

# CHAPTER 12 – FIRE PREVENTION

## TABLE OF CONTENTS

12.01	PURPOSE.....	1
12.02	APPLICATION.....	1
	(1) NEW BUILDINGS AND ADDITIONS.....	1
	(2) ALTERATIONS.....	1
12.03	FIRE PREVENTION AND INSPECTIONS.....	2
	(1) FIRE CHIEFS TO BE FIRE INSPECTORS.....	2
	(2) Duty of Inspection.....	2
12.04	STATE AND FEDERAL CODES ADOPTED.....	3
	(1) STATE FIRE PREVENTION MANUAL ADOPTED.....	3
	(2) STATE AND FEDERAL CODES ADOPTED.....	3
12.05	– 12.15 RESERVED.....	4
12.16	CONFLICTING PROVISIONS.....	4
12.17	VIOLATION.....	4
12.18	ENFORCEMENT.....	4
12.19	PENALTY.....	4

### 12.1 PURPOSE.

The purpose of this Ordinance is to promote the health, safety, and welfare of the public by establishing performance minimums for design, construction, alteration, use, and occupancy of buildings and parts thereof within the Village. Standards of the Americans Insurance Association or the National Fire Protection Association shall be used as guidelines in any area not covered in this Ordinance.

### 12.2 APPLICATION.

#### (1) NEW BUILDINGS AND ADDITIONS.

This Ordinance shall apply to all new buildings and structures and to additions to existing buildings and structures.

#### (2) ALTERATIONS.

This Ordinance shall apply to all alterations in any building or structure which affects the structural strength, fire hazards, exits or lighting of any new or existing building or

structure. This Ordinance shall not apply to ordinary nonstructural changes or minor repairs necessary for the maintenance of any building or structure.

## 12.3 FIRE PREVENTION AND INSPECTIONS.

### (1) FIRE CHIEFS TO BE FIRE INSPECTORS.

The Fire Chiefs of the various fire departments contracting with the Village for fire protection services shall be the Fire Inspector and may appoint one or more deputy Fire Inspectors, who shall perform the same duties and have the same powers as the Fire Inspector.

### (2) DUTY OF INSPECTION.

#### (a) Inspections Required.

Each Fire Inspector shall inspect semi-annually all public buildings, premises and public thoroughfares and places of employment within that portion of the Village lying in the fire protection service area of the respective departments, to note and cause to be corrected any conditions liable to cause fires. Repairs or alterations necessary to remove a hazardous condition shall be made within a reasonable time at the owner's expense. The inspector shall also investigate the store and handling of explosives and flammable liquids within the inspector's respective fire service area.

#### (b) Special Inspection Warrant.

If consent to entry to properties which are not public buildings, or to portions of public buildings which are not open to the public, has been denied, the Fire Inspector shall obtain a special inspection warrant under Wis. Stats. § 66.0119.

#### (c) Records and Reports of Inspections.

Fire Inspections shall keep a written record card of each property inspected which shall conform to the requirements of the State of Wisconsin, and shall make the semi-annual report of inspections required by such department.

#### (d) Correction of Fire Hazards.

When any inspection by a Fire Inspector or his deputy reveals a fire hazard, the inspector or deputy may serve a notice in writing upon the owner of the property, giving such owner a reasonable time in which to remove the hazard. Failure of the owner to comply with said notice is a violation of this fire prevention chapter. If the fire hazard is not removed within the time allowed, it shall be deemed a nuisance; and the Fire Inspector or Deputy may request that the Village take such action as is reasonably necessary to have the same removed, and the cost of such removal shall be recovered in an action by the Village against the owner of the property and may also be entered on the tax roll as a special charge against the property.

- (e) **Compliance With Fire Inspector.**  
No person shall deny the Fire Inspector or his deputy free access to any property, within the Village at any reasonable time to make fire inspections. No person shall hinder or obstruct the Fire Inspector in the performance of the inspector’s duty or refuse to observe any lawful direction given by an Inspector or deputy.
- (f) **Fire Inspection Costs and Expenses.**  
All costs and expenses incurred by the Village as the result of an inspection authorized under this Chapter or applicable State Statute or Administrative Code provision shall be reimbursed to the Village by the owner of the property that was inspected. Costs and expenses due in accordance with this provision shall be a debt due to the Village. If the debt is not paid within twenty (20) days after notice of the costs and expenses is given to the property owner, it shall be deemed delinquent. There shall be an added penalty of three percent (3%) of the amount of the costs and expenses for every week the payment to the Village is delinquent. Charges and penalties shall constitute a lien upon the property services and be recorded on the Village’s tax roll. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

## 12.4 STATE AND FEDERAL CODES ADOPTED.

- (1) **STATE FIRE PREVENTION MANUAL ADOPTED.**  
The Wisconsin Fire Prevention Manual detailing provisions for the prevention of fire is adopted and by reference made a part of this chapter as if fully set forth herein.
- (2) **STATE AND FEDERAL CODES ADOPTED.**  
The following provisions of OSHA, the Wisconsin Administrative Code and regulations of the State Department Commerce Relating to Fire Prevention, and as amended from time-to-time, are made a part of this Ordinance by reference:
  - (a) **Enumerated.**  
The following chapters of the Wisconsin Administrative Code relating to fire protection and prevention, as amended from time-to-time, are adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any chapter of the Wisconsin Administrative Code incorporated herein by reference is required or prohibited by this section.

Ch. COMM 7	Explosive Materials
Ch. COMM 14	Fire Prevention
Ch. COMM 15	Cleaning and Dyeing
Ch. COMM 10	Flammable and Combustible Liquids
Ch. COMM 11	Liquefied Petroleum Gases

Ch. COMM 50-64 Buildings and Structures; Energy Conservation; and Heating, Ventilating, and Air Conditioning; Fuel Gas Appliances; and Uniform Multi-Family Dwelling Code.

- (b) Occupational Safety and Health Administration Sections.
  - (i) 1910.157, Portable Fire Extinguishers.
  - (ii) 1910.156, Definitions Applicable to this Subpart.

## 12.5 – 12.15 RESERVED.

## 12.16 CONFLICTING PROVISIONS.

In case of a conflict between the provisions of this chapter or between this chapter and existing Village ordinances, the strictest provision shall apply.

## 12.6 VIOLATION.

Any act required to be performed or prohibited by the State Fire Prevention Manual, OSHA requirements, the Wisconsin Administrative Code or regulations of the State Department of Commerce are required or prohibited by this Ordinance.

## 12.7 ENFORCEMENT.

The Fire Inspectors shall enforce the regulations of this chapter and all other laws, lawful orders and ordinances relating to fire prevention and shall have the authority to issue citations for violations of this Chapter. Enforcement shall be in cooperation with the Building Inspector who may also enforce this chapter of the Village Code of Ordinances through the issuance of citations. In addition the Fire Inspectors and/or the Building Inspector may, with the assistance of the Village Attorney seek injunctive relief to abate violations of this Chapter.

## 12.8 PENALTY.

Any person who shall violate any provision of this chapter shall be subject to penalties as provided in sec. 15.04 of this Code.