

CHAPTER 147

FIRE ZONE

147.01 Fire Zone Established
147.02 Plans Submitted
147.03 Buildings Prohibited
147.04 Construction Standards

147.05 Reconstruction Prohibited
147.06 Special Permit
147.07 Removal of Buildings
147.08 Storage of Materials Restricted

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

All of the platted portion of Merrill, Plymouth County, Iowa, except the following described area:

Lots Six (6) through Twenty-one (21), inclusive, of Block One (1) and all of Block Two (2) of the Original Plat of Merrill and Lots One (1), Two (2) and Three (3), Block One (1) Frost's First Addition and Block Two (2), Frost's First Addition and Blocks Eight (8), Nine (9), Ten (10) and Eleven (11) Frost's First Addition and Block Thirteen (13) Frost's First Addition and Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) Simpson's Addition.

and

A tract of land in the South One-half (S½) of the Northwest Quarter (NW¼) of Section Eleven (11), Township Ninety-one North (T91N), Range Forty-six West (R46W) of the Fifth Principal Meridian, lying between the rights-of-way of the Great Northern Railroad and Primary Road Number United States Seventy-five (U.S. 75) containing approximately one and thirty-five hundredths (1.35) acres more particularly described as follows: Commencing at the North Quarter corner (N¼ cor) of said Section Eleven (11), Township Ninety-one North (T91N), Range Forty-six West (R46W); thence due west seven hundred thirty-one (731) feet to the centerline of Primary Road Number United States Seventy-five (U.S. 75); thence southwesterly along the centerline of said Primary Road one thousand four hundred thirteen and seven tenths (1,413.7) feet; thence west along the south corporation line of the City of Merrill sixty-nine and forty-five hundredths (69.45) feet to a point of beginning; thence south along the west line of said Road No. U.S. 75 right-of-way twenty degrees, forty-three minutes west (20°43') four hundred ten and two tenths (410.2) feet; thence west ninety-eight and six tenths (98.6) feet; thence north along the east line of the Great Northern Railroad right-of-way north five degrees, twenty-three minutes (5°23') east three hundred eighty-five and one tenth (385.1) feet to the south corporation line of the City; thence east two hundred seven (207) feet to the point of beginning. NOTE: The north line of said Section Eleven (11) is assumed to bear east and west.

and

All of Block Sixteen (16) in Frost's First Addition and all of Block Seventeen (17) in Frost's First Addition to the City of Merrill, Plymouth. County, State of Iowa, and

All of Block Eighteen (18) in Frost's First Addition to the City of Merrill, and

Lots one (1) and two (2), Block One (1), Park Addition to the City of Merrill.

147.02 PLANS SUBMITTED. It is unlawful to build, enlarge, or alter any structure, building, 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 Council, who shall, if in accordance with the provisions of this chapter, issue a permit for the proposed work.

147.03 BUILDINGS PROHIBITED.

1. The erection of any building or structure of any kind or additions thereto or substantial alterations thereof involving partial rebuilding are prohibited in the Fire Zone, unless constructed in strict compliance with the provisions of this chapter.
2. Temporary storage buildings designated as "hoop buildings" constructed in part with canvas, plastic or related materials which do not comply with construction standards in Section 147.04 herein are expressly prohibited in both the Fire Zone and residential areas of the City. The construction of such temporary storage buildings is expressly prohibited within the confines of the City.
3. Seasonal greenhouses for private use may be constructed in the City pursuant to application for a special use permit, subject to the approval of the City Council.

147.04 CONSTRUCTION STANDARDS. The construction standards for all buildings, 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*.

147.05 RECONSTRUCTION PROHIBITED. Any building within the Fire Zone not constructed in accordance with the provisions of this chapter which is hereafter damaged by fire, decay, or otherwise shall not be rebuilt, altered, or reconstructed except in accordance with the provisions of this chapter.

147.06 SPECIAL PERMIT. The Council 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 building or structure for temporary purposes for a period of time not exceeding six (6) months from the date of such permission.

147.07 REMOVAL OF BUILDINGS. Any person who erects any building in the Fire Zone, contrary to the provisions of this chapter, shall be given written notice by the Mayor 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 Mayor shall cause the same to be removed or taken down. The Mayor shall report an itemized bill of the expense to the Clerk, and the same shall be charged to the person owning such building. 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.

147.08 STORAGE OF MATERIALS RESTRICTED. No person shall have or deposit any grain stack, 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 Mayor, 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 buildings allowed by this chapter. No person shall build or allow any fires, whether trash fires or otherwise, within the Fire Zone as described in this chapter.

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