

**CHAPTER 14**

**FIRE PROTECTION**

<b>SECTION</b>	<b>NAME</b>	<b>PAGE</b>
14.03	State Flammable Liquids Code Adopted	2
14.04	Fire Prevention Orders Adopted	2
14.05	National Fire Prevention Code Adopted	2
14.06	Burning Regulations	2
14.07	Fire Inspections	3
14.08	Right of Entry	4
14.09	Penalty	4

**14.03 STATE FLAMMABLE LIQUIDS CODE ADOPTED.**

The State Flammable Liquids Code, Chapter Ind. 8, Wis. Adm. Code, is adopted by reference and made a part of this chapter.

**14.04 FIRE PREVENTION ORDERS ADOPTED.**

The State General Orders on Fire Prevention, Chapter Ind. 65, Wis. Adm. Code, are adopted by reference and made a part of this chapter.

**14.05 NATIONAL FIRE PREVENTION CODE ADOPTED.**

The Fire Prevention code, National Board of Fire Underwriters (1981 Edition and all subsequent revisions) is adopted by reference and made a part of this Code.

**14.06 Burning Regulations**

- (a) Burning in Parks. No person shall build or maintain any open or uncontained fire in a City Park.
- (b) Grass Fire Regulated. No person shall kindle any grass fire without first securing a permit from the Fire Chief.
- (c) Burning of Refuse and Garbage Prohibited. The City prohibits the burning of refuse and garbage within the City Limits.
- (d) Open Burning.
  - (1) Open Burning Prohibited. Except as otherwise provided in this section, all open burning is prohibited.
  - (2) Recreational Fires. Recreational Fires, defined as any fire such as camp fire or cooking fire, located at a private residence for the purpose of recreation and personal enjoyment, are exempt from (d)(1) of the Ordinance so long as such fires are started and tended in compliance with the following agreement:
    - (a) No recreational fire shall be closer than 10' from a neighboring property line and 20' from any building.
    - (b) All recreational fires shall be in a below ground fire pit with a maximum depth of 2' and a maximum diameter of 4' and the fire may not extend more than 2' above the pit. The fire pit shall be surrounded on the outside, above ground, by a non-combustible material such as fire brick, non-porous rock or block, or steel.
    - (c) Portable Fire Pits, defined as devices commercially designed and intended to contain and control outdoor wood fires, may be used in accordance with manufacturer's recommendations and must be used upon a non-combustible surface.

## **FIRE PROTECTION**

- (d) Smoke, cinders, ash, etc. from recreational fires shall not create a nuisance for neighboring property owners.
  - (e) Recreational fires must be extinguished by 12:00 AM.
- (3) Outdoor Cooking Fires. Open or closed cooking grills (natural gas, charcoal or propane fuel) are exempt from the prohibition of (d)(1) above except as follows:
- (a) for all dwellings more than one story in height, the use of any charcoal cooking device is prohibited above the first floor occupancy
  - (b) smoke from cooking grills shall not create a nuisance for neighboring property owners.
- (4) Emergency Power of Fire Chief. When the Fire Chief determines there are conditions likely to produce a serious threat of fire to life and property, the Fire Chief may impose a burning ban and burning restrictions and require that no person may set, build or maintain any open fire, except propane grills, within the City.
- (5) Penalty. Any person who shall violate any provision of this Chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in Sec. 20.04 of this Municipal Code.

### **14.07 FIRE INSPECTIONS.**

- (1) PERIODIC INSPECTIONS REQUIRED. The Fire Chief shall inspect or cause to be inspected as often as may be necessary but not less than once a year in the Fire District, all buildings and premises except the interior of private dwellings for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of any ordinance of the City affecting fire hazards.
- (2) CORRECTION OF HAZARDOUS CONDITIONS.
- (a) Combustible Material; Obstructions. Whenever any inspector shall find in any building or upon any premises combustible waste material or explosive matter, which is so situated as to endanger property, or shall find in any building or structure, obstructions to or on fire escapes, stairs, passageways, doors, or windows liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, he shall order the same to be removed or remedied.
  - (b) Defective Buildings. When any inspector shall find any building or other structure which for want of repairs, lack of sufficient fire escapes, automatic or other fire alarm apparatus, or fire extinguishing equipment, or by reason of age or dilapidated conditions, or from any other cause, is especially liable to fire and which is so situated as to endanger other property or the occupants thereof, and when-ever such inspector shall find in any building, dangerous to the safety of such building or the occupants thereof, he shall order such dangerous conditions or materials to be removed or remedied.

## FIRE PROTECTION

If in any existing building, exits are necessary or where repairs to any structural part of such building or structure are required, the inspector shall notify the Building Inspector who shall re-inspect such building or structure, thereafter instituting the proper remedies as may be required.

(c) Orders.

1. Service. Any orders under this section shall be served in writing upon the occupant and owner of the premises. If the owner or occupant of the premises cannot be found, such written order shall be affixed in a conspicuous place on the entrance door to such building or structure or on the premises. Thereafter, a copy of such order shall be mailed to the owner and occupant addressed to their last known post office address. No person shall remove such affixed notice without the written consent of the Fire Chief.
2. Compliance. The owner and occupant of such building, structure or premises shall forthwith comply with any such order. The owner or occupant may within 24 hours appeal to the Fire Chief for a review of such order, who shall thereafter as soon as possible, file his decision. Unless such order is revoked or modified by the Fire Chief, it shall remain in full force and be complied with within the time fixed in said order.

(3) EXCEPTIONS. This section shall apply to all buildings except:

- (a) Private residences and accessory buildings in connection therewith.
- (b) Temporary buildings or sheds used for construction purposes only.

Provided, if any building or structure, whether above exempted or not, is especially liable to fire, and is so situated as to endanger other buildings or property, or contains any combustible or explosive material dangerous to the safety of any building or premises or occupants thereof, or endangering or hindering firemen in case of fire, such building or structure shall be subject to these orders so far as may be necessary to protect adjoining or other buildings and their occupants and firemen.

### **14.08 RIGHT OF ENTRY.**

The Fire Chief or any inspector may at all reasonable hours enter any buildings, premises or public thoroughfares, excepting only the interior or private dwellings, for the purpose of ascertaining and causing to be corrected, any condition liable to cause fire, or any violation of any law or order relating to fire hazards or prevention of fires. The owner, agent or occupant of any such premises who refuses to permit, or prevents or interferes with, any entry into or upon the premises by any such inspector, or interferes with any such inspection, shall be guilty of violating this chapter.

### **14.09 PENALTY.**

Any person who shall violate any provision of this chapter or any order, rule or regulation issued pursuant to this chapter shall be subject to a penalty as provided in sec. 20.04 of this Code.

**FIRE PROTECTION**