

Ordinance Number 10 of the Series of 1901

Relating to fire limits and building inspection

Be it ordained by the city council of the city of Fort Collins

Section 1 That that portion of the city of Fort Collins embraced within the following described limits shall be hereafter known as the fire limits of the city of Fort Collins Commencing at a point at the center of Cherry street where the track of the Colorado & Southern Railroad crosses said Cherry street, thence South along the center of Mason street to the center of Oak street, thence East along the center of Oak street to the center of Matthews street, thence North along the center of Matthews street to the center of Mountain Avenue, thence East along the center of Mountain Avenue to the center of Lincoln Avenue, thence Northeasterly along the center of Lincoln Avenue to the center of Willow street, thence Northwesterly along the center of Willow street to the center of Spruce street, thence Southwesterly along the center of Spruce street to the center of College Avenue, thence North along the center of College Avenue to the center of Cherry street thence West to the place of beginning, and no building of any description shall be erected within said fire limits without first obtaining permission from the city council and except where the city council shall upon the recommendation of the committee upon fire limits, grant a special permit therefor all buildings shall conform to the provisions of the following sections of this ordinance

Section 2 No building, except privies or out-houses, which shall not exceed in size ten feet square and ten feet in height to the peak, shall hereafter be erected within the fire limits, unless the same shall be constructed in conformity with the following provisions

First All outside and party walls shall be of brick or stone

Second Brick walls shall not be of less thickness than as follows, viz

One story buildings, eight (8) inches two-story buildings, twelve (12) inches for the first story and eight (8) inches for the second story three-story buildings, sixteen (16) inches for the first story, twelve (12) inches for the second story, and eight (8) inches for the third story

Stone walls shall not be of less thickness than as follows, viz

One (1) story, sixteen (16) inches two (2) story, twenty (20) inches for the first story, and sixteen (16) inches for the second story three (3) story, twenty-four (24) inches for the first story, twenty (20) inches for the second story and sixteen (16) inches for the third story and all party walls shall extend at least one (1) foot above the roof

Third-- The ends of all joists, beams and other timbers in outside or party walls, shall be separated at least four inches from each other, with stone or brick laid in mortar, or by concrete

Fourth--All ^{end} ~~end~~ and party walls, except end wall facing on streets, shall extend above the sheeting of the roof at least twelve inches and in no case shall the planking or sheeting of the roof extend across any party wall or end wall, except end walls facing on the street or alley

Fifth--All roofs shall be covered with iron, tin, slate, or other fire-proof material

Sixth--All open areas, built in connection with the buildings, described in this ordinance, may project not more than three feet from the street line, providing same be well guarded with iron rails, and provided further that the opening shall be at right angles to the street The approach to such areas shall in all cases be on the same grade as the sidewalk at that point, for the full width of the opening to the street line

Areas not open, may be built covered with iron grates, on a level with the sidewalk at that point, providing the same do not project more than four feet from the street line Coal holes and areas not open, may be placed at any projection within a line not exceeding twelve feet from the street line but no areas, coal holes, or any excavation whatever shall be made or begun in or under any street, sidewalk or alley, until a petition therefor has been filed with the City Council and permission granted And the City Council shall require such barriers and danger signals to be used, and may exact such indemnifying bonds during the construction and maintenance of said work, or during any excavation adjoining the street lines, as in their judgment will fully insure the public safety

Section 3 No wooden building shall be erected within the fire limits, nor moved into such limits from any place beyond the boundaries thereof, nor moved from one place to another within such limits A building of a wooden frame whose sides shall be covered with sheet-iron or other metal shall be deemed a wooden building for the purposes of this ordinance No additions shall be made to any wooden building Provided, that any necessary small repairs may be made of wood to any wooden building in existence at the time of the taking effect of this ordinance No such small repairs in wood shall be construed to mean a general renovation of any such building or an essential modification thereof either in the repair of the roof or otherwise. No building within said fire limits which now has a shingled roof shall be re-shingled except upon permission granted by the City Council on presentation of a petition in writing Provided, that any repairing may be made to a wooden building with fire-proof material Provided, further, that this section shall not apply to coal houses and privies less than 10 x 10 feet dimensions

Section 4 No person or persons shall keep any lumber or wood yard, or make any stack of hay, straw or other combustible material within the fire limits Nor shall any hay, straw or other combustible material be stacked or piled within 100 feet of said fire limit except upon permission granted by City Council

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Sec 5 Any wooden building which may be erected, enlarged, removed, or be in process of erection, enlargement, or removal, contrary to the provisions of this ordinance, shall be deemed a nuisance and it shall be the duty of the City Attorney, after due notice to the owner or builder thereof, in writing, requesting that the same be abated, to commence suit in the name of the city, for the collection of the fines and penalties provided for by this ordinance

Sec 6 Each days continuance or allowance by any person of any of the matters prohibited by ^{either} ~~each~~ of the provisions of this ordinance ~~and~~ ^{after} ~~for which violation of the ordinance~~ conviction shall have been had ~~a~~ against such person, shall be deemed a separate and distinct offense

Sec 7 Where property within the fire limits is within the control and custody of an agent, such agent shall be equally guilty with the principal of any violation of the terms of this ordinance

Sec 8 Any person who shall violate or fail to comply with any of the provisions of this ordinance, shall upon conviction thereof before the Police Magistrate of the city of Fort Collins or any Court of competent jurisdiction, be fined not less than \$10 nor more than \$300, and costs of suit, and may be sentenced to imprisonment in the city jail of the city of Fort Collins, or the County jail of the County of Larimer, until such fine and costs are paid, provided, that no such imprisonment shall exceed ninety days for any one offense

Sec 9 Ordinance Number 15, 1881 passed and adopted April 19, 1881 and all other ordinances or parts of ordinances ~~not~~ in conflict herewith is hereby repealed, provided, that the repealing of said ordinances or parts of ordinances shall not effect any cause of action which may have heretofore or shall hereafter accrue before this ordinance goes into effect

Passed and adopted this 27th day of May A D , 1901

F. A. Baker
Mayor

Attest

M. O. Garrett

City Clerk