District personnel while performing Fire District duties.

Section 3.11 Emergency Vehicle Operation: The driver of an emergency vehicle responding to a call may:

- 1.) Park or stand irrespective of the provisions of existing traffic regulations.
- 2.) Proceed past a red or stop signal or other sign.
- 3.) Exceed the prima facie speed limit.
- 4.) Disregard regulations governing direction of movement or turning in specified directions.

Section 3.12 Blocking Fire Hydrants and Fire Department Connections: It is unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire protection systems, including fire hydrants and fire department connections that are located on public or private streets, or on private property. If upon the expiration of the time period specified in a Notice of Violation, the obstructions or encroachments are not removed, the code official shall proceed to remove the same, and report the expense to the Board of Directors. The Board of Directors may authorize legal counsel to institute appropriate action for the recovery of such expenses, as well as reasonable attorney's fees and costs.

Section 3.13 Hydrant Use Approval: A person shall not use or operate any fire hydrant intended for use by the Fire District for fire suppression purposes unless such person first secures a permit for such use from the code official and the Water District having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by, and authorized to make such use by, the Water District having jurisdiction.

Section 3.14 Maintenance of Fire Suppression Equipment: A person shall not obstruct, remove, fail to maintain, tamper with or otherwise disturb any fire hydrant or

fire appliance required to be installed or maintained under the provisions of this code except for the purpose of extinguishing a fire, training, testing purposes, recharging, making necessary repairs, or when permitted by the code official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the code official.

Section 3.15 Sale of Defective Fire Extinguishers: A person shall not sell, trade, loan, or give away any form, type or kind of fire extinguisher which is not approved by the code official, or which is not in proper working order, or the contents of which do not meet the requirements of the code official. The requirements of this section shall not apply to the sale, trade, or exchange of obsolete or damaged equipment for junk if said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

Section 3.16 Vehicles Parked in Fire Lanes: Any owner or operator of any vehicle parked or standing in a designated and marked fire lane shall be guilty of an infraction and shall be subject to the penalties stated in Section F-112.3, except that the fine shall be no more than one hundred dollars (\$100.00).

Section 3.17 Fireworks Displays: Any display of fireworks are subject to inspection by the code official. If the code official observes any violation of the permit or the safety standards as set forth by NFPA 1123, the code official may immediately halt the display to take immediate corrective action.

SECTION 4. INCONSISTENT ORDINANCES REPEALED.

That Ordinance Number 34 of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri and all other ordinances or parts of ordinances in conflict with any of the provisions of the Ordinance are hereby repealed.

SECTION 5. SAVING CLAUSE.

That nothing in this Ordinance or in the Fire Prevention Code hereby adopted shall be construed to affect any pending suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited in Section 4 of this Ordinance; nor shall any just of legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6. SUPERCEDING PROVISIONS.

If the application of any Lake Saint Louis Fire Protection District Ordinance or Code creates any ambiguity, conflict, or inconsistency with any term or requirement of this Ordinance, the most stringent provisions shall govern and control.

SECTION 7. ENACTMENT

This Ordinance Number 43, having been duly considered and voted upon by the Board of Directors of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri was duly enacted as an Ordinance of said District on July 26th, 2004.

EFFECTIVE DATE: August 1st, 2004.

David Monahan
Chairman and Director

Ralph C. Clark, Jr.
Treasurer and Director

Kenneth Anderson
Secretary and Director