

CHAPTER 54.

FIRE-WARDENS.

AN ACT to provide Fire-Wardens for Unincorporated Cities and Villages.

Be it enacted by the Council and House of Representatives of the Territory of Wyoming :

Sheriff may appoint policemen, when

SECTION 1. It shall be the duty of the sheriff of any county in the Territory of Wyoming, to appoint one or more policemen for any city, town or village which is unincorporate, when requested to do so by the county commissioners of the county in which such town or city be located. The policemen so appointed shall be, *ex officio*, fire-wardens of the unincorporated cities, towns, or villages for which they [are] acting as policemen.

Appointed policemen, *ex officio*, fire-wardens.

Duty of fire-wardens.

SEC. 2. It shall be the duty of the said fire-wardens to go, in the day time, and examine all houses, buildings or superstructures within the city, town or village where they are acting as said fire-wardens and policemen, and ascertain from personal examination the condition of all chimneys, stove-pipes, stove-flues, ranges, grates, furnaces, or other articles, or anything used in said houses, buildings, or superstructures in which to hold fire, or to conduct the smoke from any fire, and when any such articles, or the fixtures thereto, are found to be defective in make or material, or so situated as to endanger any of the property of any of the inhabitants thereof, to loss from fire by, or on account of, any of said defects, then the said fire-wardens shall in writing notify the owner or occupant of said house, building or superstructure where such defective chimney, flue, or stove-pipe, or other article, is situated, to repair the same so as to prevent danger from fire to the property in said city, town, or village; and said fire-wardens shall, also, direct the manner in which said repairs shall be made. Said fire-wardens shall, also, under the direction of the chief engineer of the fire department, when there is one, and when there is no chief engineer of a fire department in a city, town or village, then, under the direction of the sheriff, [shall] examine streets, alleys, out-lots, and the surrounding of houses and buildings in such town, city, or village where he is acting as such fire-warden, and direct the removal, by the owner of the premises, of any inflammable matter or material found thereon, and generally to perform such duties as directed by the sheriff of the county, or the chief of the fire department in the city, town, or village, to fully protect the property of such city, town or village, from loss by conflagration.

Fire-warden shall direct removal of inflammable material.

SEC. 3. Any person who shall, after being notified by the fire-warden to repair any defective chimney, flue, furnace, range, oven, stove-pipe, or fixture therewith connected, so as to prevent the same from endangering the property of said city, town or village, from destruction or loss by fire, [who shall] neglect or refuse, for a longer time than twenty-four hours after notice in writing to repair the same, to comply with the order and direction of said fire-warden, and shall fail or refuse to make the required repairs, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than twenty-five dollars, and not to exceed one hundred dollars, together with the costs of prosecution in the case.

Failure or refusal to comply with written notice, a misdemeanor

Penalty.

SEC. 4. When said fire-warden shall order the removal of any dangerous or inflammable material from the premises of any person, a failure to comply or remove the same upon the part of the owner, occupant, [or] agent of the premises where said dangerous or inflammable material is situated, for the period of forty-eight hours after notice in writing from said fire-warden, to remove the same from the limits of the city, town, or village, so as to prevent danger therefrom, shall be guilty of [constitute] a misdemeanor, and, upon conviction thereof, [the person so failing] shall be fined in any sum not less than ten dollars, nor more than one hundred dollars, together with the costs of prosecution, and shall also be directed to remove said dangerous or inflammable article or articles, or that the same shall be removed by the said fire-warden at the expense of said defendant, in case the defendant neglects to remove the same for one day after being notified by the justice of the peace, or other officer, so to do.

Failure to comply with order of fire-warden, a misdemeanor.

Penalty.

SEC. 5. The fire-warden shall be allowed a fee of five dollars in each conviction, in addition to other costs, to be collected from the defendant; in addition to the other duties herein required of fire-wardens, they, or either of them, shall, upon view or information, give the board of county commissioners of their county notice of any nuisance existing under the laws of this Territory in the respective cities, towns or villages, as well as any other matter injurious to the health or dangerous to the life or limbs of any person or persons in such city, town or village, including all cellars and other excavations, as may be dangerous to persons as aforesaid.

Fees of fire-warden.

Additional duties of fire-wardens.

SEC. 6. Said board of county commissioners, upon receiving notice as aforesaid, or upon personal knowledge, shall have power to, and are hereby authorized to, abate any such nuisances at the expense of the person or persons, either by causing the same to be removed, or by filling up or boarding around such excavations, as the case may be; *Provided*, That said commissioners shall first notify the person, or persons aforesaid, to abate such nuisances.

County commissioners empowered to abate nuisances

Proviso.

SEC. 4. This act shall take effect and be in force from and after its passage.

In force.

Approved, December 11th, 1875.