

REVISED
ORDINANCES
OF
MULVANE,
KANSAS

1924

ORDINANCE NO. 8

AN ORDINANCE CONCERNING FIRE PROTECTION AND PREVENTION, ESTABLISHING A BUILDING CODE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Be it ordained by the Mayor and Councilmen of the City of Mulvane, Kansas.

§ 58. Volunteer Fire Department Created. SEC. 1. That there is hereby created in this city a volunteer fire department composed of a chief, an assistant chief and not less than ten nor more than twenty firemen.

§ 59. Mayor to Appoint Chief of Fire Department. SEC. 2. That the mayor shall appoint the chief of the volunteer fire department.

§ 60. Chief to Appoint Assistant and Firemen. SEC. 3. That the chief of the fire department shall appoint the assistant chief and the firemen of the department.

§ 61. Chief to Have Control of Fire Fighting Equipment. SEC. 4. That the chief of the fire department shall, under the direction of the Mayor, have complete control of the fire department and all the fire fighting equipment of this city and he shall be responsible for the proper organization, training, discipline and functioning of the fire department and for the proper care, use and safety of the equipment of said department and fire apparatus of this city.

§ 62. Duties of Assistant Chief. SEC. 5. That in the absence of the chief, the assistant chief shall have all the powers and perform all the duties incumbent upon the chief.

§ 63. Duties of Firemen. SEC. 6. That any subordinate officer or fireman who refuses or neglects to attend any fire or practice drill without submitting an excuse which is satisfactory to the chief, or

who shall neglect or refuse to do his duty or to obey the orders of the chief or his proper commanding officer or who shall leave his post of duty while at a fire, without the permission of the chief, shall be fined one dollar and be subject to expulsion from the fire department.

§ 64. Chief to Draft Bystanders. SEC. 7. That the chief shall have power and is hereby authorized to call for assistance from any and all citizens who may be present at the time of any fire, in the operation of the fire apparatus of said city, and all persons who shall refuse or neglect to follow his directions or shall disobey the orders of such chief, or shall obstruct or hinder any person in his efforts while working under the instructions of the chief, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, and shall be committed to the city jail until such fine is paid together with costs in the case.

§ 65. Practice Drills to be Held. SEC. 8. That it shall be the duty of the chief of the fire department after due notice to hold a practice drill of not less than two hours at least once every month during good weather, for the fire department of this city. It shall be the duty of each member of the fire department to attend the practice drill the same as all fire alarms.

§ 66. Reports and Records of Chief. SEC. 9. That it shall be the duty of the chief to keep an accurate list of all equipment belonging to such fire department, to maintain accurate records of fire alarms, practice drills and the attendance at the same, and to make all reports required by law of the chief of the fire department.

§ 67. Salaries of Chief and Firemen. SEC. 10. That the chief of the fire department shall be paid two dollars for attending each fire alarm and twenty-five cents for attending each practice drill, the assistant chief shall receive one dollar for attending each fire alarm and twenty-five cents for each practice drill, and each fireman shall receive one dollar for attending each fire alarm and twenty-five cents for attending each practice drill.

§ 68. Firemen's Relief Association. SEC. 11. The members of the fire department shall organize themselves into a Firemen's Relief association and become incorporated under the laws of the State of Kansas as provided in Sections 17-1701 to 17-1703 and Sections 40-601 to 40-608 of the Revised Statutes of Kansas, 1923, in order that the members thereof may have the benefits provided for in said sections.

§ 69. Fire Limits. SEC. 12. That the following shall be and are hereby declared to be the fire limits: All of Blocks one, two, seven and eight and that portion of Block 29 lying west of Styx creek, all in the original town of Mulvane, and that portion of blocks two and three, Prathers Addition to Mulvane, lying west of Styx creek.

§ 70. Fire Resistent Construction. SEC. 13. That every building hereafter erected or altered within the fire limits shall be enclosed on all sides with walls constructed wholly of stone, bricks, portland cement concrete, or other hard incombustible material. Any existing frame building within these limits which may hereafter be damaged by fire, decay or otherwise to an amount greater than one-half of its value may not be repaired, and must be removed upon the

order of the chief of the fire department acting under the authority of a resolution passed by the council.

§ 71. Structures which may be Built in Fire Limits. SEC. 14. That no frame or wooden structure shall be built hereafter in this city within the fire limits as given herein, or as from time to time they may be established, except:

A. Temporary one-story frame buildings for the use of builders within the limits of lots whereon buildings are in course of erection, or on adjoining lots.

B. Small outhouses not exceeding 150 square feet in superficial area, and 8 feet in height.

C. Grain elevators and coal pockets as usually constructed.

§ 72. Heights of Buildings; Area. SEC. 15. That buildings built within the fire limits of terra cotta or concrete hollow blocks are hereby limited to three stories, or not to exceed 40 feet in height, and no building hereafter erected or altered shall exceed four stories, or 55 feet in height, unless it be of fireproof construction; and the floor area of non-fireproof buildings between fire walls shall not exceed the following: When fronting on one street, 5,000 square feet; when fronting two streets, 6,000 square feet, and when fronting on three streets, 7,500 square feet.

§ 73. Walls; Fire Doors. SEC. 16. That all external, party or division walls hereafter erected within the fire limits shall be of sufficient thickness to support the load to be superimposed, but in no case shall a stone, brick, hollow block or concrete wall be less than 12 inches thick, except that reinforced concrete walls not over four stories and not exceeding 55 feet high, may be 10 inches thick.

The ends of all floor, ceiling, or roof beams entering a wall from opposite sides shall be separated by at least eight inches of solid masonry. All masonry walls shall be carried, full thickness, to at least two feet above the roof surfacing of the building and be properly coped.

No opening in an internal masonry wall shall exceed 6 by 10 feet, and all such openings shall be protected by standard automatic fire doors, or self closing steel fire doors, one on each side of the opening, with separation equal to the thickness of the wall. Every building in the fire limits, except private dwellings and churches, shall have standard fire shutters, or wired glass in metallic frames, on every exterior window opening, excepting on street fronts, or where no other building is within 35 feet of such openings.

§ 74. Openings in Floors. SEC. 17. That all openings through floors for stairs or elevators, in buildings in the fire limits used above the first floor for business purposes or for public assemblage, must be separately enclosed by a partition. If fireproof material is not used the enclosure shall be not less than 1½ inches thick, made of two thicknesses of matched boards. A door of the same thickness shall be provided at each flight or opening, constructed of double thickness of matched boards; said door to be mounted by wrought iron hinges, latches and catches and be self closing; or in lieu thereof an automatically closing trap door 1½ inches thick shall be provided made of two thicknesses of matched boards covered on the under side with

tin, the trap door, when closed, to extend beyond the opening on all sides.

§ 75. Height of Frame Building. SEC. 18. That no frame building hereafter erected, or altered within this city shall exceed two stories in height, except that private dwellings may be 3 stories in height.

§ 76. Chimneys; Construction of. SEC. 19. That in any building hereafter erected, altered or repaired, all chimneys shall be built of brick, stone, or other incombustible material. Brick chimneys shall have walls at least four inches thick, lined continuously on the inside with well burnt terra cotta or vitrified clay pipe from the bottom of the flue continuously to its extreme height.

All chimneys shall be topped out at least three feet above the point of contact if a flat roof, and at least two feet above the ridge of a pitched roof. No chimneys in any building already erected or hereafter to be built shall be cut off below, in whole or in part, and supported by wood, but shall be wholly supported by stone, brick, or iron, starting from the foundation; and all chimneys in any building already erected, or hereafter erected, which shall not conform to this requirement shall be repaired and made safe or taken down. All wooden beams or framework shall be separated at least two inches from the chimney and no wood furring shall be used against or around any chimney, but the plastering shall be directly on the masonry or on metal lathing.

The fire-backs of all fireplaces hereafter erected shall not be less than eight inches thick, if of solid brickwork, and not less than 12 inches if of stone. When a grate is set in a fireplace a lining of firebrick at least two inches in thickness shall be added to the fireback, unless soapstone, tile, or castiron is used and filled solidly behind with fireproof material. No smoke pipe shall pass through any floor or the roof of any building. All heater pipes from hot air furnaces, where passing through partitions or floors, must be double tin pipes, with at least one-half inch air space between, and no steam or hot water pipes shall be nearer than one inch to any wood work.

§ 77. Walls; Firestopping. SEC. 20. That all stud walls, partitions, furrings, stair carriages and spaces between joists in all buildings hereafter erected shall be effectively fire-stopped in a manner to completely cut off communication of fire through concealed spaces.

§ 78. Building Permits. SEC. 21. That no person or corporation shall erect or cause to be erected within the fire limits of this city any structure of any kind or enlarge or add to the outside dimensions thereof, nor relocate any building or structure already erected or which may hereafter be erected, without a building permit being first obtained therefor from the city clerk, approved by the chief of the fire department. The application for such a permit shall be made and the permit obtained before work is commenced upon the foundation for any building or structure, or before the removal of any building begins, and such application shall state the exact site to be occupied, the material, dimensions, and estimated cost of the proposed building, structure or addition, the purpose for which the same is intended to be occupied, the number of flues to be constructed within the same and the probable time in which the work will be completed.

§ 79. Fees for Permits. SEC. 22. That the fees for building permits shall be as follows: One dollar for work costing over \$100 and not over \$1,000. For work costing more than \$1,000 the fee shall be \$1.00 for the first \$1,000 and 50c for each additional \$1,000 or fraction thereof.

The fees prescribed in this section shall be paid, upon obtaining a building permit, to the city clerk, who shall pay them over to the city treasurer for the credit of the general fund of the city.

§ 80. Duty of the Chief of Fire Department. SEC. 23. That it shall be the duty of the chief of the fire department of this city to make a monthly inspection of all buildings within the fire limits and to order the owners of said buildings to abate from the premises any fire hazards which may be found thereon. And any person, firm or corporation who shall refuse or neglect to obey the orders of the chief so given shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) and shall be committed to the city jail until such fine is paid together with costs in the case.

§ 81. Unlawful to Burn Trash inside of Limits. SEC. 24. That it shall be unlawful to burn any trash, lumber, leaves, straw, paper, grass or other combustible material within the limits of this city, provided, that this ordinance shall not prevent the burning of such materials provided they are burned in a refuse burner constructed as hereinafter described, between the hours of 6 a. m. and 9 p. m. and then not within thirty feet of any frame building or within 15 feet of any brick building or in any manner so as to endanger property.

§ 82. Manner of Burning Trash within Fire Limits. SEC. 25. That within the fire limits of this city the material enumerated in Section 24 may be burned only in a refuse burner constructed of iron, steel, brick, concrete, or stone in a substantial manner, which shall be a closed receptacle, with a tight door at the bottom, if any opening there, and the opening at top shall be protected in a secure manner by a wire screen of not less than number 9 gage wire of not to exceed one inch mesh. If such refuse burner is constructed of iron or steel it shall not be thinner than 16 B. W. gage.

§ 83. Manner of Burning Trash Outside Fire Limits. SEC. 26. That in the city outside the fire limits the material enumerated in Section 24 may be burned only between the hours of 6 a. m. and 9 p. m. and then only under the supervision of an adult person. Leaves and small brush may be burned in the streets and grass may be burned off only while there is no high wind and then in such manner as not to obstruct traffic. No trash may be burned except in a burner constructed according to the specifications contained in Section 25 hereof, or of wire and in a substantial manner. If constructed of wire, it shall be of not less than number 9 gage and of not greater than 2 by 4 inch mesh and strengthened by 3 or more 1 inch by ½ inch angle iron uprights fastened securely to 1 inch by ¼ inch hoop at the top and bottom. If refuse burner is constructed of wire as specified in this section, an attendant shall remain on watch while same is in use as long as there is any fire therein.

Penalty. SEC. 27. That any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misde-

meanor and except in case of Section 23 on conviction thereof shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) and shall be committed to the city jail until such fine is paid together with costs in the case.

To Take Effect. SEC. 28. That this ordinance shall take effect and be in force from and after its publication in the ordinance book entitled "Revised Ordinances of Mulvane, Kansas, 1924."

Passed the council this 22nd day of December, 1924.

Approved by the Mayor this 22nd day of December, 1924.

[SEAL]

S. F. KIMBLE, Mayor

Attest: Newton Shoup, City Clerk.

§ 109. Use of Water during Fire. SEC. 19. That it is hereby declared to be unlawful for any person in this city or any person owning or occupying premises connected to the municipal water system of this city to use or allow to be used during a fire, any water from said water system, except for the purpose of extinguishing said fire, and upon the sounding of the fire alarm it shall be the duty of every such person to see that all water services are tightly closed, and that no water is used except in extraordinary cases of emergency during said fire.

ORDINANCE NO. 14

AN ORDINANCE PROVIDING FOR THE COLLECTION OF A
POLL TAX FOR ROAD PURPOSES

Be it ordained by the Mayor and Councilmen of the City of Mulvane, Kansas:

§ 125. Persons Liable for Poll Tax. SEC. 1. That all male persons between twentyone and fifty years of age who have resided in this city for thirty days and who are not a public charge shall pay each year to the city clerk the sum of three (3) dollars as provided in chapter 267 of the Laws of Kansas, 1917. The city clerk shall receipt for the same and account therefor to the city.

§ 126. Duty of the City Clerk to Serve Notice. SEC. 2. That it is hereby made the duty of the city clerk to give notice to every person liable for poll tax on or before the first day of August of each year, and if he shall fail or refuse to give such notice he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00) and shall be committed to the city jail until such fine is paid together with costs in the case, and may be removed from office in the manner provided by law. On the last Monday in September of each year the city clerk shall file with the county clerk of Sumner and Sedgwick counties a report separate for the regular tax rolls stating in detail the names of the persons notified of the demand made upon them under the provisions of this ordinance and Chapter 267 of the Laws of Kansas, 1917, who have failed to respond, and shall show the post office address of each person in default. The city clerk shall demand from the county treasurer all moneys collected in the jurisdiction of this city for delinquent poll taxes under this ordinance as provided by Chapter 267 of the Laws of Kansas, 1917.

§ 127. Poll Tax Money Used on Roads in City. SEC. 3. That all moneys received by the city clerk in accordance with the provisions of Section 1 of this ordinance shall be credited the street and alley fund to be expended on the public highways within this city

§ 128. Members of the Fire Department Exempt. SEC. 4. That all members of the volunteer fire department of this city shall be and are hereby exempt from paying the tax imposed by this ordinance.

notice from the city clerk that said tax is due, the person so failing shall upon conviction thereof be deemed guilty of a misdemeanor and fined five dollars (\$5.00) and shall be committed to the city jail until such fine is paid together with costs in the case.

§ 129. Penalty for Non-Payment. SEC. 5. That if any person shall fail to pay such tax within thirty days after the receipt of a

Take Effect. SEC. 6. This ordinance shall take effect and be in full force from and after its publication in the ordinance book entitled, "Revised Ordinances of Mulvane, Kansas, 1924."