

INDOOR TIRE STORAGE**' 93.080 INDOOR TIRE STORAGE PERMIT.**

(A) The provisions of this section concerning tire storage apply to all structures where in excess of 100 tires, new, used or waste, are stored inside a structure.

(B) The owner, occupant or representative of the business or structure where in excess of 100 tires are stored shall obtain an information permit issued by the Lowell Fire Department for the storage of tires inside a structure. The permit must be made available upon request of a Fire Department official.

(C) The owner, occupant or representative of the business must submit the following information:

- (1) Name of the business;
- (2) Name, date of birth, and social security number of business owner;
- (3) Address where the tires are stored;
- (4) Estimated maximum number of tires stored at the site;
- (5) Name, date of birth, and social security number of the person responsible for the tires;
- (6) Address and phone number of person responsible for the tires; and
- (7) A statement of acknowledgment, with the structure owner's signature, that the structure owner is aware that tires are being stored inside the structure. (Ord. 2005-04, passed 5-23-05) Penalty, see ' 93.999

TEMPORARY PROPANE TANK STORAGE**' 93.090 TEMPORARY PROPANE TANK STORAGE PERMIT.**

(A) The provisions of this section apply to all businesses where temporary propane tanks are used for the purpose of heating roofing materials at a jobsite.

(B) The owner, occupant or representative of the roofing business where temporary propane tanks are used for the purpose of heating roofing materials at a job site shall obtain an information permit issued by the Lowell Fire Chief for the temporary storage of propane tanks near a structure. The permit must be made available upon request of any Fire Department official.

(C) The owner, occupant or representative of the business must submit the following information for each job site having temporary propane storage:

- (1) Name, address and phone number of the roofing company using the propane;
- (2) Name and phone number of emergency contact person for the roofing company;
- (3) Business name and address where propane tanks will be temporarily stored; and
- (4) Estimated number of days propane will be on-site. (Ord. 2005-04, passed 5-23-05) Penalty, see ' 93.999

FIREWORKS AND PYROTECHNICS**' 93.100 FIREWORKS AND PYROTECHNICS PERMITS.**

(A) The owner, occupant, or agent of an organization, business or group that uses any type of fireworks or pyrotechnic special effects materials used in motion pictures, television, and theatrical and group

entertainment productions, either indoors or outdoors, shall obtain an information permit issued by the Lowell Fire Chief at least seven calendar days prior to the use of the pyrotechnical devices. This permit shall be in addition to any other permits required by federal or state agencies. The permit must be made available upon request of a Fire Department official.

(B) The storage, use and handling of fireworks and pyrotechnics special effects shall be in accordance with IFC(675 IAC 22), Article 78 and IC 22-11-14, and current edition of NFPA standards for fireworks.

(C) The Lowell Fire Department pyrotechnics permit must be signed by the Fire Chief or his or her designee and contain the following information to be valid:

- (1) Name, address and phone number of the pyrotechnic company doing the production or display;
- (2) Name and qualifications of the pyrotechnic operator doing the production or display;
- (3) Contact name, address and phone for whom the production or display is being performed;
- (4) A detailed location where the display shall take place;
- (5) Date and time of the display;
- (6) Estimated number of pyrotechnical devices to be used and length of show; and
- (7) A copy of a valid certificate of insurance conditioned for damages and/or injury to persons or property for the event in the amount of not less than \$250,000 shall be attached to and submitted with each application for and shall become part of the permit.

(D) The above fees or requirements may be waived by the Town Council for any public fireworks display sponsored by any state or local government. (Ord. 2005-04, passed 5-23-05) Penalty, see ' 93.999

' 93.101 CONSUMER FIREWORKS.

No person shall ignite, fire or discharge any firecracker or other type of consumer fireworks, as defined by I.C. ' 22-11-14, within the town limits or upon any town property or premises except between the hours (local time) of:

- (A) 5:00 p.m. and two hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8 and July 9;
- (B) 10:00 a.m. and 12:00 midnight on July 4; and
- (C) 10:00 a.m. on December 31 and 1:00 a.m. on January 1.
(Ord. 2007-13, passed 6-11-07)

ENFORCEMENT

' 93.110 ENFORCEMENT OF PROVISIONS.

(A) The Lowell Fire Chief, his or her designees and the Lowell Police Department or any code enforcement officer shall be charged with the duty of enforcing the terms of ' 93.040 by the issuance of a citation.

(B) Any firefighter or police officer, upon discovering any such vehicle so parked or stopped in violation of ' 93.041, may remove the vehicle or cause the same to be removed to any place where so authorized pursuant to contract, where the vehicle shall be impounded, provided the vehicle is causing a hazard or interfering with an emergency operation.

(C) The Lowell Fire Chief, the Director of Community Development, or their authorized designees, shall be charged with the duty of enforcing the terms of " 93.060 et seq.

(D) The Fire Chief, Police Department, Director of Community Development or Code Enforcement Officer shall be charged with the duty of enforcing the terms of ' 93.071.

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(E) The Fire Chief, his or her designees and the Lowell Fire Department shall be charged with the duty of enforcing the terms of " 93.080, 93.090 and 93.100. (Ord. 2005-04, passed 5-23-05)

' 93.999 PENALTY.

(A) If any person, firm or corporation shall violate any of the provisions of this chapter, or shall do any act prohibited herein, or shall fail to perform any duty lawfully enjoined, within the time prescribed by the Fire Chief, or shall fail, neglect or refuse to obey any lawful order given by the Fire Chief or any firefighter, in connection with the provisions of this code, for each such violation, failure or refusal, that person, firm or corporation shall be liable to the town for a civil forfeiture in a sum not less than \$50, nor more than \$2,500. Each day of the unlawful activity as is prohibited by the first sentence of this section shall constitute a separate offense. In all cases where the same offense may be made punishable, or may be created by different clauses or sections of the ordinances of the town, the Town Attorney may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense.

(B) There is hereby established the following citation schedule of penalties for violations of the provisions of the Town of Lowell Fire Prevention Code. Penalties shall be paid to the Lowell Ordinance Violations Bureau who shall deposit the 50% of the funds into the Lowell General Fund and 50% of the funds into the Lowell Fire Prevention Non-Reverting Fund, which fund is hereby created and established for the purposes of providing revenues to promote fire safety and for any expenditure related to fire prevention.

(1) If the owner, operator, or agent fails to correct a cited violation of the Indiana Fire Prevention Code as adopted in ' 93.004, the penalty shall be \$50 for each violation cited. Each day the violation is permitted to continue may be deemed to constitute a separate offense. If the violator fails to appear in

response to a notice issued to the owner, operator, or agent after 30 calendar days from the date and time shown on the notice issued, the penalty shall be \$100.

(2) If the owner, occupant, manager or other agent obstructs a fire hydrant, Fire Department connection, or fire protection control valve they are in violation of ' 93.028 and the penalty shall be \$50. Notice of violation shall be left with the owner, occupant, manager or other agent in charge. If the violator fails to appear in response to a notice issued after 30 calendar days from the date and time shown, the penalty shall be \$100.

(3) If the owner, occupant, manager or other agent fails to install or maintain portable fire extinguishers as required they are in violation of ' 93.029. The penalty shall be \$50. Notice of violation shall be left with the owner, occupant, manager or other agent in charge. If the violator fails to appear in response to a notice issued after 30 calendar days from the date and time shown, the penalty shall be \$100.

(4) If the owner, operator, manager or agent of a commercial, industrial, or public building fails to establish and maintain open fire lanes, the owner, operator, manager, or agent shall be in violation of ' 93.040. The penalty shall be \$50. Each day the violation is permitted to continue may be deemed to constitute a separate offense. If the violator fails to appear in response to the notice issued after 30 calendar days from the date and time shown on the notice, the penalty shall be \$150.

(5) If a vehicle with or without a licensed driver is parked or obstructs a fire lane in violation of ' 93.056, the penalty shall be \$50. If the violator does not appear in response to a notice affixed to the vehicle within a period of 30 calendar days from the date and time shown on the notice, the penalty shall be \$100.

(6) Any person, firm or corporation violating provisions of " 93.55 et seq., or who shall fail to comply with an order as affirmed or modified by the authority having jurisdiction, shall be subject to a fine of \$50. Each day the violation is permitted to