

ORDINANCE NO. 371

AN ORDINANCE TO CONTROL CHIMNEY FIRES IN THE TOWN OF MILLS; TO DECLARE CHIMNEY FIRES A SAFETY HAZARD; TO DECLARE CHIMNEY FIRES A NUISANCE; TO REQUIRE CHIMNEYS, WHETHER METAL OR MASONRY OR OF SOME OTHER SUBSTANCE TO BE REGULARLY CLEANED; ESTABLISHING A PRESUMPTION OF VIOLATION OF ORDINANCE IN THE EVENT OF RECURRING CHIMNEY FIRES; EMPOWERING THE TOWN FIRE INSPECTOR TO ORDER THE CESSATION OF USE OF FIREPLACES AND HEATING DEVICES UNLESS AND UNTIL THE CHIMNEYS FOR THE DEVICES HAVE BEEN CLEANED AND INSPECTED; PROVIDING FOR PENALTIES

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, NATRONA COUNTY, WYOMING as follows:

Section 1. Short Title. This Ordinance shall be known as the Mills, Wyoming Chimney Fire Prevention Ordinance.

Section 2. Definition. For the purpose of this Ordinance the following terms, phrases, words, and their derivation shall have the meaning given herein. When not inconsistent with the context, words used in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory, and not merely directory.

(1) "Town" is the Town of Mills, Wyoming.

(2) "Person" is any person, firm, partnership, association, corporation, company, or organization of any kind.

(3) "Chimney fire" is any fire located in the chimney or exhaust flue between the damper of a heating stove or fireplace and the exit of the chimney or exhaust flue from the building, which fire is caused by a build-up of combustible material in the chimney flue.

Section 3. Chimney Fire Declared Nuisance. It shall be the duty of every person, whether owner, lessee, or renter of any property within the Town of Mills in which there is located a chimney whether the same be stovepipe or masonry of any configuration, to allow the accumulation in said chimney of

sufficient combustible material that the same may be ignited and cause a chimney fire as defined above. Any such accumulation of combustible material in a chimney is hereby declared a nuisance such as may endanger public property and safety. Failure to keep a chimney sufficiently clean to prevent a chimney fire is herewith declared to be a nuisance and is prohibited. Failure to keep said chimney properly maintained shall be deemed a violation of this Ordinance.

Section 4. Presumption of Violation. The resident of any building in the Town of Mills, whether said resident be the owner, lessee, or renter of said premises in which there has occurred a chimney fire and if there has been a chimney fire in the same premises within the preceding sixty (60) days, then said person occupying said premises shall be presumed to have had knowledge of the earlier chimney fire and there is herewith declared a presumption in law that said resident has violated the provisions of this Ordinance and has not properly maintained said chimney so as to prevent the reoccurrence of said chimney fire.

Section 5. Duty of Town Fire Inspector. Upon the occurrence of a chimney fire in the Town of Mills, the Chief of the Fire Department, or the Town Fire Inspector may give written notice to the owner and occupant of the premises requiring the owner and occupant of the premises to insure that the chimney is properly cleaned and inspected prior to commencing use of the heat stove or fireplace again. The inspection may be done by the Town Fire Inspector, Fire Chief, or licensed chimney cleaner, and the inspection shall be certified to in writing.

Section 6. Use Prior to Cleaning Prohibited. It is unlawful for any resident within the Town of Mills who has been given a notice to cease and desist use of a heat stove or fireplace in the Town of Mills to again use said heat stove or fireplace for the burning of any combustible material until said heat stove or fireplace and its chimney have been cleaned.

Section 7. Penalty for Violation. Any person found guilty of violating any of the provisions of this Ordinance is guilty of a misdemeanor and upon conviction shall be fined in any sum deemed appropriate by the Municipal Court of the Town of Mills not to exceed Seven Hundred Fifty (\$750.00) Dollars for each violation.

PASSED on FIRST READING the 9th day of October, 1985.

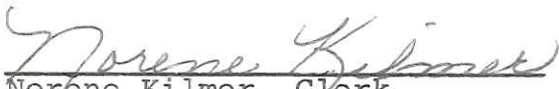
PASSED on SECOND READING the 6th day of November, 1985.

PASSED, APPROVED and ADOPTED on THIRD and FINAL READING the 9th day of April, 1986.

TOWN OF MILLS, a Municipal Corporation

By 
Alan Sword, Mayor

ATTEST:


Norene Kilmer, Clerk
Town of Mills

I, Norene Kilmer, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 371, entitled "CHIMNEY FIRE PREVENTION ORDINANCE". Passed on Third Reading by the Town Council of the Town of Mills, Wyoming at a regular meeting held at the Council Chambers on the 9th day of April, 1986.

(Seal)


Norene Kilmer, Town Clerk

I, regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that the signed, attested, sealed and certified copies of this Ordinance No. 371 approved and passed as certified above, were, following its passage by the Town Council, posted in the Town Clerk's office and the Mills Post Office for a period of ten (10) days

as required by law; that it took effect and became in force as
a legal ordinance of the Town of Mills, Wyoming, on the 25th
day of April, 198 .

(Seal)



Norene Kilmer, Town Clerk