

BERMUDA STATUTORY INSTRUMENT

HAMILTON (FIRE PREVENTION) ORDINANCE 1951

*[made under section 38 of the Municipalities Act 1923 [title 4 item 1] and
brought into operation on 30 October 1951]*

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Citation

1 This Ordinance may be cited as the Hamilton (Fire Prevention) Ordinance 1951.

Interpretation

2 In this Ordinance, where not inconsistent with the context—

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"Bermuda Fire and Rescue Service" has the meaning given in the Bermuda Fire and Rescue Service Act 1982 [*title 10 item 15*];

"the Corporation" means the Corporation of Hamilton;

"dangerous commodity" includes petroleum, rock oil, Rangoon oil, Burmah oil, benzine, petrol, naphtha, gasoline and any oil made from petroleum, coal, schist, shale, peat, or any bituminous substance, and every product of petroleum and of the above-mentioned substances, and also gunpowder, nitroglycerine, cordite and all other explosives, but does not include the refined products of petroleum which will not give off an inflammable vapour at a temperature of less than 100 degrees Fahrenheit;

"film" means any moving picture or sound recording film having a nitrocellulose base, whether in the form of unexposed film, positives, negatives, scrap or used film;

"oil burner" means any device designed to burn fuel oil, having a flash point of over 100 degrees Fahrenheit, and having a fuel tank or container with a capacity of more than ten gallons connected thereto;

"oil burning equipment" includes oil burners, oil tanks, piping, pumps, control devices and accessories connected to the burners;

"premises" means any buildings, stores, warehouses, sheds, enclosures, yards and lands in Hamilton.

["Bermuda Fire and Rescue Service" substituted for "Fire Services Department" by 2007:23 s.16 & 17 effective 2 July 2007]

Restriction on storage of gasoline

3 (1) No person shall have, keep or store any gasoline on any premises without a licence from the Corporation.

(2) Any such licence shall prescribe the conditions under which gasoline may be kept.

(3) The provisions of this article shall not apply to gasoline in the tanks of motor vehicles, nor to gasoline for the use of the Bermuda Fire and Rescue Service.

[Article 3 para (3) amended by 2007:23 s.17 effective 2 July 2007]

Restriction on storage of kerosene

4 (1) No person shall have, keep or store any kerosene on any premises without a licence from the Corporation.

(2) Such licence shall prescribe the conditions under which kerosene may be kept.

(3) The provisions of this article shall not apply to premises where not more than one barrel or one case of kerosene is kept for domestic purposes.

Permit to instal tank for dangerous commodity

5 (1) No person shall have, construct or instal, within the limits of Hamilton, any tank, either above or below ground, for the storage of any dangerous commodity without a permit from the Corporation, and any alteration in the location, type or use of any oil storage tank shall be subject to the approval of the Corporation.

(2) Applications for a permit shall be in writing and shall state—

- (a) the location of the proposed tank as shown on a plan of the premises to be submitted with the application;
- (b) whether the tank is to be above or below ground level;
- (c) the materials of which the tank is to be constructed;
- (d) the capacity in gallons of the tank;
- (e) the purpose for which the tank is to be used; and
- (f) the nature of the commodity to be stored.

Permit to instal oil burner

6 (1) No person shall have, construct or instal within the limits of Hamilton, any oil burner or any oil burning equipment without a permit from the Corporation and any alteration in the location, type or use of any oil burning equipment shall be subject to the approval of the Corporation.

(2) Applications for a permit shall be in writing and shall state—

- (a) the location of the equipment;
- (b) the construction of the room in which the equipment is to be installed;
- (c) the type of equipment to be used; and
- (d) the purpose for which the equipment is to be used.

(3) The foregoing provisions of this article shall not apply to portable burners not requiring connection to a flue, such as oil stoves, oil heaters and oil lamps equipped with a wick or a mechanical device, the

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movement of which is essential to flame adjustment or to such portable apparatus as blow torches, soldering pots, etc.

Prohibition; sale or storage of fireworks

7 No person shall keep, store, display or offer for sale any fireworks within Hamilton.

Removal of fireworks landed in port

8 Any fireworks landed from any ship discharging in the Port of Hamilton shall be removed beyond the limits of Hamilton within 24 hours from the time such fireworks are landed, except in any case when fireworks are imported for official purposes, when the Corporation may grant a special permit for such fireworks to be landed and stored under such conditions as the Corporation may prescribe.

Prohibition; storage of wet hay

9 No person shall have, keep or store any wet hay on any premises in Hamilton.

Licence to keep film

10 No person shall have, keep or store any film on any premises without a licence from the Corporation; and such licence shall prescribe the conditions under which film may be kept.

Entry on premises

11 Any member or official of the Corporation, and any officer of the Bermuda Fire and Rescue Service, may enter on any building or premises in Hamilton, between the hours of 9.00 a.m. and 6.00 p.m. for the purposes of ascertaining whether such building or premises contains any rubbish or trash of a combustible nature which may constitute a danger of fire.

[Article 11 amended by 2007:23 s.17 effective 2 July 2007]

Combustible matter

12 Should any such materials be found in such building or premises, the Corporation may give notice in writing to the owner or occupier thereof, or to the owner and occupier, requiring the removal therefrom of such rubbish or trash within a time specified in such notice.

[Article 13 repealed 2007:23 s.19 effective 2 July 2007]

Offences

14 Any person who contravenes anything in this Ordinance commits an offence against the Municipalities Act 1923. *[title 4 item 1]*.

Revocation

15 [omitted]

[Amended by:

1967:238

2007:23]