

# FIRE PREVENTION

## Chapter 11 Local Law # 3 1981

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A Local Law adopting a fire prevention code for the Village of Hilton.

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(HISTORY: Adopted, Hilton Village Board 5-4-81 as Local Law No. 3, 1981. Amendments noted where applicable.)

Be it enacted by the Village Board of the Village of Hilton, New York, as follows:

**11-1 Applicability** (Amended 3-17-86 by L.L. No. 1, 1986)

This local law shall provide the basic method for administration and enforcement of the New York State Uniform Fire Prevention and Building Code, hereinafter referred to as the "Uniform Code," in the Village of Hilton and shall establish powers, duties and responsibilities in connection therewith.

**11-2 When effective**

This local law shall take effect upon filing with the Secretary of State.

**11-3 Administration**

**A.** There is hereby designated the Fire Marshal to administer and enforce the State Fire Prevention Code within the Village of Hilton.

**B.** The Fire Marshal in charge of the Office of Fire Prevention as well as the Deputy Fire Marshals shall be appointed by the Village Board. Their appointments shall continue at the pleasure of the Village of Hilton Board. The Fire Marshal shall report to the Zoning Enforcement Officer.

**11-4 Severability**

If any section of this local law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remainder thereof.

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### 11-5 Rules and regulations

- A. The Village Board of the Village of Hilton may adopt rules and regulations for the administration and enforcement of the Uniform Code. Such rules and regulations shall not conflict with the Uniform Code or this local law or any other provision of law. (Amended 3-17-86 by L.L. No. 1, 1986)
- B. The Village Clerk of the Village of Hilton shall publish all rules and regulations at least five (5) days prior to the effective date thereof by posting same in a conspicuous location in the Village Hall.

### 11-6 Permits

- A. Upon payment of a fee as prescribed in the schedule of fees adopted by the Village of Hilton, permits shall be issued by and shall bear the name and signature of the Fire Marshal of the Village of Hilton and shall specify the:

- (1) Activity or operation for which the permit is issued.
- (2) Address or location where the activity or operation is to be conducted.
- (3) Name and address of the permittee.
- (4) Permit number and date of issuance.
- (5) Period of permit validity.

- B. Permits shall not be transferable, and any change in activity, operation, location, ownership or use shall require a new permit.
- C. Permits shall continue until revoked or for a period of time designated at the time of issuance. An extension of the permit time period may be granted, provided that a satisfactory reason can be shown for failure to start or complete the work or activity authorized within the required time period.
- D. Permits shall be obtained for the following:

Acetylene generators: to operate an acetylene generator having a calcium carbide capacity exceeding five (5) pounds.

Automobile tire rebuilding plants: to operate an automobile tire rebuilding plant.

Automobile wrecking yards: to operate an automobile wrecking yard.

Bowling establishments: for bowling pin refinishing and bowling lane resurfacing operations involving the use and application of flammable or combustible liquids or materials.

Cellulose nitrate motion-picture film: to store, keep or have on hand more than twenty-five (25) pounds of cellulose nitrate motion-picture film.

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D. Permits shall be obtained for the following: (continued)

Cellulose nitrate plastics (pyroxylin):

- (1) To store, keep or have on hand more than twenty-five (25) pounds of cellulose nitrate plastics (pyroxylin).
- (2) To manufacture articles of cellulose nitrate plastics (pyroxylin), which shall include the use of cellulose nitrate plastics (pyroxylin) in the manufacture or assembling of other articles.

Combustible fibers: to store, handle or use combustible fibers in quantities in excess of one hundred (100) cubic feet, except agricultural products on a farm.

Combustible materials: to store combustible materials, including but not limited to empty combustible packing cases, boxes, barrels or similar containers, rubber tires, baled cotton, rubber, cork or other similar materials in excess of two thousand five hundred (2,500) cubic feet gross volume, on any premises.

Compressed gases:

- (1) To store, handle or use at normal temperatures and pressures more than:
  - (a) Two thousand (2,000) cubic feet of flammable compressed gas; or
  - (b) Six thousand (6,000) cubic feet of nonflammable compressed gas.
- (2) To store, handle or use any quantity of liquefied natural or hydrogen gas.

Cryogenics: to store, handle or use cryogenic fluids, except cryogenics used as a motor fuel and stored in motor vehicle tanks, as follows:

- (1) Production, sale or storage of cryogenic fluids.
- (2) Storage or use of flammable cryogenic fluids, cryogenic oxidizers or liquefied oxygen in excess of ten (10) gallons.

Dry-cleaning plants: to use in excess of four (4) gallons of solvents or cleaning agents classified as flammable or combustible.

Dust-producing plants: to operate any grain elevator, flour, starch or feed mill, woodworking plant or a plant pulverizing aluminum, coal, cocoa, plastics, magnesium, spices, sugar, sulfur or other materials producing explosive-potential dust.

Explosive ammunition and blasting agents:

- (1) To manufacture, possess, store, sell or otherwise dispose of explosives and blasting agents.
- (2) To use explosives or blasting agents.
- (3) To operate a terminal for handling explosives or blasting agents.

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D. Permits shall be obtained for the following: (continued)

Flammable and combustible liquids:

- (1) To store, handle or use flammable liquids in excess of six and one-half (6 1/2) gallons inside dwellings, or in excess of ten (10) gallons inside any other building or other occupancy, or in excess of sixty (60 ) gallons outside any building. This provision shall not apply to: liquids in the fuel tank of a motor vehicle, aircraft, portable or stationary engine, boat or portable heating plant; paints, oils, varnishes or similar flammable mixtures, which such liquids are stored for maintenance, painting or similar purposes.
- (2) To store, handle or use combustible liquids in excess of twenty-five (25) gallons inside a building or in excess of sixty (60) gallons outside a building. This provision shall not apply to fuel oil used in connection with oil-burning equipment.
- (3) A permit shall be obtained for the initial installation of an oil burner and a fuel oil tank used in connection therewith. A permit shall be required for the replacement of a fuel oil tank connected to an oil burner.
- (4) For a processing, blending or refining of flammable or combustible liquids.

Flammable finishing: for spraying, coating or dipping operations utilizing flammable or combustible liquids.

Fruit-ripening process: to conduct a fruit-ripening process using ethylene gas.

Fumigation and thermal insecticidal fogging: to conduct fumigation or thermal insecticidal fogging operations.

Hazardous chemicals:

- (1) To store, handle or use more than fifty-five (55) gallons of corrosive liquids, or more than fifty (50) pounds of oxidizing materials, or more than ten (10) pounds of organic peroxides, or more than fifty (50) pounds of nitromethane, or one thousand (1,000) pounds or more of ammonium nitrate, ammonium nitrate fertilizers and fertilizer mixtures containing sixty percent (60%) or more ammonium, or any amount of toxic material or poisonous gas.
- (2) To store, handle or use any quantity of air-reactive, water-reactive or unstable materials.

Junkyard: to operate a junkyard.

Liquefied petroleum gas: for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers of five hundred (500) gallons or

more water capacity, and for each permanent installation, irrespective of size of containers, made at buildings in which twenty (20) or more persons congregate for civic, political, educational religious, social or recreational purposes. Installers shall maintain a record of all installations and replacement of portable cylinders and have it available for inspection.

Lumberyards: to operate a lumberyard.

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D. Permits shall be obtained for the following: (continued)

Magnesium: for melting, casting, heat-treating, machining or grinding of more than ten (10) pounds of magnesium per working day.

Matches:

- (1) To manufacture matches.
- (2) To store matches in excess of twenty-five (25) cases. ((NOTE: One (1) case equals one (1) matchman's gross of fourteen thousand four hundred (14,400) matches))

Organic coatings: to perform organic coating operations utilizing more than one (1) gallon of organic coating on any working day.

Ovens and furnaces: to operate industrial processing ovens and furnaces operating at approximately atmospheric pressures and temperatures not exceeding one thousand four hundred degrees Fahrenheit (1,400 F.) which are heated with oil or gas fuel or which during operation contain flammable vapors from the material in the oven or catalytic combustion system.

Places of assembly: to maintain, operate or use a place of assembly.

Service stations and repair garages: to operate a service station or repair garage.

Welding or cutting: to operate a welding and cutting business. A record of all locations where welding or cutting operations are performed shall be maintained and kept available for inspection by the permit holder.

Woodburning appliances: to install any appliances intended for burning wood, such as but not limited to freestanding fireplaces, airtight stoves, fireplace inserts or standard masonry fireplaces. Application for permit to the Fire Marshal shall include the location of the installation, type of installation and manufacturer, if available. A permit shall be issued after approval of the application and after fees are paid.  
(Added 2-15-82 by L.L. No. 1, 1982; Amended 3-17-86 by L.L. No. 1, 1986)

E. Consolidated permits. When more than one (1) permit is required for the same property or premises, a single permit may be issued listing all materials or operations covered. Revocation of a portion or portions of such consolidated permit, for specific hazardous materials or operations, shall not invalidate the remainder.

F. Location of permits. Permits shall be kept on property or premises covered by the permit or carried by the permit holder.

- G.** Revocation of permits. Permits may be suspended or revoked when it is determined there is a violation of a condition under which the permit was issued, or there has been misrepresentation or falsification of material facts in connection with the permit application or a condition of the permit.

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### **H. Permit fees**

(1) Except as to bulk storage permit fees and flammable liquids transport vehicle permit fees, provided for below, whenever the code provides or requires the issuance of a permit, application therefore shall be made to the Fire Marshal of the Village of Hilton. Upon the filing of the application, a fee shall be paid to the Village Clerk of the Village of Hilton in the following amounts:

(a) Bulk storage fees.

(1) Fifty thousand (50,000) gallons: ten dollars (\$10.00).

(2) Each additional one hundred thousand (100,000) gallons: three dollars (\$3.00).

(b) Flammable liquid transport vehicle fee: five dollars (\$5.00) per vehicle. All other permits: ten dollars (\$10.00). (Amended 10-5-81 by L.L. No. 6, 1981)

(2) All such permits as herein required shall be valid for a period of one (1) year and shall be renewed yearly upon application therefore and the payment of the permit fee as herein required.

**I.** The Village Board may, by resolution after a hearing on public notice, increase or decrease the permit fees herein established from time to time. (Added 10-5-81 by L.L. No. 6, 1981)

### **11-7 Inspections**

**A.** The Fire Marshal of the Village of Hilton shall conduct periodic inspections for all buildings and premises except the interiors of single-family dwellings for compliance with the provisions of the Uniform Code. Such inspections may be made at any reasonable time. (Amended 3-17-86 by L.L. No. 1, 1986)

**B.** If entrance to make an inspection is refused or cannot be obtained, the Fire Marshal of the Village of Hilton may apply for a warrant to make an inspection to any court of competent jurisdiction.

**C.** Appearance tickets. The Fire Marshal shall have the authority pursuant to Article 150 of the Criminal Procedure Law to issue an appearance ticket subscribed by him, directing a designated person to appear in a designated local criminal court at a designated future time in connection with the alleged commission of a designated violation of this code or any order made there under.

## **11-8 Compliance required; violation orders**

- A.** A person owning, operating, occupying or maintaining property or premises within the scope of the Uniform Code or this local law shall comply with all the provisions of the Uniform Code, this local law and all orders, notices, rules, regulations or determinations issued in connection therewith. (Amended 3-17-86 by L.L. No. 1, 1986)
- B.** Whenever the Fire Marshal of the Village of Hilton finds that there has been a violation of the Uniform Code, this local law or any rule or regulation adopted pursuant to this local law, a violation order shall be issued to the person or persons responsible. (Amended 3-17-86 by L.L. No. 1, 1986)

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## **11-8 Compliance required; violation orders (continued)**

- C.** Violation orders shall be in writing; shall identify the property or premises; shall specify the violation and remedial action to be taken; shall provide a reasonable time limit for compliance; and shall state the time within which an appeal may be taken.
- D.** Violation orders may be served by personal service; by mailing by registered or certified mail; or by posting a copy thereof in a conspicuous place on the premises and mailing a copy thereof to the premises on the same day as posted, enclosed in a postpaid wrapper addressed to the person responsible.
- E.** In case the owner, lessor or occupant, or the agent of any of them, shall fail, neglect or refuse to remove, eliminate or abate the violation within the time specified in the violation order, an appearance ticket will be issued by the Fire Marshal.

## **11-9 Penalties for offenses**

- A.** Failure to comply with any provision of the Uniform Code, this local law, rules and regulations adopted pursuant to this local law or a violation order shall be deemed a violation, and the violator shall be liable for a fine of not less than twenty-five dollars (\$25.00) or imprisonment not to exceed thirty (30) days or both, and each day such violation continues shall constitute a separate violation. (Amended 3-17-86 by L.L. No. 1, 1986)
- B.** An action or proceeding in the name of the Village of Hilton may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of the Uniform Code, this local law, any rule or regulation adopted pursuant to this local law or a violation order, or to vacate the occupancy or building in the case of imminent danger to life or property. Such remedy shall be in addition to penalties otherwise prescribed by law. (Amended 3-17-86 by L.L. No. 1, 1986)
- C. Obstruction of fire lanes and hydrants**
- (1) In addition to the foregoing penalties, any vehicle or other obstruction found standing, parked or left in a fire lane will be ticketed for a no-parking violation, removed or towed away and stored by or at the direction of any peace or law enforcement officer, Fire Marshal or Deputy Fire Marshal. Any such removal, towing and storage as herein provided may be performed by a private towing contractor and any and all expenses related thereto shall be at the full responsibility of the owner or person entitled to possession of said vehicle or obstructing article.

(2) In addition to the foregoing penalties, any vehicle or other obstruction found standing, parked or left within fifteen (15) feet of a fire hydrant will be ticketed by any peace or law enforcement officer, Fire Marshal or Deputy Fire Marshal.

#### **11-10 Records to be kept**

The Fire Marshal of the Village of Hilton shall keep official records of all permits, inspection reports, recommendations, complaints and violation orders.

#### **11-11 Removal of unsafe buildings; other hazards**

A. A building or structure or part thereof which is an imminent danger to life and safety of the public as a result of a fire or explosion is hereby declared to be a public nuisance.

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#### **11-11 Removal of unsafe buildings; other hazards**

B. Whenever the Fire Marshal of the Village of Hilton finds a building structure or part thereof to be an imminent danger to life and safety of the public as a result of a fire or explosion, the Fire Marshal of the Village of Hilton may cause it to be demolished and removed or may cause work to be done in and about the building or structure as may be necessary to remove the danger.

C. The Fire Marshal of the Village of Hilton may require the occupants of any such building or structure or part thereof to vacate the premises forthwith. No person shall use or occupy such building or structure or part thereof until it is made safe. Except for the owner, no person shall enter premises which have been ordered vacated unless authorized to perform inspections, repairs or to demolish and remove such building or structure or part thereof.

D. Whenever the same shall be necessary to protect the inhabitants of the Village of Hilton against fire hazards, the Fire Marshal may require the owners of land to cut, trim or remove brush, grass, rubbish or weeds and, upon default, may cause such fire hazards to be removed by the Village.

E. All costs and expenses incurred by the Village of Hilton in connection with any work done to remove the danger, or in connection with the demolition and removal of any such building, structure or other hazard, shall be assessed against the land on which such building, structure or hazard is located, and a bill for such expenses shall be presented to the owner of the property, or if the owner cannot be ascertained, then such bill shall be posted in a conspicuous place on the premises. Such assessment shall be and constitute a lien upon such land. If the owner shall fail to pay for such expenses within ten (10) days after the bill is presented or posted, a legal action may be brought to collect such assessment or to foreclose such lien. As an alternative to the maintenance of any such action, the Fire Marshal of the Village of Hilton may file a certificate of the actual expenses incurred and the owner thereof, with the Assessor, who shall, in preparation of the next assessment roll, assess such amount upon such property. Such amount shall be included in the levy against such property, shall constitute a lien and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as are provided by law for the collection and enforcement of real property taxes in the Village of Hilton.

#### **11-12 Supplementary administrative and enforcement procedures** (Amended 3-17-86 by L.L. No. 1, 1986)



**A. Fire Department and emergency service access (applicable to Part 1161).**

- (1) Fire lanes in commercial districts shall be thirty (30) feet in width.
- (2) Fire lanes in multiple residential districts shall be twenty-five (25) feet in width.
- (3) Fire lanes shall be clearly designated by approved markings on pavement or signs or both.
- (4) Signs shall be no more than fifty (50) feet apart. Signs shall be posted on both sides of designated fire lane. The top of the sign shall be six (6) feet from the ground.
- (5) Signs shall read NO PARKING FIRE LANE and shall have arrows pointing in direction of the area designated to be a fire lane.

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**11-12 Supplementary administrative and enforcement procedures** (continued)  
(Amended 3-17-86 by L.L. No. 1, 1986)

**A. Fire Department and emergency service access (applicable to Part 1161).**

- (6) All signs shall be stationery. Signs shall be twelve (12) inches by eighteen (18) inches in size and have a white background, red legend and three-inch letters.
- (7) Pavement markings shall be no more than fifty (50) feet apart and shall read NO PARKING FIRE LANE.
- (8) Pavement markings shall be painted on the pavement to read in the direction of travel. If two-way traffic is maintained, every other marking shall be painted in the opposite direction.
- (9) Pavement markings shall be painted on the pavement to the following specifications:
  - (a) All word markings to be in yellow in color.
  - (b) All word markings to read up, i.e., the first word shall be nearest to the driver.
  - (c) The elongated height of each letter shall be twenty-six (26) inches.
  - (d) The width of each letter shall be eighteen (18) inches. The letter I is excluded from this requirement.
  - (e) The stroke of each letter shall be five (5) inches.
- (10) No person shall park, stand or stop a vehicle in a fire lane except to avoid conflict with other traffic or pedestrians, or in obedience to directions of a peace officer or stop sign.
- (11) The markings of fire lanes on private property devoted to public use shall be approved by the Fire Marshal or the Chief of Police, or both.
- (12) The owner or occupant of the property shall be required to post signs or pavement

markings, or both, approved by the Fire Marshal or Chief of Police, or both, and maintain them in good condition. Failure to replace or repair damaged, faded, rusted or obsolete signs or faded pavement markings within thirty (30) days after written notice served by the Fire Marshal or Chief of Police shall constitute a violation under this chapter.

**B. Fire-protection equipment and water supply**

- (1) Fire Department connections for standpipe and sprinkler systems are to be maintained accessible at all times. No large shrubbery, fences or barriers of any type shall be placed within ten (10) feet of connections. This shall also apply to snow removal or plowing.
- (2) The Fire Marshal shall recommend hydrant locations, size of hydrants and water mains in new subdivisions, apartment projects, commercial and industrial areas and where new schools and churches are being constructed. Such recommendations shall be in line with the following procedures.

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**B. Fire-protection equipment and water supply (continued)**

- (2)
  - (a) The Village Building Bureau or other appropriate office shall furnish the Fire Marshal with maps or plans showing street and water main locations, together with other site information.
  - (b) The Fire Marshal will be allowed ten (10) days for review of plans, location of hydrants and water mains. The Fire Marshal's recommendations shall be plainly shown on the plans and signed by him. Two (2) complete copies of the plans shall be returned to the Fire Marshal upon final approval.
  - (c) The foregoing recommendations shall be forwarded to the Village Board or the Planning Board, as the case may be, for final approval in conformance with the laws as in such cases are made and provided.
- (3) Residential districts
  - (a) Hydrants shall not exceed a maximum of five hundred (500) feet apart on each street in either direction and shall be located at intersections whenever possible.
  - (b) Hydrants must be installed and flow-tested before aboveground construction is commenced. The flow test shall comply with the specifications of the Insurance Services Office of New York to produce an A-rating.
  - (c) Temporary exceptions may be made during construction by the Fire Marshal.
  - (d) No person shall place any object, including bushes, trees, flowers, posts, fences, etc., within ten (10) feet of any hydrant, except in emergency conditions with the approval of the Fire Marshal.
- (4) Higher density areas, commercial and industrial districts.
  - (a) Hydrants shall not exceed a maximum of three hundred (300) feet apart and shall be so located that all buildings can be reached by comparatively short hose lays from more than one (1) hydrant.

- (b) Hydrants must be installed and flow-tested before the aboveground construction is commenced. The flow tests shall comply with the specifications of the Insurance Services Office to produce an A-rating.
- (c) Temporary exceptions may be made by the Fire Marshal.
- (d) No person shall place any object, including bushes, trees, flowers, posts, fences, etc., within ten (10) feet of any hydrant, except in emergency conditions with the approval of the Fire Marshal.

**C. Standpipe systems**

- (1) Hoses shall be checked once a year and inspection so noted.
- (2) Valves (other than hose station) shall be secured in the open position by means of chains and locks.

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**11-12 Supplementary administrative and enforcement procedures (continued)**

**D. Fire alarm systems**

- (1) Fire alarm systems shall be approved by the Fire Marshal prior to installation.

**E. Commercial ovens**

- (1) All new and existing equipment (when altered or changed) shall be approved by the Fire Marshal.

**F. Storage and handling of motor vehicle fuel**

- (1) Portable containers for motor vehicle fuel shall be clearly marked with the name of the product contained. This marking shall have been applied to such container by the manufacturer of same.
- (2) Underground storage tanks containing gasoline, oil or other liquid that generates a flammable vapor at normal temperature and having a maximum individual capacity of up to ten thousand (10,000) gallons may be installed. The maximum aggregate capacity at any site shall not exceed twenty-four thousand (24,000) gallons total capacity.
- (3) The Fire Marshal or his designated representative is further authorized to order the owner or occupants of premises having flammable liquid storage tanks located thereon to have such tanks tested by methods prescribed by the Fire Marshal to determine if such tanks are leaking, if the Fire Marshal has reasonable belief that such tanks may contain a leak.
- (4) Aboveground storage tanks for flammable liquids and combustible liquids shall be prohibited, except that dispensing of Class I and Class II liquids in the open from a fuel dispensing system supplied by an aboveground tank, not to exceed 2000 gallons, located at commercial, industrial, governmental, or manufacturing

establishments, and intended for fueling vehicles used in connection with their business. Dispensing shall be permitted provided:

- (a) An inspection of the premises and operations has been made and approval granted by the Fire Marshal.
- (b) The tank is safeguarded against collision, spillage, and overfill to the satisfaction of the Fire Marshal.
- (c) The tank system is listed or approved for such above ground use by the Fire Marshal.
- (d) The tank complies with requirements for emergency relief venting, and tank and dispensing system meet the electrical classification requirements of the National Electrical Code.
- (e) The tank system has a two hour fire rating as established and listed by a recognized testing agency.

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#### **F. Storage and handling of motor vehicle fuel** (continued)

- (4) (f) Except as modified by the provisions of this section, aboveground storage tanks and their piping systems shall comply with applicable provisions of Chapters 2 and 3 of N.F.P.A 30, Flammable and Combustible Liquids Code.
- (g) Only storage tanks designed for aboveground use shall be permitted. Tanks designated and built for underground use shall not be installed for aboveground use. All aboveground storage tanks shall be enclosed in a vault which is in compliance with sub-section VIII of this section.
- (h) Tanks storing Class I and Class II liquids at an individual site shall be limited to a maximum individual capacity of 2,000 gallons and an aggregate capacity of 4,000 gallons.
- (i) Tanks shall be located at least:
  - i. 30 feet from the nearest important building on the same property.
  - ii. 25 feet from any fuel dispenser.
  - iii. 25 feet from the nearest side of a public way.
  - iv. 10 feet from any property line that is or can be built upon, including the opposite side of a public way.
  - v. Tanks shall not be permitted on property occupied as one or two family dwellings.
- (j) Vaults shall be defined as an enclosure, either above or below grade that contains an aboveground storage tank and meets the following requirements:

- i. The vault shall completely enclose the tank. There shall be no openings in the vault enclosure except those necessary for access to, inspection of, and filling, emptying, and venting of tank. The walls and floor of the vault shall be constructed of reinforced concrete at least six (6) inches (15 cm) thick. The top shall be constructed of noncombustible material. The top floor of the vault and the tank foundation shall be designed to withstand the anticipated loading. The walls and floor of the vault and tank installed below grade shall be designed to withstand anticipated soil and hydrostatic loading. The vault shall be substantially liquid tight and there shall be no backfill around the tank.
- ii. Each vault and its tank shall be anchored to withstand uplifting by ground water or flooding, including when the tank is empty.
- iii. The vault shall be designed to be wind and earthquake resistant, in accordance with standard accepted engineering practice. The vault shall be resistant to damage from the impact of a motor vehicle, or suitable collision barriers shall be provided.
- iv. Each tank shall be its own vault. Adjacent vaults may share a common wall.

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**F. Storage and handling of motor vehicle fuel (continued)**

- (4) (j) v. Connections shall be provided to permit ventilation of each vault to dilute, disperse, and remove vapors prior to entering the vault.
- (k) Tank filling Operations for aboveground tanks between 1,000 - 2,000 gallon capacity:
  - i. Delivery operations shall comply with applicable requirements of N.F.P.A. 385, Standard for Tank Vehicles for Flammable and Combustible Liquids.
  - ii. The delivery vehicle shall be separated from any aboveground tank by at least 25 feet.
  - iii. Tank filling shall not begin until delivery operator has determined tank ullage (available capacity).
  - iv. If the delivery hose is connected directly to the tank, the fill line at the tank shall be equipped with a tight-fill device for connecting the hose to the tank to prevent or contain any spill at the fill opening during the delivery operations.
- (5) Underground storage tanks containing Class liquids shall be prohibited in residential districts.
- (6) Installation or alteration permit. No installation, alteration or replacement of underground or aboveground tanks, pumps, piping and other equipment relating to the storage of flammable liquid shall be commenced without first obtaining a permit

issued therefore from the Fire Marshal.

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- (7) Noncompliance with the requirements of this local law shall be sufficient cause for suspension or revocation by the Fire Marshal of any permit issued hereunder in this local law.
- shall
- (8) Leaking tanks, pumps or piping shall be repaired or replaced immediately, and it be within the discretion of the Fire Marshal as to whether the station or facility must cease any and/or all operations while repairs or replacement are being made.
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- (9) There is to be no more than one (1) gasoline tank truck delivering flammable liquids on the premises of a gasoline service facility at any one time. Before making any deliveries to the underground tanks, the driver or other authorized person shall set the brakes of the truck and shall turn off the engine of the vehicle. Evertite or O.P.W. fill couplings, or their equivalent, must be used when unloading flammable liquids from tank truck to storage tank. The driver shall remain at the point of delivery to prevent spillage and overflow. In case of spillage or overflow the Hilton Fire Department and the Fire Marshal shall be notified immediately.
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- (10) In the event of accidental spillage or leakage of a flammable liquid in quantities of five (5) United States gallons or greater, whether or not it may enter sewers, the Fire Department and Fire Marshal shall be notified immediately.

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### F. Storage and handling of motor vehicle fuel

- (11) A minimum of five (5) one-hundred-pound bags of Stay Dry Absorbent or its equivalent must be kept on the premises at all times for flammable liquid spills and should be used for this purpose whenever possible, instead of flushing with water.
- (12) All tanks containing flammable liquids must be tested weekly for water infiltration, and records shall be kept on the premises showing the date, hour and results of such tests. When any test shows water present in the flammable liquid, the Fire Marshal shall be immediately notified. Such water may not be removed until after notification of the Fire Marshal.
- (13) Accurate daily inventory records shall be maintained and reconciled on all Class I liquids and diesel fuel storage tanks for indication of possible leakage from tanks or piping. The records shall be kept at the premises, available for inspection by the Fire Marshal, and shall include, as a minimum, records showing by product the daily reconciliation between sales, use, receipts and inventory on hand. If there is more than one (1) tank system for any one product, the reconciliation shall be maintained separately for each tank system.

### G. Tents and air-supported structures (applicable to Part 1164.9)

- (1) Smoking shall be prohibited, and adequate "no smoking" signs shall be posted.
- (2) Fire watchers shall be employed for crowds of over fifty (50) persons to enforce Part 1164.9 and to maintain clear exit aisles.

### H. Baled Storage (applicable to Part 1172.3)

- (1) The fire barriers shall extend continuously from the floor to a height of at least one (1) foot above the highest point of the piles and project at least one (1) foot beyond the sides of the piles.
- (2) Sisal and other fibers in bales bound with combustible tie ropes, also jute and other fibers liable to swell when wet, shall be stored to allow for expansion in any direction without endangering buildings, walls, ceilings or columns. Not less than three (3) feet clearance shall be left between walls and sides of piles, except that if storage compartment is not more than thirty (30) feet in width, one (1) foot clearance at side walls will be sufficient, provided that a center aisle not less than five (5) feet wide is maintained.
- (3) Not less than three (3) feet clearance shall be maintained between sprinkler pipes and tops of piles.

**I. Hazardous chemicals**

- (1) The transportation of hazardous chemicals and other dangerous articles by motor vehicles shall comply with Department of Transportation regulations.
- (2) Shipments whose origin and destination are outside the Village of Hilton are confined to the use of state highways.
- (3) Shipments of an intrusion nature (either originating in or destined to a Hilton location) shall follow a route to be designated by the Fire Marshal.

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**J. Explosives, ammunition and blasting agents** (applicable to Part 1176).

- (1) Limits of districts in which storage of explosives and blasting agents is to be prohibited are hereby established as follows: boundaries of the Village of Hilton.
- (2) Establishment of motor vehicle routes for vehicles transporting explosives and blasting agents.
  - (a) Shipments whose origin and destination are outside the Village of Hilton are confined to the use of state highways.
  - (b) Shipments of an intra-town nature (either originating in or destined to a Hilton location) shall follow a route designated by the Fire Marshal.

**K. Heating systems: chimneys, flues and gas vents.** (Added 2-15-82 by L.L. No. 1, 1982)

- (1) Inspection and approval by the Fire Marshal is required for any installation of a woodburning appliance as heretofore defined in this local law.
- (2) No connection of a woodburning appliance and/or a gas-burning appliance to a common flue shall be permitted.

**L. Party and fire walls in multiple dwellings and general building construction.** (Added 1-5-87 by L.L. No. 1, 1987)

- (1) Party walls in multiple dwellings shall be constructed in conformity with Part 738.8 of the Uniform Code, except that they must extend through the roof to form a parapet wall in conformity with Table II-738 of the Uniform Code. Party walls must also project through the exterior walls a minimum distance of twelve (12) inches.
- (2) Party walls in general building construction shall be constructed in conformity with Part 770.6 of the Uniform Code, except that they must extend through the roof to form a parapet in conformity with Table III-770 of the Uniform Code. Party walls must also project through exterior walls a minimum distance of twelve (12) inches.
- (3) Fire walls in multiple dwellings shall be constructed in conformity with Part 739.2 of the Uniform Code, except that they must extend through the roof to form a parapet in conformity with Table II-738 of the Uniform Code. Fire walls must also project through the exterior walls a minimum distance of twelve (12) inches.
- (4) Fire walls in general building construction shall be constructed in conformity with Part 771.2 of the Uniform Code, except that they must extend through the roof to form a parapet in conformity with Table III-770 of the Uniform Code. Fire walls must also project through the exterior walls a minimum distance of twelve (12) inches.