

## Ordinance No. 111.

An Ordinance to provide for the prevention of fires  
and the protection of persons and property endangered  
thereby.

Ord No. 111  
Repealed by  
Ord 1526

Be it ordained by the Common Council of the City of  
Albany.

Section 1. That the south half of blocks three and four, and the  
north half of blocks nine and ten of the City of Albany  
according to the maps, plats and surveys of said City  
now on file and of record in the office of the Clerk of said  
Court, except the and the same are hereby declared  
within the fire limits of the City of Albany.

Section 2. All buildings hereafter erected within the said fire limits  
shall have their outside walls, party walls, and partition walls  
made of brick, stone or other non-combustible material, and  
such outside walls and party wall shall extend from  
the foundation to the top of and through the roof of said  
buildings, and the roof shall be covered with tin or some other  
incombustible material; and the walls shall be so constructed  
as to separate all wood work ~~thoroughly~~ thoroughly and completely  
of the interior and exterior of each building from all  
and every part of the interior and exterior of any adjoining  
building. The term building as used in this section shall be  
held to mean all structures covered with a roof of any  
kind, but shall not include chimneys; provided no brick  
chimney shall be erected or operated within the fire limits,  
specified in this Ordinance.

The term partition wall shall  
be held to mean all wall running through the entire length  
of the building.

Section 3. All repairs to buildings constructed of brick, stone or  
other incombustible material within the fire limits shall be  
made to conform to this Ordinance.

Section 4. No wooden building within the said fire limits shall  
be altered or changed without the written permission of the  
Chief Engineer, approved by the Committee on Fire and Police,  
which permit shall specify fully the alteration or change to  
be required and no such permit shall be given if any alteration  
will be made by the proposed change or alterations in the  
case of any wooden building within the said fire limits, or  
if any such repairs, alterations or alterations will increase

## Ordinance No. 111.

An Ordinance to provide for the prevention of fires  
and the protection of persons and property belonging  
thereto.

Ord. No. 111  
Repealed by  
Ord. 1506

Be it ordained by the Common Council of the City of  
Albany.

Section 1. That the south half of blocks three and four, and the  
north half of blocks nine and ten of the City of Albany  
according to the maps, plats and surveys of said City  
now on file and of record in the office of the Clerk of said  
Common Council and the same are hereby declared  
within the fire limits of the City of Albany.

Section 2. All buildings hereafter erected within the said fire limits  
shall have their outside walls, party walls, and partition walls  
made of brick, stone or other non-combustible material, and  
such outside walls and party wall shall extend from  
the foundation to the top of and through the roof of said  
buildings, and the roof shall be covered with tin or some other  
non-combustible material; and the walls shall be so constructed  
as to separate all wood work ~~thoroughly~~ thoroughly and completely  
of the interior and exterior of such buildings from all  
and every part of the interior and exterior of any adjoining  
building. The term building as used in this Ordinance shall  
include all structures covered with a roof of any  
kind, but shall not include chimneys; provided, no brick  
<sup>or foundation or head</sup> chimneys shall be erected or operated within the fire limits,  
specified in this Ordinance.

The term partition wall shall  
be held to mean all wall running through the entire length  
of the building.

Section 3. All repairs to buildings constructed of brick, stone or  
other non-combustible material within the fire limits shall be  
made to conform to this Ordinance.

Section 4. No wooden building within the said fire limits shall  
be altered or changed without the written permission of the  
Chief Engineer, approved by the Committee on Fire and Works,  
which permit shall specify fully the alteration or change to  
be required and no such permit shall be given if any increase  
will be made by the proposed change or alteration in the  
size of any wooden building within the said fire limits, or  
if any such repairs, alterations or alterations will increase

The value of such buildings more than twenty five per cent.

The Application therefor and a copy of each of such permits shall be kept on file in the office of the Recorder; provided that not more than one permit for year shall be issued to repair any one building, except to repair damages caused by fire.

Section 5. No building within said fire limits shall be removed except to a building on the same lot on which it may have stood, to make room for more permanent improvement, or to a point outside the fire limits.

Section 6. If hereon any building shall be by fire any means so much injured as to be in the judgment of the Chief Engineer and the Committee on Fire and Water, a dangerous nuisance; or where any wooden building within the fire limits shall, in the judgment of the Chief Engineer and the Committee on Fire and Water, be damaged by fire to the extent of one half or more of its actual value, the Chief Engineer shall immediately cause to be served upon the owner or person having control thereof, a notice requiring such person to remove the same forthwith, and the person receiving such notice shall, within ten days after receiving the same comply with the requirements thereof.

Section 7. All buildings over one story in height erected inside the fire limits shall have scuttle frames and doors or bulk-heads leading to the roof, made of or covered with some fire-proof material and shall have ladders or stairways leading to the same, and all such scuttles and stairways shall be kept so as to be ready for immediate use at all times and all scuttles shall be not less than in size, than two by three feet.

Section 8. That every chimney or flue that may hereafter be built in any frame building, within the city, shall have walls of good quality of brick or stone at least four inches in thickness of the same material, which shall commence at the ground and be laid in good lime mortar, and to be plastered on the inside, and when passing through or near the wood work to be plastered on the outside; provided that when chimneys or flues shall not be commenced at the ground, they shall commence on some solid foundation, and provided further that patent chimneys may be used when desired. No chimney or flue shall

be built which shall have any joint or timber resting on or resting into the same further than will leave at least six inches between the end thereof and the chimney or flue. They shall be well secured and shall extend at least four feet above the roof of the building to which they are attached, measuring from the point where each chimney or flue passes through such roof, and should such chimneys or flues be deemed unsafe to the building or buildings adjoining, by the Chief Engineer and Committee on Fire and Water, they shall be carried up to such a height as may be deemed necessary not to exceed four feet above the true height of any building or buildings adjoining.

Section 9. No smoke pipe in any building with wooden or combustible floors and ceilings shall enter any flue unless said pipe shall be at least eighteen inches from either floor or ceiling, and in all cases where smoke pipes pass through wooden partitions of any kind, whether the same be plastered or not, they shall be guarded by a double collar of metal, with at least four inches air space, and holes for ventilation, or by a soap stone ring not less than three inches in thickness and extending through the partition, or by a solid coating of plastered sand, three inches thick, or by an earthenware ring three inches from the pipe. No stone pipe or more pipe shall pass through any window or side or roof of any building.

No owner, proprietor, superintendent, agent or occupant of, or other person using or managing or having control of any steam saw, planing mill or factory of any kind, or any foundry or machine shop or any other establishment where steam power is used, shall use or cause to be used or continue the use of, maintain or erect any smoke stack or chimney in connection with any such establishment, of less height than twenty feet above the adjoining building or those adjacent thereto. All owners or occupants of any building within the City, in which there is a smoke pipe, shall when notified by the Marshal, comply with the foregoing requirements, and also replace a bad or defective smoke pipe with a new one when ordered.

Section 10. When any flue, smoke pipe or chimney shall be deemed by the Chief Engineer and Committee on Fire and Water, unsafe, the Marshal shall notify in writing the

The owner or occupant of the building that the same must be repaired or removed within ten days; and the fire parties so notified shall assist in using any fire smoke pipe or Chimney which endangers the building to which it is attached, or adjoining buildings, the Chief Engineer and Commissioner of fire and water, shall cause the same to be repaired or removed, and the cost of such repairs shall be made at the expense of the owner or occupant of the building.

Section 14. No stove pipe shall stand within two feet of any wooden or cloth wall, unless such wall is fully protected by tin or zinc plates fastened thereto; and all persons using fire in stoves shall cause to have placed under such stove pipe or other combustible material sufficient to protect the glass front pipes.

Section 15. It shall be unlawful for any person to deposit any refuse in any wooden barrel or in any wooden bin in the City, or deposit them in any place in their or others' yards, unless that will be nearer than ten feet to any wooden work.

Section 16. Every person making or using morings shall at the close of each day cause the same to be securely stored or disposed of so as to be safe from fire. All hay, straw or other combustible material shall be so stored as to be safe from fire and when not so stored the Marshal may direct the removal of the same, or cause the same to be protected from fire and at the expense of the owner or occupant of the premises. No owner or occupant of any livery stable in this City shall, by himself or those in his employ, use straw or in any place containing hay, straw or other combustible material, any lighted candle or other portable light, except the same be securely protected by a lantern. No person shall in this City have put, or use any hay, straw in a rack or pile without having the same enclosed or secured so as to protect it from flying sparks of fire.

Section 17. Spark catchers shall be placed upon all chimneys or smoke stacks used for conveying off the smoke of any steam boiler or steam engine, whenever deemed necessary for the safety of the adjoining property, by the Committee on Fire and Water and the Chief Engineer or a majority of them.

Section 18. That the Marshal, Chief Engineer and Commissioner of Fire and Water of this City shall at all times have the right to enter any building within the City for

The purpose of this act is to ascertain any violation of this ordinance.

Section 18 That it shall be the duty of each fireman to give the chief engineer notice of any violation of this ordinance which may come to his knowledge.

Section 19 That any person or persons who shall willfully or maliciously make a false alarm of fire, shall upon conviction be fined not less than twenty dollars (\$20) nor more than fifty dollars (\$50), or be confined in the city jail not more than twenty (20) days, or both, and every offence, as the recorder may determine; provided that one-half of any fine collected for the violation of this section shall be paid by the recorder to the person making the complaint.

Section 20 All buildings hereafter erected to be used for public assemblies, in whole or in part, shall have doors that are used for the ingress and egress of the public to the front and rear of said assemblies, so constructed that they shall open outwardly, or inwardly and outwardly, and in no case shall they be constructed to open inwardly only, or to slide, and all such buildings hereafter to be erected for the use of public assemblies shall be made to conform to this section. And all buildings hereafter erected, altered or changed and included for the above purposes shall have the main aisles and passage ways at least four feet in width.

Section 21 No person shall keep for private use in any house in the city of Albany, more than two pounds of gun powder, at any one time, and no person doing business within the city of Albany shall keep or sale in any store, house or warehouse or place of business, except in a fire-proof building erected for that purpose, more than one hundred pounds of gun powder at one time; and such powder shall be kept in cans or kegs, and the cans or kegs in a secure tin can or sheet iron box placed on the upper side, in letters not less than one inch long and one inch high, and every person keeping powder for sale shall report to the chief engineer of the fire department in each fire company the exact locality where the same is kept, and he shall not move the same unless to sell

without the consent of the Chief Engineer.

Section 29 The Chief Engineer and Assistant Engineer of the fire department, and City Marshal, are required to see that the requirements and provisions of this Ordinance are obeyed, and to make complaint in the Recorder's Court in all violation thereof.

Sec (31) All violation of this ordinance shall be deemed a misdemeanor and all persons convicted thereof shall be fined not less than two nor more than fifty dollars.

Section 32 All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 33 This ordinance shall take effect five days from and after its publication.

Passed the Council January 14<sup>th</sup> 1882.

Approved January, 14<sup>th</sup> 1882.

Attest.

N. J. Hunter, City Recorder.

Published in the State Rights Democrat, January, 13<sup>th</sup> 1882,  
a newspaper published in Albany New York City.

J. H. Dickey  
Mayor  
City Recorder.