

## **ORDINANCE NO. 75**

### **AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF FIRE LANES WITHIN THE TOWN OF PLAINFIELD WITH PROVISIONS FOR PENALTIES FOR VIOLATIONS**

Section 1. This ordinance is enacted pursuant to provisions of Section 7-194 of the Connecticut General Statutes.

Section 2. This ordinance shall be known as the "FIRE LANE ORDINANCE".

Section 3. DEFINITION: A fire lane is a designated, unobstructed passageway sufficient in size to permit free passage of fire apparatus or other emergency equipment to areas or parts of any private or public property as deemed necessary by the District Fire Chief.

Section 4. ESTABLISHMENT: Whenever a Fire District Fire Chief determines that reasonable safety of persons occupying or using any public or private premises having a capacity of at least fifty (50) persons, as established by state building and fire codes, requires the establishment of a fire lane for the orderly access of fire apparatus and other emergency equipment, he shall establish such fire lane by written order and cause a copy of such order to be delivered in person or by registered mail to the, owner of the premises on which the fire lane is established, or to the agent of such owner.

Section 5. APPEALS: Whenever the Fire Chief establishes a fire lane as provided herein he shall file a copy with a Police Department and First Selectman's Office. Any person aggrieved by such order may file a written notice of appeal with the Selectman's Office within fifteen (15) days after the date of such order, setting forth therein the reasons for appeal. After a hearing, the hearing officer may affirm, modify or rescind such order.

Section 6. SIGNS AND MARKINGS: Upon the establishment of a fire lane as provided herein, the owner shall cause adequate approved signs, markings and other devices to be installed delineating said fire lanes as provided herein. Such signs, markings and other devices when installed on privately owned property shall be at the cost of the owner.

Section 7. PENALTIES: No person shall park or permit any motor vehicle to stand in a fire lane which has been established in accordance with the provisions hereof, except when said vehicle is in the process of discharging or picking up passengers and the operator remains in the driver's seat or when said motor vehicle is in the process of the commercial delivery of products and the operator remains reasonably available. Any person violating this section shall be fined an amount established by the Board of Police Commissioners. For the purpose of this ordinance, the registered owner of the motor vehicle shall be presumed to be the operator of such vehicle.

Section 8. PAYMENT OF FINES: Any person receiving a notice of violation of the provisions of this ordinance may appear at the Police Department with said violation and payment of fine.

Section 9. SEVERABILITY: If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction such holding shall not affect or impair any section, clause, provision or portion of this ordinance.