ORDINANCE No. 352
AN ORDINANCE ESTABLISHING THE POSITION OF COUNTY FIRE WARDEN, DEFINING HIS POWERS AND DUTIES THEREOF, AND ESTABLISHING STANDARDS, RULES AND REGULATIONS OF FIRE AND FIRE PREVENTION, TOGETHER WITH PENALTIES FOR VIOLATING THEREOF

THE BOARD OF SUPERVISORS OF SOLANO COUNTY DO HEREBY ORDAIN:

Section 1. The position of County Fire Warden of the County of Solano is hereby created. The position is to be filled by appointment by the Board of Supervisors, and said Fire Warden will serve at the pleasure of the Board of Supervisors. Compensation of the County Fire Warden is hereby established pursuant to Salary Ordinance.

Section 2. The County Fire Warden is hereby vested with all the powers of a peace officer as further defined by the laws of the State of California. His duties as said peace officer shall include the enforcement of all provisions of this ordinance and any other fire protection laws of this County or of the State of California. He may appoint deputies to assist in the enforcement of said laws, but such appointments must include the fire protection enforcement officers and chiefs of all fire districts lying within the County of Solano.

Section 3. The County Fire Warden shall also act as County Fire Coordinator.

Section 4. The County Fire Warden shall encourage the adoption of fire prevention measures by means of education, and in order to carry out such education may have prepared and distributed information relating to the subject of fire prevention, control and protection.

Section 5. The County Fire Warden, or his deputies or assistants, whenever in their judgment it is deemed necessary for the operation and movement of fire apparatus for the management and control of a fire, shall have the power to place, or cause to be placed, ropes or other guards across alleys, streets, and/or other public or private ways which shall, or which shall necessarily obstruct the use of fire apparatus or equipment in the vicinity of such fire, and at such other places as he may deem necessary, and it shall be unlawful for any person to enter or remain within the places so restricted, except fire enforcement and peace officers, or such other persons as said officers shall designate to assist in controlling such fire or operating such apparatus, and it shall be the duty of all peace officers in the vicinity to aid the County Fire Warden in the execution of his duties.

Section 6. Upon the approach of any fire fighting equipment, all vehicles shall immediately pull to the edge of the street or roadway and stop and allow full passage to such fire fighting equipment and vehicles, and shall not approach or park within six hundred (600) feet of such fire fighting equipment or persons duly authorized by officers.

Section 7. It shall be unlawful for any person or persons gathered about a fire or burning of buildings to disobey the lawful orders of any public officer or fireman, or offer any resistance to or interference with the lawful efforts of an fireman or company of firemen to extinguish the fire, or engage in any disorderly conduct calculated to prevent the fire from being extinguished, or forbid, prevent, or dissuade others from assisting to extinguish the fire.

Section 8. It shall be unlawful to drive any unauthorized vehicle over any fire hose or in any manner injure any fire hose or other fire equipment or apparatus.

Section 9. It shall be unlawful for any person to improperly send, give, transmit or sound any false fire alarm.

Section 10. It shall be unlawful to set fire to or burn any brush, stumps, logs, fallen timber, fence, stack, trash, rubbish, leaves or other inflammable material, from the first day of May to the last day of November of any year, unless authorized in writing to do so by the County Fire Warden, or deputy, and then only in strict accord with the terms of such written permit.

All papers and cardboard boxes must be burned in an incinerator. All incinerators shall have one-fourth (1/4) inch mesh screen, lid or cover over the smokestack or the equivalent thereof and shall be permitted only when placed at least ten (10) feet from any building, fence, property line, dry grass or other inflammable material.

Written permission shall not be necessary if material is burned in small heaps or piles in cleared fields or not closer than one hundred (100) feet of any house, corral, fence, structure, dry grass, forest-covered land, grain or stubble fields, wood piles or hay stacks, or in proper incinerators. All burning without written permission of the County Fire Warden
or his deputies, as herein provided, shall be done between the hours of 6 o'clock a.m. and 1 o'clock p.m.

Regardless whether burning is done with or without written permission, as above described, no burning shall be done except in calm weather.

Section 11. It shall be unlawful to place, or allow to be placed, in any aisle, or any passageway of any theatre, church, lecture hall or other place of public assembly, any chair, camp stool, or other obstruction, or permit any person, except a duly authorized officer, to remain standing in such aisle, passageway or stairway, while such place is open to the public, and it shall be unlawful to operate or maintain any church, theatre, lecture hall or other place of public assembly without adequate exit facilities to be approved, in writing, by the County Fire Warden, or deputy, and it shall be unlawful to park or place any vehicle, bicycle, or other object or obstruction in front of or so as to obstruct any exit or exit to any place of public assembly.

Section 12. Whenever the County Fire Warden, or deputy, or other officer shall find in, or upon, any premises any explosives or dangerous electrical wiring or dangerous accumulation of inflammable material which shall, or might constitute a fire hazard, or shall find obstructions to fire escapes, stairways, passageways, basement entrances, doors, windows or fire alarms liable to interfere with the operation of any fire equipment or the ingress or egress of persons in case of fire, such officers shall be written order require the same to be removed or corrected within a reasonable time, and the owner, occupant, or person in charge of such premises, shall forthwith comply with such order or orders. If there is no person present in charge of such premises, a copy of such order shall be posted at or upon the premises and a copy forthwith mailed to the reputed owner or person in charge thereof, directed to the latest known address of such person.

Section 13. It shall be unlawful to allow the accumulation of grass, brush, rubbish, or other inflammable material to accumulate around any building or stack of inflammable substance within a distance of fifty (50) feet thereof, unless a fireguard around the same shall be placed or otherwise cleared at least ten (10) feet wide and not less than fifty (50) feet distant therefrom.

Section 14. The County Fire Warden or his deputies may call to the attention of the applicable fire protection district the existence of inflammable material which endangers public safety by creating a fire hazard, and said fire protection district may clear or order the clearing of land or remove or order the removal of any grass, stubble, brush, rubbish, litter or other inflammable material.

Section 15. In the event the County Fire Warden or his deputies shall require the compliance by the owner or occupant of any property with any of the provisions of this ordinance and such owner or occupant fails to do so the County Fire Warden or his deputies or the fire protection district, as the case may be, may cause the same to be done and the reasonable cost thereof shall constitute a lien against such property and a legal charge against the owner thereof.

Section 16. It shall be unlawful to throw away or deposit any lighted cigarette, cigar or other burning substance upon any public highway or roadway or such other place so as to constitute a fire hazard, or to operate a motor vehicle upon a highway or elsewhere that has an open exhaust or faulty motor that backfires or has other defects that may constitute a fire hazard.

Section 17. The County Fire Warden, his deputies or other fire officers, shall have the right to inspect any combines harvester, stationary threshing machine, hay baler, tractor, or other vehicle or implement, so as to ascertain that the same is equipped with proper spark arresters or other equipment to prevent starting fires and to require the same to be so equipped. All such machines or equipment shall be equipped with two (2) five gallon Indian Buck Pumps or the equivalent thereof, for use as emergency fire equipment in case of fire.

Section 18. It shall be unlawful for any person or persons to allow a fire blinded or attended by him to escape from his control or to spread to the lands of any person other than the owner of the fire without using every reasonable and proper precaution to prevent the fire from escaping.

Section 19. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and punishable as defined by the Penal Code.
Section 20. This Ordinance shall take effect immediately upon its passage as an emergency measure being necessary for the immediate protection of the public health, safety, and welfare, and the facts constituting such emergency are that a hazardous condition exists in the County of Solano with respect to danger of fire and the consequent damage to life and property, which condition will continue from the present time throughout the summer months, and no adequate provisions now exist for the control and prevention of such conditions.

B. A. MEYERS
Chairman of the Board of Supervisors of Solano County, State of California.

ATTEST: LEWIS MERRILL  (Seal)
County Clerk and ex-officio Clerk
Clerk of the Board of Supervisors
of Solano County.

I, LEWIS MERRILL, County Clerk of Solano County, and ex-officio Clerk of the Board of Supervisors of said County, do hereby certify that the above and foregoing Ordinance was regularly introduced, passed and adopted by said Board at a regular meeting thereof held August 4th, 1952, by the following vote:

AYES: Supervisors Church, Morris and Mowers
NOES: Supervisors Bell and Goheen
ABSENT: Supervisors Hase

WITNESS my hand and the Seal of said Board this 4th day of August, 1952.

LEWIS MERRILL  (Seal)
Clerk