CHAPTER 8
FIRE PREVENTION

(For state law as to fires and fire protection generally, see H. & S. C., S. 1300 et seq. As to fire protection by cities, see Gov. C., SS 38600 to 38611. As to building regulations generally, see Ch. 6 of this Code.)

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Article I. In General

8-1 Damaging fire alarm system. It shall be unlawful for any person to cut or in any manner disable, interfere with or make inoperative any of the wires, guy wires, boxes, bell, tower or any other appliance connected with the fire alarm system of the city; provided, that when it becomes necessary for any person engaged in removing houses, or other structures, or any threshing or bailing outfit, to cut any of the wires or guy wires of the alarm system to let the same pass, such person shall give a notice of at least twelve hours to the chief or acting chief of the fire department, and such person so cutting any of the wires or guy wires shall not permit them to remain cut for a longer period than one hour, and such person so cutting the wires or guy wires must at their own expense repair the same to the satisfaction of the chief or acting chief of the fire department.

(Ord. 48)

Article II. Burning of Brush, Rubbish, etc.

8-2. Prohibited, generally. It shall be unlawful for any person in the City to burn any brush, grass, weeds, paper or other rubbish or material or vegetation of any kind whatsoever, or to make, build or burn any material within any street, alley, park, private property or place in the City. It shall be unlawful to sell or discharge fireworks within the City.

(Ord. 726)

8-3. Burning in receptacles prohibited. It shall be unlawful to burn brush, grass, weeds, paper or other rubbish or material or vegetation in any receptacle within the City.

(Ord. 459)

8-4. Open fires. (Ord. 378 repealed by Ord. 459)

8-5. Supervision of fires. (Ord 378 repealed by Ord. 459)
8-6. **Responsibility of property owner.** The owner of property on which any fire is burning or smoldering, and the owner of any receptacle in which any fire is burning or smoldering, shall be conclusively presumed to be the person responsible for the fire and for any violation of this article occasioned by such fire. (Ord. 459)

**Article III. Fire Department**

8-7. **Established; composition.** A fire department of the city is hereby created and established which shall be known as “the Imperial Fire Department” and which shall consist of a chief of the fire department and such other firemen as shall be appointed by the city council. (Ord. 199)

8-8. **Reports of chief.** The chief of the fire department shall report to the city council annually on the first Monday in March of each year, the number, location and condition of fire plugs, fire hydrants, cisterns and fire apparatus; and the state of the department, and of all property of the city in the keeping of the department; also all accidents by fire which have taken place, with the cause thereof, and the description of the property destroyed or injured, with the owner’s name and the amount of the loss and insurance; also all such other information and such recommendation as he may deem proper. He shall inquire into the causes of all fires. (Ord. 199)

8-9. **Liability incurred by city.** No liability shall be incurred against the city, except such as shall be first ordered or approved by the city council. (Ord. 199)

8-10. **Removal of officer or member.** The city council may, for cause, remove or expel any officer or member of the fire department. (Ord. 199)

8-11. **Oath of office of chief.** The chief of the fire department shall after his appointment take and file with the city clerk the constitutional oath of office. (Ord. 199)

8-12. **Command; obedience to orders; supervision of department property.** The chief of the fire department shall have command of the department at all times. All members of the fire department shall obey the orders of the officer in charge at any fire and to turn out to all fires. The chief shall have charge, subject to the order of the city council of all property of the department. (Ord. 199)

8-13. **Rules and regulations.** All officers and members of the fire department shall be subject to the rules and regulations contained in this article, or which may from time to time be established by the city council. (Ord. 199)

8-14. **Minimum age of member.** No person shall be a member of the fire department who is not at least eighteen years of age. (Ord. 199)
8-15. Taking apparatus outside city. None of the fire apparatus of the fire department shall be taken out of the limits of the city without the consent of the city council; except in the case of a fire, and then only by the order of the chief of the fire department.  

(Ord. 199)

8-16. Notification as to repairs to apparatus, etc.; communications with city council. The chief of the fire department shall be notified at once of any necessary repairs to any house, apparatus, etc., and all such communications to the city council shall pass through the hands of such officer for his approval or disapproval, before coming before the council.  

(Ord. 199)

8-17. Compensation of members. The members of the fire department shall receive such compensation as the city council may authorize.  

(Ord. 199)

8-18. Responsibility for maintenance of apparatus. It shall be the duty of the chief of the fire department to see that all apparatus is properly cleaned and placed at their proper stations and that all tanks are filled with chemical, and that the apparatus is put into proper condition for immediate use.  

(Ord. 199)

Article IV. Uniform Fire Code

8-19. Adoption of Uniform Fire Code. The edition of the Uniform Fire Code, including all appendices thereto, and the Uniform fire Code Standards most recently published by the Western Fire Chiefs Association and the International Conference of Building Officials is hereby incorporated by reference and adopted as part of the Ordinances of the City of Imperial.  

(Ord. 718)

8-20. Definitions. 

A. Whenever the word “administrator” is used in this Code, it shall be held to mean the City manager. 

B. Whenever the word “building official” is used in this Code, it shall be held to mean the Community Development Director or the director’s duly authorized representative. 

C. Whenever the term “corporation counsel” is used in this Code, it shall be held to mean the county’s district attorney or city attorney, depending on the nature of the reference. 

D. Whenever the word “jurisdiction” or phrase “jurisdictional area” is used in this Code, it shall be held to mean all the incorporated areas of the City of Imperial. 

E. Whenever the term “zone” is used in this Code, it shall refer to a specific land use zone as described in the Municipal Code for the City of Imperial. (Ord. 718)
8-21. Storage of flammable or combustible liquids in outside aboveground tanks prohibited when.

A. The limits referred to Article 79, Section 7902.2.2 of the California Fire Code, in which Class 1 flammable liquids in outside aboveground tanks is prohibited, are established as zone RR, RL, R-1, R-C, R-A, C-1, VC and MHP.

B. The limits referred to in Article 79, Section 7904.2.5.4.2 of the California Fire Code regarding new bulk plants for storage of flammable or combustible liquids are established to include all land use zones described in the City of Imperial Municipal Code, except zone I-2. (Ord. 718)

8-22. Bulk storage of liquefied petroleum gases restricted when. The limits referred to in Article 82, Section 8204 of the California Fire Code in which bulk storage of liquefied petroleum is restricted are established to include all specific land use zone as described in the City of Imperial Municipal Code, except zone I-2. (Ord. 718)

8-23. Storage of explosives and blasting agents prohibited when. The limits referred to in Article 77, Section 7701 of the California Fire Code in which bulk storage of explosives and blasting agents is prohibited are established as all land use zones described in the Imperial Municipal Code, except zones I-2 by conditional use permit. (Ord. 718)


A. Article 1, Section 103 of the California Fire Code is amended such that all references to the fire prevention bureau and its members shall be understood to refer to the City fire department, its chief and his or her authorized representatives.

B. Permits may be issued by the Fire Chief in accordance with Section 105 of the California Fire Code.

C. Article 9, Section 903.2 of the California Fire Code is amended by adding: “Plans for water supplies shall be submitted to the Fire Prevention Bureau for approval prior to the start of construction. All plans shall include a certification of the net gallon capacity for the cistern from the manufacturer.”

D. Article 9, Section 901.4.3 of the California Fire Code is amended by adding: “Identification: Draft hydrants shall be coated with a protective primer and paint, white in color with a four inch (4”) blue reflective tape strip installed six inches (6”) down from the outlet of the draft hydrant. Drafting hydrants shall be clearly identified in an approved manner to prevent obstruction by parking and other obstructions.”

E. Article 9, Section 903.2 of the California Fire Code is amended by adding: “The physical location of the rural fire protection water supply shall be a minimum of
fifty feet (50’) and a maximum of one hundred fifty feet (150’) from the building being protected. The head pressure in the water supply shall be able to fill the water line to the dry draft hydrant.”

F. Article 9, Section 903.3 of the California Fire Code is amended by: “at a minimum, the City of Imperial Fire Department requires the installation of a four thousand (4,000) gallon water storage cistern for all rural single family residential applications under three thousand six hundred (3,600) square feet and the installation of a ten thousand (10,000) gallon water storage cistern for commercial applications that is not served by a pressurized water distribution system that meets the required fire flow and the fire flow duration in Appendix III-A of the California Fire Code. These are minimum requirements and may be increased depending on the building size, location and level of hazard when require by the fire chief. The current adopted fire code shall be used as a guideline for fire flow and fire flow duration. The fire protection water supply must be independent of domestic water or any other water use.

“Irrigation canals are not a reliable source of water for fire protection and shall not be utilized as such. Water from swimming pools is not recommended unless the swimming pool is adapted with an approved design for a draft hydrant that meets requirements of sections 903.4 of the California Fire Code, this Code and approved by the fire chief.”

G. Article 9, Section 903.4 of the California Fire code is amended to add the following draft hydrant requirements:

“1. All pipe and fittings shall be a minimum of six inch (6”) schedule forty (40) PVC.

“2. All six inch (6”) diameter in-tank strainers shall be located inside the tank at the lowest possible point.

“3. A four inch (4”) National Standard tread male metal connector with cap and strainer shall be connected at the output of the drafting hydrant.

“4. Two (2) six inch (6”) forty-five degree (45º) bends to bring pipe above grade level.

“5. One (1) six inch (6”) valve if the system has any head pressure.

“6. All pipe and fittings exposed to sunlight shall be primed and painted white in color.

“7. Outlet shall be nor more than thirty-six (36”) and no less than eighteen inches (18”) above ground surface.”
H. Article 9, Section 903.4.2 of the California Fire Code, entitled “Required Installations,” is amended by adding: The draft hydrant shall be a minimum of fifty feet (50’) and a maximum of one hundred fifty feet (150’) from the building being protected. It will be accessible to the fire department and at a maximum of ten feet (10’) from an all weather surface roadway or driveway.”

I. Article 9, Section 902.2.2.4 of the California Fire Code, entitled “Dead Ends” and Appendix III-D, shall be amended as follows: “All dead-end fire access roads in excess of one hundred fifty feet (150’) in length shall be provided with approved provisions for the turning around of emergency apparatus. A cul-de-sac shall be provided in the residential areas where the access roadway serves more than two (2) structures. Minimum unobstructed paved radius width for a cul-de-sac shall be sixty feet (60’) in residential areas. The fire chief shall establish a policy identifying acceptable turnarounds for various project types. EXCEPTION: The fire chief may allow a dead-end driveway of up to two hundred (200’) in length without a turnaround if all structures for which the driveway provides access are protected by automatic fire sprinkler systems.

(Ord. 718)


A. Any person who violates any of the provisions of this Code, or fails to comply therewith, or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement of specifications or plans submitted and approved there under, or who shall fail to comply with an order as affirmed or modified by a court of competent jurisdiction within the time fixed herein shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than one thousand five hundred dollars ($1,500) or by confinement in the county jail for not more than one hundred twenty (120) days, or by both such fine and imprisonment. Each separate day, or any portion thereof, during which any violation of this code occurs or continues constitutes a separate offense punishable as provided herein.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(Ord. 718)

8-26. Fire Department Miscellaneous Fees.

Fees for services set forth in this ordinance may be established by resolution.

(Ord. 718)

8-27. Storage of hay, straw and cotton.

Except for a permissible nonconforming use, it is unlawful for any person, firm or corporation, whether as principals, servants, agents, tenants or owners, to store or maintain in stack or stacks or in pile or piles any hay, straw, cotton, brush, refuse matter or other known flammable materials on land in the City of Imperial. Provided, however,
no more than 64 small bales may be maintained for retail sale (if otherwise permissible under this code) or for use of animals residing on the subject site.  

(Ord. 718)

8-28. Section 8-28 of Article IV, Chapter 8 of the Ordinances of the City of Imperial is hereby repealed.  

(Ord. 625)

**Article V. Fireworks – repealed (Ord. 726)**

Section 8-30 through 8-36 are repealed by Ordinance 726

8-30. **Business license for Sale of Safe and Sane Fireworks Required.** Repealed. It is unlawful for any person to sell any “safe and sane” fireworks, as defined Section 12529 and Section 12562 of the Health and Safety Code, without first having applied for and received a business license therefore.

8-31. **Prerequisites to issuance of business license.** Repealed

8-32. **Application for Permit.** Repealed. Applications for a permit under this chapter shall be made to the Fire Department or such person or department as may be designated by the City Manager and shall be:

a) Made in writing, accompanied by a tender of the permit fee;

b) For the ensuing calendar year only, prior to 4:00 p.m. on the last business day of the first week of December;

c) Describe, by street address, the proposed location of the fireworks stand for which the business license is requested. Fireworks may be sold only at the stand location stated in the permit;

d) Once the City determines the permit will otherwise be issued, applicant shall provide, prior to final approval, proof of commercial general liability insurance of not less than one million dollars ($1,000,000) naming City, its agents and employees additional insured. Such insurance shall be in a form approved by City;

e) Written assurance that the applicant will neither sell nor purvey, nor suffer or business license any person to sell or purvey, at the location of the business licensees fireworks stand any “dangerous fireworks,” as defined in Section 12505 of the Health and Safety Code; and

f) Written approval of property owner that the firework booth shall be allowed on his property and including a business telephone number at which the property owner can be reached;

g) The City shall notify the applicant for any such permit of the approval, denial or conditional approval of that application on or before the first Monday in June.  

(Ord. 721)

8-33. **Operation of Stand. Repealed**  

(Ord. 721)
General Requirements for Permittee. Repealed. It is unlawful for any person to sell or otherwise distribute fireworks without complying with each of the following provisions:

a) Fireworks stands need not comply with the provisions of Chapter 6 of this code, provided that all stands are erected under the supervision of the fire chief (or his designee) who shall require that stands be constructed in a manner which will reasonably assure the safety of attendants and patrons.

b) If in the judgment of the city’s fire chief (or his designee) the construction or the location of a stand, or the conduct of operations therein do not conform with the provisions of this chapter, such officer shall revoke the permit applicable to that stand and order the stand immediately closed. If the permittee has materially falsified any statement in the application or has failed to perform any agreement, assurance or representation made in connection with the application, the city fire chief (or his designee) shall revoke the permittee’s permit and order the stand immediately closed and neither the permittee nor any successor to the permittee shall be permitted under this chapter during the next following year.

c) The front of all stands shall be completely enclosed, from the counter to the roof, with hardware wire cloth, the openings of which do not exceed one-fourth inch in size; except for opening to business license delivery of merchandise to customers, which openings are not larger than twelve inches by eighteen inches in size.

d) No person shall be allowed in the interior of the stand except those directly participating in its operation.

e) No person under the age of eighteen years shall be allowed to sell fireworks, work in any way, unload firework supplies, or otherwise be in the booth or involved in its operation.

f) All merchandise shall be stored or displayed at a safe distance from the front and side walls of the stand, according to the direction of the fire chief.

g) No stand shall be constructed which has a depth of more than twelve feet.

h) Each stand in excess of twenty feet in length must have at least two exits; and each stand in excess of thirty feet in length must have at least three exits spaced approximately equally along the length of the stand; provided, that in no case shall the distance between exits exceed twenty feet.

i) Exit doors must swing the in the direction of egress.

j) Exits shall be arranged so that there will be egress available in at least two directions from any place within the stand, which exits shall be approximately diametrically opposed.

k) The stand must be equipped with at least one fire extinguisher and one five-gallon pail of water at each exit. The fire extinguisher must be approved as to efficiency, adequacy and safety by the city fire chief.

l) No stand shall be located close than one hundred feet from any other stand.
m) No stand shall be located closer than ten feet from any side or rear property line, nor close than thirty feet from any building, nor closer than ten feet from any structure other than a building.

n) All weeds and combustible materials shall be cleared from the location of the stand and to a distance of fifty feet surrounding the stand.

o) No food, beverage or merchandise other than firework related will be allowed to be sold in or outside the firework booth.

p) The sale of fireworks shall not begin before twelve o’clock noon on the twenty-eighth of June and shall not be continued after twelve o’clock noon on the fifth day of July.

q) All unsold stock and accompanying litter shall be removed from the stand location by twelve noon on the seventh day of July.

r) The stand shall be removed from its temporary location by twelve noon on the seventh day of July and all accompanying litter shall be cleared from the stand location at the time of such removal.

s) At not less than two locations on the stand approved by the Chief of Police, Permittee shall post signs with state: “DISCHARGE OF FIREWORKS WITHIN CITY LIMITS IS A MISDEMEANOR. CITY OF IMPERIAL MUNICIPAL CODE SECTION 8-2.” The size of the sign shall be less than 17” x 22” with lettering not less than one inch in height. (Ord 721)

8-35. Number of Permits and Permitted Stands. Repealed. No permittee may receive more than one permit for fireworks sales during any one calendar year. No permittee shall operate more than one fireworks stand under permit during any one calendar year. Nor more than six (6) permits will be issued by the city in any calendar year. If more than six applications are complete and timely received, issuance of six permits shall be by lot. (Ord. 721)

8-36. Business license Fee. Repealed. Each application shall be accompanied by a fee established by resolution of the City Council. (Ord. 711)