

THE  
REVISED CHARTER  
AND  
ORDINANCES  
OF THE  
CITY OF DETROIT.

PUBLISHED BY ORDER OF THE  
COMMON COUNCIL.

---

DETROIT:  
RAWSON, DUNCKLEE & CO., PRINTERS.

1848.

SEC. 24. The Board of Wardens shall nominate to the Common Council whenever necessary, the names of persons to fill vacancies occurring in their body. Appointm't  
of wardens.

## CHAPTER XXIX.

### *Relative to the prevention of Fires.*

SECTION 1. The Fire Wardens shall constitute a board, of whom a representation from three or more wards, shall be a quorum for the purpose of considering the most efficient and prompt manner of discharging the duties imposed on them by the laws and ordinances of the city; they shall choose from their number a Chief and Clerk, at such time and in such manner as they may designate. The Fire Wardens of the respective wards shall notice and correct any infractions of the laws and ordinances made for the protection of the city from fires, in their respective wards particularly, and in the city generally, and shall make reports by their foreman, to be by them respectively chosen, of the state and police of their respective wards, as respects danger from exposure to fires, on the first Mondays of June and December, in each year, to the Chief Warden, who shall make report of the same in reference to the city generally, to the Common Council; and the Board may impose such fines upon the members as, in their judgment, may best secure the performance of the duties of said Fire Wardens, both at fires and in visiting buildings, and in other duties in their several wards, and for non-attendance at regular or special meetings of the wardens; and any disobedience to such rules shall be reported to the Common Council, and shall subject the fire warden so disobeying, to fine and removal by the Common Council. Of the board  
of wardens.  
  
Their duties

SEC. 2. It shall be the duty of the fire wardens, or either of them, in their respective wards, twice in each year, viz: in the months of May and November, and as much oftener as may be deemed proper, between sunrise and sunset, to enter into any house or building, lots, yards or premises in said city, and examine the fire places, hearths, chimneys, stoves and pipes thereto, ovens, boilers, or other apparatus likely to cause fire; also, the places where ashes may be deposited, and all places where any gun powder, hemp, flax, tow, hay, straw, rushes, shavings or other combustible materials may be lodged; and the said Of semi-an-  
nual inspec-  
tions of the  
city.



fire wardens shall give such directions in regard to the several foregoing matters as they or any of them may think expedient, either as to the removal and alteration, or better care and management thereof, which directions shall be obeyed and complied with by the person or persons directed in that behalf, and at their expense.

Of cleaning  
and securing  
chimneys.

If they take  
fire.

Of abating  
any cause  
of immedi-  
ate danger.

Fire ward-  
ens may re-  
quire chim-  
neys to be  
cleaned.

Penalty.

Penalties for  
disobeying  
directions of  
fire ward-  
ens.

SEC. 3. The said fire wardens shall also have authority to cause chimneys to be burned out, or otherwise cleaned, whenever they shall deem it necessary, and to require the tenant or tenants, owner or owners of any blacksmith's shop so to alter or construct, (as the case may require,) the chimneys in said shop as to prevent sparks of fire from passing into the open air, and may require the ceiling or sides of any shop or any part thereof to be plastered. Every occupant of premises whose chimneys shall take fire except when burned out under the direction or by the permission of a fire warden, shall be fined one dollar for each infraction of the law; and also to remove or abate, with the consent of the Mayor, Recorder or any Alderman, (and in neglect or refusal of the owner or occupant,) any cause from which immediate danger of fire may be apprehended at the expense of the person who should have done the same; and to remove or abate, in manner above prescribed, any other cause whatever from which immediate danger of fire may be apprehended, at the expense of the person or persons occasioning the same. The said fire wardens are hereby empowered at any regular or special meeting of their Board, to require that chimneys shall be swept or cleaned by owners or occupants, as the case may be, at such periods, and under such regulations as they shall prescribe; and for every case of neglect or refusal, the parties offending shall forfeit and pay a penalty of one dollar, and for every subsequent case of neglect or refusal, after being thereto specially required by a fire warden, a penalty of one dollar in addition.

SEC. 4. If any person or persons, shall neglect or refuse so to comply with any such directions, as any of said fire wardens may give in the premises; or shall obstruct or hinder any fire warden or his assistants, in the performance of his duty, the person so offending shall forfeit and pay for every such neglect, non-compliance or hindrance, a sum not exceeding fifty dollars, and for every day which shall elapse after the time allotted for such removal, alteration, better care or management, without compliance with such directions, the said person shall also forfeit and pay a further and additional sum of five dollars;

and all expenses caused in carrying into effect the directions of the fire wardens, shall, in the first instance, be paid by the occupant of the premises, and shall be deducted from the rent payable by him, her or them, unless such directions were rendered necessary by the act or default of the said occupant, or there be a special agreement to the contrary between the landlord and said occupant; and it shall also be the duty of said fire wardens to ascertain whether or not their directions are duly complied with, and in case of non-compliance, or in case of any violation of this chapter, to report the names of all the offenders, with the particular circumstances, to the Common Council, who may thereupon cause such offenders to be prosecuted for the recovery of the penalties incurred by them.

Who liable  
for expense  
of obeying  
fire ward-  
ens' direc-  
tions.

Offenders to  
be reported.

SEC. 5. No pipe of any stove or franklin shall be put up in any house or building, unless it be conducted into a chimney made of brick or stone; nor shall any person at any time set fire to any chimney for the purpose of cleaning the same, without previous consent of the fire warden of the proper ward; and any person putting up, or procuring to be put up, the pipe of any stove or franklin, or doing any other act contrary to this section, shall, for every offence forfeit five dollars, and the further sum of one dollar for every twenty-four hours the same shall remain so put up, after notice by any fire warden to alter the same.

Burning  
chimneys.

SEC. 6. Every chimney hereafter to be erected, and all chimneys whatever, shall be plastered with lime and sand on the inside thereof, under a penalty of twenty-five dollars, and a further penalty of ten dollars for every fifteen days neglect to alter or take down the same, after a notice given by any fire warden for that purpose. It shall be the duty of the engineers and fire wardens to take notice of all chimneys when the same are being constructed, and ascertain whether they are in conformity with the requirements of this chapter, and if not, make report to the Common Council. Chimneys shall be so constructed or altered as to admit of the flues therein being swept or cleaned from top to bottom, under the same penalties for neglect or refusal as are prescribed in section three.

Construc-  
tion of chim-  
neys.

SEC. 7. No person shall carry fire in or through any street or lot except the same be placed or carried in some close and secure pan or vessel, under a penalty of five dollars for each offence.

Of carrying  
fire through  
the streets.



Ashes.

SEC. 8. No ashes, except at manufactories where ashes are used, shall be kept or deposited in any part of this city, unless the same be in a close and secure metallic or earthen vessel, or brick or stone ash-room, under the penalty of one dollar for every twenty-four hours the same shall remain after notice from a Fire Warden to remove the same.

Fire works  
& fire arms.

SEC. 9. No person shall fire or set off any squib, cracker, gun-powder or fire works, or fire any gun or pistol in any part of this city, unless by written permission of the Mayor or two Aldermen, which permission shall limit the time of such firing, and shall be subject to be revoked at any time by the Common Council; and any person or persons violating any of the provisions of this section, shall forfeit the penalty of five dollars for each and every offence.

Cannon.

SEC. 10. Every person firing a cannon within this city, unless by permission of the Mayor or two Aldermen, shall forfeit the penalty of twenty-five dollars: *Provided*, that nothing in this or the preceding section shall be construed to prohibit any military company from firing any gun or cannon when authorized by their commanding officer or officers.

Scuttles.

SEC. 11. Every dwelling house or other building more than one story in height within this city, shall have a scuttle through the roof and a convenient and suitable stair way or ladder leading to the same; and any person constructing such dwelling house or building, without such a scuttle, and every owner of any such house or building now erected, (not having other permanent and convenient means of access to the roof,) neglecting to comply with the requisitions of this section for the space of thirty days after notice from a Fire Warden, shall forfeit twenty-five dollars, and the further sum of five dollars for every ten days the non-compliance shall continue to exist.

Shavings &  
combusti-  
bles.

SEC. 12. It shall not be lawful for any person or persons to have in his or her possession, any shavings, wood or fuel of any description, combustibles, or any materials that may occasion hazard or danger of fire unless the same shall be placed in such situation, and be secured in such manner as shall be directed by the Fire Wardens, or either of them, of the ward in which either of the before enumerated articles shall be deposited; and all carpenters, cabinet makers, turners, coach makers, wheelwrights, coopers and others using any trade by which

shavings are made, shall respectively, at the close of each day, on leaving off work, cause the place where such shavings are, to be swept, and the shavings to be carefully gathered and placed in boxes, or to be otherwise compactly and securely stowed in some safe place, remote from danger, by means of fire or candle light, and so to be kept until the same shall be taken away from such premises, as aforesaid, under the penalty of five dollars for each omission or offence herein.

SEC. 13. It shall not be lawful to burn any shavings in any street, Fires in the streets. road or lane, or to kindle any fire or any other combustible matter in any street, road or lane, or on any wharf in this city, under a penalty not exceeding ten dollars for each offence, to be recovered from any person or persons aiding or assisting therein.

SEC. 14. No person shall have, put or keep any hay or straw uncovered in stack or pile, within three hundred yards of any building Hay, within the limits of this city: *Provided, however,* that nothing herein shall be construed to prevent landing hay or straw on any of the wharves of this city, or to prevent carting the same to or from any part of the said city; nor shall any person have, put or keep, within Straw, &c. the said city, any hay or straw, hemp, flax, tow, shavings or rushes, in any stable or other building which is or shall be within such distance from any chimney, hearth or fire place, or place for depositing ashes, nor in any dwelling house whatever, as may be deemed unsafe or dangerous by the Fire Warden of the proper ward, under a penalty not exceeding twenty-five dollars for each and every offence, to be recovered with costs of suit, and the further sum of ten dollars for every twenty-four hours the same shall so remain after due notice given in writing to the offender, by the Fire Warden or other officer.

SEC. 15. No powder shall be deposited in any magazine, unless the Powder. same be approved by the Common Council.

SEC. 16. The Common Council shall appoint a suitable person to be the keeper of the magazine, and he shall be entitled to demand and have twenty-five cents on each keg of powder received, stored and delivered by him, to be paid by the person for whom it is stored. Keeper of magazine.

SEC. 17. If any fireman, during a fire, and in the vicinity thereof, shall discover in any building, a greater quantity than twenty-eight Powder to be seized. pounds of powder, it shall be lawful for him to seize, without warrant



from any magistrate, and convert the same as forfeited to the use of the fire department.

Where and  
how powder  
to be kept.

SEC. 18. There shall not be kept within the limits of this city, (except in the magazine of powder of the United States, or of this State,) at any one time, in any one house and its appurtenances, or in any one store and its appurtenances, any greater quantity of gunpowder, than the weight of twenty-eight pounds; which twenty-eight pounds of gunpowder shall be well secured in metal canisters, with metal stoppers or covers, neither of which shall contain more than seven pounds weight. All gunpowder which shall be kept in this city, contrary to the meaning and provisions of this chapter, shall be forfeited by the person or persons so keeping the same; and it shall be lawful for the Mayor, Engineer, or any Fire Warden to seize the same in manner as provided in section 17, and the person or persons so offending shall also forfeit the sum of one hundred dollars for every hundred weight of gunpowder, and in that proportion for a greater or less quantity, so kept contrary to the true intent and meaning of this chapter, to be recovered with costs of suit in the Mayor's Court of this city.

Chief ward-  
en or mar-  
shal to dis-  
pose of pow-  
der seized,  
&c.

SEC. 19. It shall be the duty of the Chief Warden or City Marshal to dispose of all gunpowder forfeited and seized as provided in the preceding section, and pay the proceeds arising therefrom to the Treasurer of the Fire Department, for the use of said Department, taking his receipt therefor, and report the same to the President of said Department. And to avoid dangers from gunpowder laden on board of any vessel arriving at this port, *Be it further ordained*, That the commander or owner or owners of every vessel arriving at this port, and having gunpowder on board, shall, within twenty-four hours after her arrival before this city, and before such vessel shall be hauled alongside of any wharf, pier or quay, within the said city, land the said gunpowder by means of a boat or boats, or other small craft, at any place out of the limits, viz: above or below this city, on the Detroit river, and shall cause the same to be stored in some safe place beyond the said limits, until the same shall be conveyed to such magazine as shall be provided by the corporation, for the storing of gunpowder, on pain of forfeiting all such gunpowder.

Command-  
ers and own-  
ers of ves-  
sels having  
powder on  
board, how  
to land the  
same.

Of convey-  
ing powder  
through the  
streets.

SEC. 20. For the more safe conveyance of gunpowder through the city, to or from any magazine or powder house, the store keeper shall

procure and provide good canvas, tow cloth, or leathern bags, or cases, in order to cover all casks of gunpowder that may be conveyed as aforesaid; and no cartman or other person shall cart or carry through any avenue, street or lane of this city, by means of any cart, carriage or by hand or otherwise, any gunpowder, except in tight casks, well headed and hooped, which casks shall be put into such canvass, tow cloth or leathern bags or cases as aforesaid, in such manner as entirely to cover such cask therewith, and the mouths of such bags or cases shall be securely tied, so that no gunpowder may be spilled or scattered in the passage thereof, on pain of forfeiting all such gunpowder as shall be conveyed through any of the avenues, streets or lanes aforesaid, in any other manner than is hereby directed.

SEC. 21. No person, excepting as aforesaid, shall be permitted to Of lading or unlading powder in the city. lade or unlade any greater quantity of gunpowder than twenty-eight pounds, in or from any vessel at any of the slips or wharves in the city, under the penalty of forfeiting a sum not exceeding one hundred dollars for each offence.

SEC. 22. No owner or occupant of any livery or other stable within this city, nor any person in the employment of such owner or occupant, shall use therein any lighted candle or other light, except the same be securely kept within a horn, tin or glass lanthorn, under a penalty not exceeding ten dollars for each offence, to be recovered with costs of suit. Lights in Stables.

SEC. 23. If any offence shall be committed against this chapter by any child, apprentice or servant, the forfeiture and penalty shall be Liability of parents and masters. recovered from and paid by the parent, master, or mistress of the party offending.

## CHAPTER XXX.

### *Relative to the erection of certain Buildings within certain limits.*

SECTION 1. No person shall hereafter erect or place any building, or any part of a building within the following limits, unless such building or part of a building shall be constructed of stone or brick, with party or fire walls of the same material rising at least ten inches above the roof, if the same be covered with metal or slate; if with wood, then at least two feet, viz: Beginning at a point on the Detroit Wooden buildings not to be erected within certain limits.