

CHAPTER 165

FIRE ZONE

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165.01 FIRE ZONE ESTABLISHED. A Fire Zone is established to include all of the following territory:

All of Lots 1, 2, 3 and 4 and the south 35 feet of Lots 5 to 18, inclusive, in Block 11, Lawler's Addition, Postville;

All of Lots 13 to 20, inclusive, in subdivision of Block 1, Ellis & Co.'s Third Addition, Postville;

The north one hundred thirty-five (135) feet of Block Twenty-one (21), Lawler's Addition, Postville;

Lots 25, 26 and 27, Block Twenty-one (21), Lawler's Addition, Postville;

Lots 12 through 23, inclusive, Block Two (2), Mott's Addition, Postville;

Lots 7 and 8, Block 3, Mott's Addition, Postville;

Lots 1, 2, 14, 15, 16, 17 and 18, Block Twenty-two (22), Lawler's Addition, Postville;

Lots 1, 2, 17 and 18, Block Thirty-one (31), Lawler's Addition, Postville;

All of Meyer and Co.'s Addition, Postville; and

One hundred (100) feet on east side of Lawler Street from Tilden Street south to the alley in the middle of Block One (1), Original Town, Postville.

165.02 PLANS SUBMITTED. It is unlawful to construct, enlarge or alter any structure or part thereof, within the Fire Zone until a plan of the proposed work, together with a statement of materials to be used has been submitted to the Zoning Administrator, who shall, if in accordance with the provision of this chapter, issue a permit for the proposed work.

165.03 STRUCTURES PROHIBITED. The construction of any structure of any kind, or additions or substantial alterations involving partial reconstruction, are prohibited in the Fire Zone, unless constructed in strict compliance with the provisions of this chapter.

165.04 CONSTRUCTION STANDARDS. The construction standards for all structures or parts thereof within the Fire Zone shall be of Type I, Type II, or, at a minimum, Type III – 1 hour fire resistant – construction, as specified in the Uniform Building Code. For fire resistant construction refer to Uniform Building Code: Table 7-A, Minimum Protection for Structure Parts; Table 7-B, Rated Fire-Restrictive Periods for Various Wall and Partitions; Table 7-C, Minimum Protection for Floor and Roof. Examples of fire resistant construction are:

Type I: No combustible materials (concrete)

Type II: Some noncombustible materials (metal bar joists, reinforced steel)

Type III: Resistant noncombustible (metal pans, steel joists, protected with other materials/dry wall with spray-on fire proofing)

Type IV: Non-protected (heavy timber/pre-engineered metal shed with metal roof that collapses)

Type V: Wood

165.05 RECONSTRUCTION PROHIBITED. Any structure within the Fire Zone not constructed in accordance with the provision of this chapter, which may hereafter be damaged by fire, decay, or otherwise, shall not be reconstructed or altered, except in accordance with the provisions of this chapter.

165.06 SPECIAL PERMIT. The Board of Adjustment may, by four-fifths (4/5) vote, issue a special permit to improve any property within the Fire Zone contrary to the provisions of this chapter, on condition that such improvement shall not increase the rates for fire insurance or the fire hazard potential of the area, or to allow any person to erect or move in any structure for temporary purposes for a period of time not exceeding six (6) months from the date of such permission.

165.07 REMOVAL OF STRUCTURES. Any person who erects any structure in the Fire Zone, contrary to the provisions of this chapter, shall be given written notice by the Zoning Administrator to remove or tear down the same, and if such removal or taking down is not completed within thirty (30) days from the time of the service of such notice, the Zoning Administrator shall report an itemized bill of the expense to the Clerk, and the same shall be charged to the person owning such structure. The Clerk shall present the bill to the owner of the property and if the bill is not paid within ten (10) days from the date it is presented, the amount of the bill shall be certified, by the Clerk, to the County Treasurer, as a lien against the property and collected the same as other taxes.

165.08 STORAGE OF MATERIALS RESTRICTED. No person shall have or deposit any pile of rubbish, explosives, hazardous chemicals or other flammable substance within the Fire Zone, nor shall any person have or deposit any cord wood or fire wood, within the Fire Zone without written permission from the Zoning Administrator, specifying the maximum amount of such cord wood or fire wood, that may be kept, stored, or deposited on any lot or part of a lot within the Fire Zone, unless the same be within one of the structures allowed by this chapter.