

ORDINANCE #147

Original

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, PROVIDING FOR THE INSPECTION OF ALL DISTRICTS AND BUILDINGS OF THE CITY AND REQUIRING THE CHIEF OF THE FIRE DEPARTMENT TO ORDER THE REMOVAL OF COMBUSTIBLE MATTER AND OBSTRUCTIONS TO EGRESS FROM BUILDINGS AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF OR OF THE ORDER OF THE CHIEF OF THE FIRE DEPARTMENT.

BE IT ORDAINED By the City Council of the City of Miami Beach, Florida, as follows:

1. It shall be the duty of the Chief of the Fire Department to inspect ~~or~~ cause to be inspected by fire department officers or members, as often as may be necessary, but not less than twice a year in outlying districts and four times a year in the closely built portions of the city, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of any ordinance of the city affecting the fire hazard.

Whenever any officer or member shall find in any buildings, or upon any premises or other place, combustible or explosive matter or dangerous accumulation of rubbish or unnecessary accumulation of waste paper, boxes, shavings, or any other highly inflammable materials especially liable to fire and which is so situated as to endanger property, or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the fire department, or egress of occupants, in case of fire, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises of buildings, subject to appeal within twenty-four hours to the Mayor, who shall within 48 hours review such order and file his decision thereon, <sup>with the City Clerk</sup> and unless the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant.

Any owner or occupant failing to comply with such order within 48 hours after said appeal shall have been determined, or

if no appeal is taken, then within 48 hours after the service of said order, shall be liable to a penalty as hereinafter stated.

The service of any such order shall be made upon the occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises, such order may be served either by delivering to and leaving with the said person a true copy of the said order, or if such owner is absent from the City, by mailing such copy to the owner's last known post-office address. Each/after the expiration of said twenty-four hours or 48 hours after appeal is made that such accumulation or obstruction shall be allowed to remain without removal or remedy shall constitute a separate and distinct offense against this Ordinance.

2. Any person, firm or corporation who shall violate any of the provisions of this Ordinance, or who shall fail to comply with the Order herein provided to be made by the Chief of the Fire Department, shall be deemed guilty of a misdemeanor and upon conviction shall forfeit and pay a fine of not more than Twenty-five Dollars for the first offence or by imprisonment in jail not exceeding thirty days, and by a fine of not more than One Hundred Dollars or by imprisonment in jail for not more than ninety days for violation of this ordinance, after the first order of said Chief shall have been complied with.

3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

4. This ordinance shall take effect and be in force from and after its passage and posting in accordance with law.

The seal of the City of Miami Beach, Florida, is hereby certified as correct and true to the original on file in the office of the City Clerk.

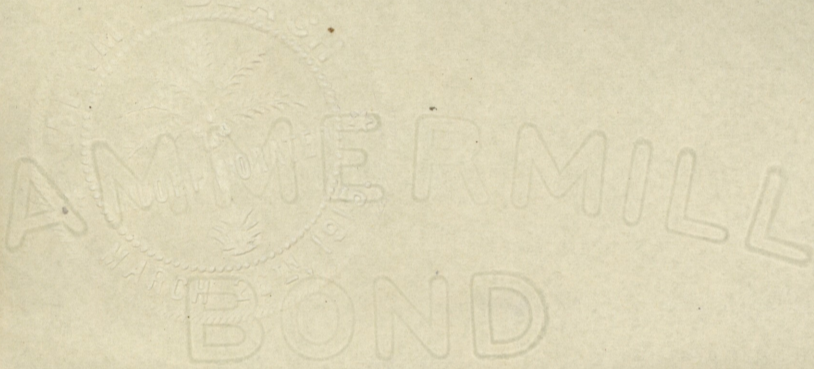
ASSESSED AND ADOPTED this 26th day of January, A. D. 1921  
CITY COUNCIL OF THE CITY OF MIAMI  
BEACH, FLORIDA,

By W. E. Brown President.

Attest: C. W. Tomlinson City Clerk

Approved: this 26th day of January, A. D. 1921.

J. E. James  
Mayor



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PASSED AND ADOPTED 1/26/21

*Posted 2/7/21*