

O R D I N A N C E N O. 87.

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF FIRE LIMITS, TO REGULATE THE ERECTION AND CONSTRUCTION OF BUILDINGS WITHIN THE CITY OF POLSON, AND TO PROVIDE A PENALTY FOR THE VIOLATION OF THE SAME.

Be it ordained by the Mayor and Council of the City of Polson:

SECTION I. All that portion of the City of Polson, within the following boundaries, to-wit:
Boundaries Beginning at a point where Kootenai Avenue and the alley in Block 2 intersect, thence south through the limits. center of said alley and the center of Blocks Six, Nine and Fifteen to the center line of D Street, thence west along the center line of D Street to the center line of Fourth Street, thence south along the center line of Fourth Street to the center line of E Street, thence west along the center line of E Street to the center line of the alley in Block 20, thence north along the center line of the alley in Blocks 20, 13 and 11 to the north line of B Street, thence west along the north line of B Street to the southwest corner of Block 4, thence northeast along the west line of Block 4 to the center line of A Street, thence east along the center line of A Street to the west line of Kootenai Avenue, thence northeast along the west line of Kootenai Avenue to the northeast corner of the Public Reserve, thence east to the point of beginning, shall constitute and be known as the fire limits of said city.

SECTION 2. That henceforth no person without special permit from the City Council shall, within said fire limits, erect or construct or erect, or cause to be constructed or erected, any other building than one substantially fire-proof; that is to say, the exterior walls thereof shall be of stone, brick or other non-combustible material, and the roof thereof shall be of tin, iron, slate or other material equally fire-proof. This ordinance shall not be construed to apply to smaller buildings other than smoke or ash houses, nor more than twelve feet square and high, and detached from any other building at least fifteen feet, nor to the erection of sheds having one or more sides entirely open. Wooden buildings covered on the outer side with brick, iron or tin shall not be considered made of non-combustible material within the meaning of this ordinance, nor shall any person within said fire limits, without similar permit from the City Council, rebuild or repair beyond what is necessary to make good any ordinary or natural deterioration, enlarge or add to any wooden building now standing within said fire limits, or to the roof thereof, or remove or cause to be removed any wooden building from one lot to another within said limits. And in no case, except by permission from the City Council, shall the interior walls or ceilings of any building now in course of construction, or hereafter to be erected within said fire limits, be of cloth or have cloth tacked thereon or stretched thereacross. Any person, whether owner, lessee, contractor, or laborer, who shall hereafter in violation of the provisions of this ordinance, erect, repair, enlarge, or remove any such prohibited wooden structure, roof or ceiling, or cause the same to be done by others, shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined not less than twenty five dollars nor more than one hundred dollars; and such structures erected in violation of this ordinance are hereby declared to be a nuisance, and it shall be the duty of the Chief of Police to require the author of such nuisance to remove the same forthwith, and if the said author shall neglect or refuse to abate the same, or signify his intentions to do so within twenty four hours after notice, it shall be the duty of the Chief of Police to do so and the costs thereof shall be charged to and may be recovered from the owner of the property by suit in the name of the city in any court of competent jurisdiction.

Repealed by Ordinance 87

SECTION 3. Any person desiring to build or repair, enlarge or add to any wooden building now standing within said fire limits, shall first obtain permission so to do from the City Council, Such persons shall present to the City Council a written petition, and must show by such petition the nature and extent and probable expense of such change and alteration or repair, which petition may be considered and acted upon by the City Council at any meeting thereof; provided, that any wooden building within said fire limits, which may become damaged by fire or other casualty, to the extent of fifty percent of the value thereof, shall not be repaired or rebuilt; and provided further, that no wooden building within the limits named shall have any repairs, changes or alterations made thereto to exceed forty per cent of the value thereof, and such wooden building shall not in any case be so repaired, altered or changed as to be raised higher or occupy a greater space than before.

SECTION 4. On all buildings of three or more stories in height suitable fire escapes must be erected thereon, at such places as may be designated by the chief of the fire department, and it is hereby made the duty of the chief of the fire department to examine all such buildings for the ascertainment of the safety of persons employed or residing on said buildings. He shall notify the owners of such buildings of the character of and the place where fire escapes should be erected for the safety of such persons in case of fire. Any owner of a building failing to provide fire escapes as ordered by the chief of the fire department as herein provided shall be deemed to be guilty of maintaining a nuisance, and upon conviction thereof shall be fined in a sum not exceeding three hundred dollars, and each day such nuisance shall be maintained shall be deemed a separate offense.

Passed and approved this 25th day of October, 1912.

Attest. S.C. Bibee City Clerk. J.W. Clark Mayor.

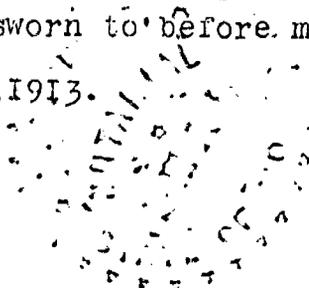
Vote-- Yeas ,Clark and Buse.
Noes ,Browne.

State of Montana.)
(SS.
County of Flathead.)

S.C. Bibee, being first duly sworn upon his oath says: I am a citizen of the United States, over the age of twenty one years, and am and was at the time mentioned in this affidavit, the City Clerk of the City of Polson, in said county and state. That on the 1st day of November, 1913, in accordance with the order of the City Council of the City of Polson, requiring all ordinances of said city to be published by posting in three of the most public places in said city, I posted a copy of the foregoing Ordinance No. 87 in three of the most public places in said city to-wit: One of said copies at the Post Office, one of said copies at the office of the City Treasurer, and one of said copies at the office of the City Clerk, that each of the said copies so posted by me was a true, full and correct copy of said Ordinance and of the whole thereof.

Subscribed and sworn to before me this S.C. Bibee

1st day of May, 1913.



W.A. Gregg
Notary Public
NOTARY PUBLIC for the State of Montana,
Residing at Polson, Montana.
My commission expires June 3rd, 1914.