

## **Chapter 2 - Fire Prevention**

### Sec. 5-2-1 - Fire Department Organization; Goals of the Department.

#### (a) Fire Department Recognized.

- (1) The Common Council officially recognizes the Verona Fire Department as the fire department of the City, and the duty of firefighting and the prevention of fires in the City is delegated to such Department.
- (2) The Verona Fire Department is hereby authorized and directed to adopt bylaws for the control, management and government and for regulating the business and proceedings of the Department.
- (3) The Common Council shall appropriate funds to provide for operation and for such apparatus and equipment for the use of the fire department as the Common Council may deem expedient and necessary to maintain efficiency and properly protect life and property from fire and as provided by agreement with other municipalities.

#### (b) Goals of the Fire Defense Program.

- (1) The primary objective of the fire defense program is to serve all citizens, without prejudice or favoritism, by safeguarding, collectively and individually, their lives against the effects of fires and explosions.
- (2) The second objective of the fire defense program is to safeguard the general economy and welfare of the community by preventing major conflagrations and the destruction by fire of industries and businesses.
- (3) The third objective of the fire defense program is to protect the property of all citizens against the effects of fire and explosions. All property deserves equal protection, regardless of location or monetary value.

(Ord. No. 02-650, 10-28-02)

### Sec. 5-2-2 - Impeding Fire Equipment Prohibited.

No person shall impede the progress of a fire engine, fire truck or other fire apparatus of the Verona Fire Department along the streets or alleys of such City at the time of a fire or when the Fire Department of the City is using such streets or alleys in response to a fire alarm or for practice.

### Sec. 5-2-3 - Police Power of the Department; Investigation of Fires.

#### (a) Police Authority at Fires.

- (1) The Fire Chief and assistants or officers in command at any fire are hereby vested with full and complete police authority at fires. Any officer of the Department may cause the arrest of any person failing to give the right-of-way to the Fire Department in responding to a fire.
- (2) The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firemen and policemen and those admitted by order of any officer of the Department, shall be permitted to come.
- (3) The Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire

he shall have the power to cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Department during the progress of a fire.

- (4) The senior fire officer on an emergency scene may order an evacuation of the area or take other appropriate protective steps for a period of time as deemed necessary for the safety of the public.

(b) Fire Inspection Duties.

- (1) The Fire Chief shall be the Fire Inspector of the City of Verona and shall have the power to appoint one or more deputy Fire Inspectors and shall perform all duties required of the Fire Inspectors by the laws of the State under Chapter SPS 314, and rules of the Department of Safety and Professional Services
- (2) While acting as Fire Inspector pursuant to Chapter SPS 314, Wis. Stats., the Fire Chief, or his/her designee, shall have the right and authority to enter any building or upon any premises in the City of Verona at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code of Ordinances, he may deem necessary. Should the Fire Inspector find that any provisions of this Code relating to fire hazards and prevention of fires are being violated, or that a fire hazard exists which should be eliminated, it shall be his duty to give such directions for the abatement of such conditions as he shall deem necessary.
- (3) The Chief of the Fire Department is required, by himself or by officers or members of the Fire Department designated by him as fire inspectors, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspections shall be made at in accordance with Chapter SPS 314 (b) in all of the territory served by the Fire Department and oftener as the Chief of the Fire Department orders
- (4) Written reports of inspections shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form required by Chapter SPS 314. A copy of such reports shall be filed with the Fire Chief.

**State Law reference—** Section 101.14(2), Wis. Stats.

Sec. 5-2-4 - Damaging Fire Hose Prohibited; Parking by Hydrants; Blocking Fire Lanes.

- (a) **Driving Over Fire Hose:** No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the City, and no vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street, private driveway or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.
- (b) **Parking Vehicles Near Hydrants:** It shall be unlawful for any person to park any vehicle or leave any object within ten (10) feet of any fire hydrant at any time.
- (c) **No Parking Near Fire:** It shall be unlawful for any person, in case of fire, to drive or park any vehicle within one block from the place of fire without the consent and authority of the Fire Chief or any police officer.

Sec. 5-2-5 - Firefighters May Enter Adjacent Property.

- (a) Entering Adjacent Property: It shall be lawful for any firefighter while acting under the direction of the Fire Chief or any other officer in command to enter upon the premises adjacent to or in the vicinity of a building or other property then on fire for the purpose of extinguishing or investigating such fire and in case any person shall hinder, resist or obstruct any firefighter in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firefighters in the discharge of their duty.
- (b) Destruction of Property to Prevent the Spread of Fire During the progress of any fire, the Fire Chief or his assistant shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire; provided that it is inevitable that, unless such property is removed, other property is in danger of being destroyed by fire.

(Ord. No. 02-650, 10-28-02)

Sec. 5-2-6 - Duty of Bystanders to Assist.

Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer shall have the power to cause the arrest of any person or persons refusing to obey said orders.

Sec. 5-2-7 - Vehicles to Yield Right-of-Way.

Whenever there shall be a fire or fire alarm or the Fire Department shall be out for practice, every person driving or riding in a motorized or other vehicle shall move and remain to the side of the street until the fire engine and fire truck and other fire apparatus shall have passed.

Sec. 5-2-8 - Interference with Use of Hydrants Prohibited.

No person shall occupy any portion of such streets or alleys with a motorized or other vehicle between such fire engine or fire truck or other fire apparatus or any hydrant to which a fire hose may be, or may be about to be, attached.

Sec. 5-2-9 - Open Burning.

- (a) Prohibitions; Definitions: "Open burning," as used herein, shall mean burning done outside of a building. Open burning is prohibited in the City of Verona without first obtaining a permit, with the following exceptions:
  - (1) Small outdoor fires used for cooking, provided they are contained within a grill designed for cooking or an outdoor fireplace with a screen to contain any embers produced by burning. The burning material should not contain yard waste or rubbish.
  - (2) Small open fires for welding, acetylene torches, safety flares, heating tar, or similar applications.
  - (3) No burning shall be allowed on or immediately adjacent to the surface of any blacktop street.
  - (4) All leaf burning is prohibited.
- (b) Substances Which May Be Burned: The following open burning may be conducted providing a burning permit is first obtained:
  - (1) Reserved.

- (2) Fires set for practice and instruction of firefighters, or the testing of firefighting equipment.
  - (3) The burning of small amounts of dry combustible rubbish not to include wet combustible rubbish, garbage, oily substances, asphalt, plastic, or rubber products.
  - (4) The burning of trees, wood, limbs, stumps, brush, or leaves, provided, however, that such materials may be burned only in those areas zoned "agricultural".
- (c) Open Burning Procedures.
- (1) Before setting or starting any fire, a permit authorizing the setting or starting of such fire shall first be obtained from the Fire Chief or his/her designee. All open burning conducted pursuant to such duly issued permit shall be performed in a safe, pollution-free manner, when wind and weather conditions are such as to minimize adverse effects, and in conformance with local and state fire protection regulation.
  - (2) The size of the pile of material to be burned shall not exceed four (4) feet in any direction measured horizontally, or three (3) feet measured vertically.
  - (3) The pile of material being burned shall be at least fifty (50) feet away from any structure, wood or lumber pile, wooden fence, trees, or bushes. Provisions shall be made to prevent the fire from spreading to within fifty (50) feet of such items or the fire shall otherwise be contained in an approved incinerator or burner device which is located at least fifteen (15) feet from any structure, wood or lumber pile, wooden fence, trees, or bush(es).
  - (4) Any ashes created by burning such material as is lawful under this Section are to be disposed of in a manner authorized by law.
  - (5) Open burning shall be constantly attended and supervised by a competent person of at least sixteen (16) years of age until such fire is extinguished. This person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire while burning and/or extinguishing such fire.
- (d) Application for Permit.
- (1) Procedure for Issuance of Burning Permit: Before the setting or starting of any open burning permitted under this Section, a permit authorizing the burn shall be first obtained by the owner, operator, or his/her designee. Application for a burning permit shall be made in writing upon a form furnished by the Fire Chief. The Fire Chief may change the form from time to time; the Fire Chief may also establish from time to time special rules or restrictions relating to open burning. Such rules may govern conditions including, but not necessarily limited to, the following:
    - a. Hours when burning is allowed;
    - b. Day(s) when burning is allowed;
    - c. Material which may or may not be burned;
    - d. Whether open burning is allowed or whether burning is only allowed with an approved incinerator or burning device;
    - e. The length of time the permit is valid;
    - f. What constitutes an approved burning device or incinerator;
    - g. The size of the material pile burned by open burning;
    - h. The distance or distances to be maintained between the material being burned and other flammable material;

- i. Supervision required for burning, including minimum age of supervisors and type of fire extinguishing equipment which must be present at the burn site;
  - j. The manner in which ashes created by the burning under the permit are to be disposed of. Any such future restrictions as may be developed by the Fire Chief, if such restrictions are not specifically ordained in this Section, shall be effective in regulating burning within the City, but only if such restrictions are printed on the face of the burning permit issued or attached thereto. Any such restrictions hereafter adopted by the Fire Chief which are not specifically ordained in this Section shall, provided they are printed on the face of the burning permit or attached thereto, be binding upon permit applicants; any violation of such restriction shall be punishable as violations of this Section.
- (2) Issuance of Permit: If the Fire Chief, or his/her designee, finds that the proposed burning complies with all City ordinances and the regulations of the Department of Natural Resources as set forth in Wisconsin Administrative Code, he shall officially approve the application, and a burning permit shall be subsequently issued to the applicant. A copy of any burning permit, and the application therefore, shall be kept on file with the Fire Chief. If state approval is required, no local permit shall be issued until state approval is granted. No burning permit issued shall be valid for more than thirty (30) days from the date when issued.
- (3) Notice to Permittee: Each permit issued shall provide notice of materials that may be burned and those which may not be burned and further notice to the permittee of possible civil and criminal penalties for violation of this Section and of state regulations.
- (e) Outdoor Fireplaces/Chimineas Units Regulated.
- (1) All outdoor fireplaces must be used according to manufacturer's recommended requirements.
  - (2) All fireplaces/Chimineas must be equipped with screens or containment systems to prevent the release of embers or sparks. They must be equipped with supports to protect surfaces from heat generated by the units.
  - (3) All fireplaces/Chiminea units may only be used on concrete or other non-combustible surfaces. The use of a unit on a wooden deck, porch, patio, or under an overhang is prohibited.
  - (4) Only the burning of dry, non-treated wood is acceptable. No lawn clippings, construction materials, garbage, brush, or other yard waste is permitted.

(Ord. No. 02-650, 10-28-02)

**State Law reference—** Chapter SPS 314, Wis. Adm. Code

Sec. 5-2-10 - Key Boxes Required.

- (a) Definition: A "key box" is a steel lock box with a high security lock, similar to the Knox-Box Unit manufactured Knox-Box Company, Newport Beach, California, designed to be surface mounted or recessed mounted to a building to secure keys to such building. Key boxes can be ordered directly online through the Knox Company, at [www.knoxbox.com](http://www.knoxbox.com).
- (b) Key Box Required and Location: A key box shall be installed in any building within the scope of this Section in an accessible location as approved by the Fire Chief. The key box shall be a type approved by the Fire Chief and shall contain the following keys necessary to provide emergency access: Keys to lock points of ingress whether on the interior or exterior

of such building; keys to locked mechanical equipment rooms; keys to locked electrical rooms; keys to elevator controls; and keys to other areas as shall be directed by the Fire Chief.

- (c) Key Box to Be Maintained: The owner of any building within the scope of this Section shall maintain the key box in good working order. Where key box is found not to be in working order the Fire Chief or his designee may require that key box to be repaired and/or replaced. The building owner shall be responsible to assure that keys maintained within the key box are current keys to the existing locks in the building. When a change of locks within a building is necessary, the owner shall advise the Fire Chief thereof and place new keys in the key box.
- (d) Unauthorized Removal Prohibited: No person, except authorized fire department or law enforcement personnel, shall remove any key from a key box without the authorization of the owner of the building.
- (e) Compliance.
  - (1) New Construction/Additions/Alterations: Unless construction has commenced prior to the effective date of this Section (February 20, 2008), the following buildings may not be occupied, used or rented unless they comply with this Section.
    - a. Commercial buildings.
    - b. Industrial buildings.
    - c. Residential buildings containing three (3) or more dwelling units which utilize common, secured entrance(s).
  - (2) Existing Buildings: The Fire Chief or his/her designee may require compliance with this Section for any existing building or structure as defined in Subsection (1)(a) through (c) where it is determined that access to or within said structure or enclosed area thereof is unduly difficult in its current condition.

(Ord. No. 08-741, §§ 1, 2, 2-11-08)

#### Sec. 5-2-11 - Fire Extinguishers Required.

A Class "A" Underwriters' Laboratories approved fire extinguisher shall be provided and installed in every basement storage area in all multiple family dwelling units now existing or hereafter constructed.

#### Sec. 5-2-12 - Right of Entry.

The Fire Chief, or his/her designee, and the Building Inspector may, at reasonable hours, upon proper official identification, and with the owner's permission, enter any buildings, premises or public thoroughfares, to which City fire prevention ordinances apply, excepting only the interior of 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 hazards or prevention of fire. If the owner, agent or occupant refuses to permit or prevents entry upon the premises by any such inspector, the inspector shall obtain a search warrant to make the inspection or investigation. Reference State Statute 66.0119

## **Chapter 3 - Safety Regulations**

Sec. 5-3-1 - Disclosure of Hazardous Materials and Infectious Agents; Reimbursement for Cleanup of Spills.

(a) Application.

- (1) All persons, firms or organizations using, researching or producing hazardous materials and/or infectious agents shall notify the Fire Department as prescribed by this Section.
- (2) The provisions of this Section shall apply to all persons, firms or organizations using, researching, producing or storing hazardous materials and/or infectious agents on and after the effective date of this Section.

(b) Definitions.

- (1) "Infectious agent" is a bacterial, mycoplasma, fungal, parasitic or viral agent known to cause illness in humans which is used, researched, produced or stored within or on premises.
- (2) "Hazardous materials" are those materials that can cause death or disabling injury from brief exposure; those materials that could cause a lost-time injury from exposure; and those materials that could cause temporary disability or injury without permanent effects which are used, researched, produced or stored within or on premises except those household consumer products used at the point of consumption and not used for commercial or experimental purposes. This definition of hazardous materials shall include radioactive materials.

(c) Information Required.

- (1) Any person, firm or organization using, researching, producing and/or storing any hazardous materials shall provide in writing to the Fire Department the following information:
  - a. Address and location of where hazardous materials are used, researched, stored or produced;
  - b. The trade name of the hazardous material;
  - c. The chemical name and any commonly used synonym for the hazardous material and the chemical name and any commonly used synonym for its major components;
  - d. The exact locations on the premises where materials are used, researched, stored and/or produced;
  - e. Amounts of hazardous materials on premises per exact location;
  - f. The boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids and appearance and odor of the hazardous material;
  - g. The flashpoint and flammable limits of the hazardous substance;
  - h. Any permissible exposure level, threshold limit value or other established limit value for exposure to a hazardous material;
  - i. The stability of the hazardous substance;
  - j. Recommended fire extinguishing media, special firefighting procedures and fire and explosion hazard information for the hazardous material;

- k. Any effect of over-exposure to the hazardous material, emergency and first aid procedures and telephone numbers to call in an emergency;
  - l. Any condition or material which is incompatible with the hazardous material and must be avoided.
  - m. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming into contact with the hazardous materials;
  - n. Procedures for handling or coming into contact with the hazardous materials.
- (2) Any person, firm or organization using, researching, producing and/or storing infectious agent and/or carrier of an infectious agent shall provide in writing to the Fire Department the following:
- a. The name and any commonly used synonym of the infectious agent;
  - b. Address/location where infectious agents are used, researched, stored and/or produced;
  - c. The exact locations where infectious agents are used, researched, stored and/or produced;
  - d. Amount of infectious agent on premises per exact locations;
  - e. Any methods of route of transmission of the infectious agents;
  - f. Any symptoms of effect of infection, emergency and first aid procedure and a telephone number to be called in an emergency;
  - g. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming in contact with the infectious agent;
  - h. Procedure for handling, clean-up and disposal of infectious agents leaked or spilled.
- (d) Reimbursement for Cleanup of Spills. Any person who possesses or controls a hazardous material or infectious agent which was discharged or caused the discharge of a hazardous material or infectious agent shall reimburse the City for actual and necessary expenses incurred by the City or its agent to contain, remove or dispose of the hazardous substance or infectious agent or take any other appropriate action which is deemed appropriate under the circumstance.

Sec. 5-3-2 - Recovery of Costs of Extinguishing and Cleaning Up Fires Involving Hazardous Materials.

- (a) Every person, firm or corporation using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses or other hazardous materials shall comply with the requirements of applicable State, Federal, or National Fire Protection Association statutes or guidelines that regulate the type of material being stored, handled, or transported as the same is now in force and may hereafter from time to time be amended.
- (b) Every person, firm or corporation using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gasses or other hazardous materials shall be liable to the City for the actual cost of labor and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar material or equipment employed to extinguish, confine or clean up any such hazardous material which is involved in any accidental spill or in threat of any fire or accidental spill.

(Ord. No. 02-650, 10-28-02)

## **Chapter 4 - Regulation of Alarm Systems**

Sec. 5-4-1 - Title.

This Chapter shall be known as the City of Verona Alarm Systems Ordinance.

Sec. 5-4-2 - Declaration of Purpose.

The purpose of this Chapter is to provide minimum standards and regulations applicable to burglar, fire and holdup alarm systems, alarm business and alarm users. Both society in general and public safety in particular will be aided by providing a useful and usable system of private security which properly balances quick response by law enforcement with minimization of law enforcement time spent on alarms which are false or otherwise not the intended function of private security systems.

Sec. 5-4-3 - Definitions.

Within this Chapter, the following terms, phrases and words and their derivations have the means given herein.

- (a) Alarm Business: Any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm systems.
- (b) Alarm System: An assembly of equipment and devices or single device such as a solid state unit which plugs directly into 110-volt AC line or otherwise receives electrical energy arranged to signal the presence of a hazard requiring urgent attention and to which the Police or Fire Department is expected to respond. In this Chapter, the term "alarm system" shall include the terms "automatic holdup alarm systems," "burglar alarm systems," "holdup alarm systems" and "manual holdup alarm systems" as those terms are hereinafter defined, and fire alarm systems which monitor temperature, humidity or any other condition directly related to the detection of fire. Excluded from this definition and from the coverage of this Chapter are alarm systems used to alert or signal persons within the premises in which the alarm system is located of an attempted, unauthorized intrusion or holdup attempt or fire.
- (c) Answering Service: A telephone answering service providing among its services the service of receiving on a continuous basis through trained employees emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the dispatch center of the Police or Fire Department.
- (d) Automatic Dialing Device: An alarm system which automatically sends over regular telephone lines by direct connection or otherwise a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
- (e) Automatic Holdup Alarm System: An alarm system in which the signal transmission is initiated by the action of the robber.
- (f) Manual Holdup Alarm System: An alarm system in which the signal transmission is initiated by the direct action of the person attached or by an observer thereof.
- (g) Burglar Alarm System: An alarm system which signals an entry or attempted entry into the area protected by the system.

- (h) False Alarm: The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employees or agents or other undetermined cause. False alarm does not include alarms caused by tornadoes or other violent climatic conditions.
- (i) Interconnect: To connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.
- (j) Central Station: An office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits.
- (k) Subscriber: A person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.

#### Sec. 5-4-4 - Administrative Rules.

The Chief of Police shall promulgate such rules as may be necessary for the implementation of this Chapter. Such rules shall require the approval of the Common Council and shall be open to inspection by the public.

#### Sec. 5-4-5 - Automatic Dialing Devices.

No person shall interconnect any automatic dialing device to the Dane County Public Safety Communications Center requiring a police or fire response.

#### Sec. 5-4-6 - Testing.

No alarm business or alarm system shall test any alarm without prior approval of the Chief of Police or his designee.

#### Sec. 5-4-7 - False Alarms Generated by Alarm Devices.

- (a) Generally: Each false alarm requires response of public safety personnel, involves unnecessary expense to the City, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the City. Such false alarms constitute a public nuisance and must be abated.
- (b) Intentional: No person shall intentionally cause the activation of a burglar/fire alarm device knowing that no criminal activity, fire or other emergency exists.
- (c) Definitions: For the purpose of this Section, the following terms, phrases and words and their derivations shall have the meaning specified herein:
  - (1) Alarm or Alarm Device or Device: Any device, whether mechanical, electrical or otherwise, which is designed to be activated by a criminal act, a fire or other act unauthorized by the owner of the device and which sends an audible, electronic voice or other type of signal intended to alert law enforcement officers of the criminal act, fire or unauthorized act.
  - (2) False Alarm: Any signal generated by an alarm device which in fact is not activated by the type of activity the device is intended to detect, or which is not due to an emergency situation. False alarms include, but are not limited to, alarms which are triggered by negligent or willful acts of employees of alarm owners. An alarm test shall not be considered a false alarm.

- (d) Alarm Device Generating False Alarms: No person shall own, maintain or operate any alarm device in the City of Verona which within one (1) calendar year generates more than two (2) false alarms to which response is made by law enforcement officers employed by the City.
- (e) Penalty: Any person violating this Section shall, upon conviction thereof, be subject to forfeiture according to the following schedule based on the number of false alarms:

| No. of False Alarms | Penalty                                       |
|---------------------|---|
| 3rd and 4th         | Not less than \$25.00 nor more than \$75.00   |
| 5th                 | Not less than \$50.00 nor more than \$150.00  |
| 6th and subsequent  | Not less than \$100.00 nor more than \$200.00 |

- (f) Strict Liability: This Subsection is intended to impose a strict liability on the person, business, corporation or other entity responsible for alarm connection to either the police alarm panel or to alarm receiving firm to which the Police or Fire Department have responded and shall be applied regardless of the cause of the false alarm excepting those alarms excluded from the definition of "False Alarm." Failure to pay such administrative charge(s) in and of itself shall constitute a violation of this Section, and such charge(s) shall be collectible as a forfeiture upon prosecution and conviction thereof, together with an additional forfeiture(s) which may be imposed under the next Subsection (d) hereof for violation of this Section for allowing or maintaining condition(s) or act(s) in violation of the intent of this Section of eliminating and minimizing the occurrence of false alarms, together with costs of prosecution.
- (g) Waiver of Fee: If a possessor of the alarm shows to the satisfaction of the Chief of Police or the Fire Chief, as applicable, that such false alarm was not the result of negligence or improper maintenance, or other good and sufficient cause beyond the reasonable control of the possessor of the alarm, such fee may be waived and the response shall not count as a false alarm in computing the fee established under Subsection (c).
- (h) Other Violations: Any person, corporation or other entity violating this Chapter in any manner, other than for collection of unpaid administrative charges treated in the preceding Subsection (a) of this Section, shall be subject to forfeiture as provided in Sec. 1-1-7 of this Code. When any premises located in the City is owned, leased or occupied by two (2) or more persons as joint tenants, tenants in common, joint lessees, or in any other manner, each person shall see that the provisions of this Chapter are complied with, and each person may be subjected to a penalty on violation of this Section.
- (i) Default of Payment for Forfeiture and/or Costs: On default of payment of forfeiture and/or costs under the immediately preceding Subsections (c) and/or (d), such person or responsible officer of the violating corporation or other entity shall be confined in the county jail until the same be paid but not to exceed a length of time specified by the court which length of time shall not exceed six (6) months. Upon nonpayment of the fee, the amount

due may be placed on the tax roll as a special charge pursuant to Sec. 66.60(16), Wis. Stats.

Sec. 5-4-8 - City Liability.

The City of Verona shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this Chapter, including, but not limited to, any defects in an alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms.

## **Chapter 5 - Fire Prevention Code**

### Article A: - General Requirements

#### Sec. 5-5-1 - Authority of Fire Chief.

The authority of the Fire Chief and his/her designees shall follow applicable provisions of the Code of Ordinances of the City of Verona.

#### Sec. 5-5-2 - Interpretation.

In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements liberally construed in favor of the City and for the utmost protection of the public health and shall not be deemed a limitation on or repeal of any other power granted by state law.

#### Sec. 5-5-3 - Conflicts with Other Regulations.

In any case where a provision of this Chapter is found to be in conflict with a provision of any other local, state or federal law or regulation, the provision which establishes a higher standard for the promotion and protection of the health and safety of the people shall prevail.

#### Sec. 5-5-4 - Appeals.

Whenever the Fire Chief or Building Inspector disapproves an application or refuses to grant a permit, or when it is claimed that the provisions of this Chapter do not apply or that the true intent and meaning of the Fire Prevention Code have been misconstrued or wrongly interpreted, any person or persons feeling aggrieved by such order or determinations may appeal to the Board of Appeals. Those procedures customarily used to effectuate an appeal to the Board of Appeals shall apply.

#### Sec. 5-5-5 - Severability.

If any section, subsection, sentence or phrase of this Chapter is for any reason held to be invalid or unconstitutional by reason of a decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase thereof.

#### Sec. 5-5-6 - Penalty and Enforcement.

The Fire Chief, or his designee, may issue citations for violations of any provision of this Code of Ordinances. Persons cited under this provision are subject to penalties as provided in the general penalty provisions of the City of Verona Code of Ordinances. The Fire Chief, or his/her designee, shall also have the power granted under Title 11, Chapter 6 of the City of Verona Code of Ordinances and under state law to abate violations of the Fire Code which constitute public nuisances.

##### (a) Fees for Re-inspections

- (1) Any person who shall fail to comply with any lawful order of the Fire Chief, or his/her designee, issued pursuant to the provisions of this Chapter may be assessed seventy-five dollars (\$75.00) per inspection for compliance inspections in excess of one.

(2) The Fire Chief shall keep an account of all unpaid inspection fees incurred for re-inspection services rendered and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. 66.0703

(b) Miscellaneous Inspection Fees.

(1) Inspections outside of normal work hours whether required or requested shall be subject to the fees of this section. Inspections outside of normal work hours to verify compliance with permitted activities, which are conducted outside of normal work hours, shall be subject to the fees listed in this subsections. When fire inspection personnel are required for events or emergencies, the owner shall pay for personnel time in accordance with this subsection.

(2) Inspection fee – sixty dollars (\$60.00) per hour

(3) The Fire Chief shall keep an account of all unpaid inspection fees incurred for re-inspection services rendered and report the same to the City Clerk, and the amount therein charged to each lot or parcel of land shall be by said Clerk entered in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected in all respects like other special charges upon real estate as provided in Wis. Stat. 66.0703

Sec. 5-5-7 - Additional Codes Adopted.

(a) The Administrative Codes of the State of Wisconsin, as listed below, and as amended, are hereby adopted and incorporated as fully as if set out in length. Wisconsin Administrative Codes Sections:

|      | (1)—(8)                 | Reserved.   |
|------|-------------------------|---|
| (9)  | SPS 330                 | Safety and Health Standards for Fire Service Personnel - Current Edition. |
| (10) | SPS 361-366 and SPS 323 | Building and Heating Ventilating and Air Conditioning - Current Edition.  |
| (11) | SPS 320 - 325           | Uniform Multi-Family Dwellings Code - Current Edition.                    |
| (12) | SPS 369                 | Barrier Free ADA Requirements.  |
| (13) | SPS 366                 | Historic Buildings - Current Edition.                                     |
| (14) | SPS 366                 | Existing Buildings - Current Edition.                                     |

(b) The codes of the National Fire Prevention Association (NFPA) as listed below and as amended are hereby adopted and incorporated as fully as if set out in length. NFPA Number:

|       |     |   |
|-------|-----|---|
| (1)   | 1   | Fire Prevention Code.   |
| (1.1) | 13  | Standard for the Installation of Sprinkler Systems - Current Edition.   |
| (2)   | 13D | Standard for the Installation of Sprinkler Systems in 1 and 2 Family Dwellings and Mobile Homes - Current Edition.                          |
| (3)   | 13R | Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height - Current Edition. |
| (4)   | 14  | Standard for the Installation of Standpipe and Hose System - Current Edition.   |
| (5)   | 25  | Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems - Current Edition.  |
| (6)   | 30  | Flammable and Combustible Liquids Code - Current Edition.   |
| (7)   | 55  | Storage, Use, and Handling of Compressed and Liquefied Gases in Portable Cylinders.   |
| (8)   | 58  | Liquefied Petroleum Gas Code.   |
| (9)   | 70  | National Electrical Code - Current Edition.   |
| (10)  | 72  | National Fire Alarm Code - Current Edition.   |
| (11)  | 101 | Life Safety Code.   |

(c) Wis. Stats. Sec. 101.645(3): Landlord's Responsibility for Smoke and Fire Detection Maintenance.

(Ord. No. 02-650, 10-28-02)

#### Sec. 5-5-8 - Definitions.

For the purposes of this Chapter, the following definitions are used unless a different definition is specifically provided for a Section. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive.

- (a) Approved: Accepted by the Chief of the Fire Department or Building Inspector as a result of his investigation and experience, or by reason of test, listing or approval by Underwriters' Laboratories, Inc., the National Bureau of Standards, the American Gas Association Laboratories, or other nationally recognized testing authorities.
- (b) Area: The maximum horizontal projected area on one (1) floor of a building or structure within the perimeter of the outside surfaces of the exterior walls or, when a building is divided by approved fire walls, each section so divided shall be considered an area.
- (c) Automatic Fire Alarm System: A system which automatically detects a fire condition and actuates a fire alarm signal device.
- (d) Automatic Fire Sprinkler Equipment: An integrated system of underground and overhead piping designed in accordance with fire engineering standards. The system includes a suitable water supply, such as a gravity tank, fire pump, reservoir or pressure tank and/or connection by underground piping to a municipal water main. The portion of the sprinkler system above ground is a network of specially sized or hydraulically designed piping installed in a building structure or area, generally overhead, and to which sprinklers are connected in a systematic pattern. The system includes a controlling valve and a device for actuating an alarm when the system is in operation. The system is usually activated by heat from a fire and discharges water over the fire area.
- (e) Basement: Any level below the first or ground floor with its entire floor below exit discharge grade.
- (f) Dwelling: A building occupied exclusively for residence purposes and having not more than two (2) apartments, or as a boarding or rooming house serving not more than fifteen (15) persons with meals or sleeping accommodations or both.
- (g) Fire Resistive: The type of construction in which the structural members, including walls, partitions, columns and floor and roof construction are of noncombustible materials with the fire resistive ratings not less than those specified in the Wisconsin Administrative Code, SPS 361.03.
- (h) Fire Wall: A recognized fire wall which has a fire resistance rating of not less than the required rating, one (1), two (2), three (3) or four (4) hour, and which subdivides a building into separate buildings to restrict the spread of fire, including a three (3) foot parapet wall if required by the State Code.
- (i) Multi-Family House: A building or portion thereof containing three (3) or more dwelling units, including tenement house, apartment house or flat.
- (j) Story: As per SPS 361, Wis. Adm. Code.
- (k) Other Terms Used in This Section shall be defined in SPS 361 , Wis. Adm. Code.

#### Sec. 5-5-9 - Applicability of Fire Prevention Code.

- (a) This Fire Prevention Code of the City of Verona shall be applicable in its scope and intent to the zoning district classifications R3, C1, C2, I and IC as found in the City Zoning Code, and said Fire Prevention Code shall not be applicable in its scope or intent to zoning

classification districts R1 and R2, but shall be applicable to conditional uses in classifications R1 and R2.

- (b) The provisions of this Chapter shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this Code shall be permitted to continue where the exceptions do not constitute an exceptional hazard to life or adjoining property.

#### Article B: - Building Identification

##### Sec. 5-5-10 - Truss and Composite Wood Joist Construction.

- (a) All buildings except one (1) and two (2) family dwellings with truss or composite wood joist construction shall have a sign at the main entrances indicating Truss Construction. The sign shall be black with white letters, measuring 2" x 4" and be marked as indicated below:

Mx Wx Ix

Definitions:

- 1) M - Metal Truss
  - 2) W - Wood Truss
  - 3) I - Composite Wood Joist (Wood I-beam)
  - 4) X =
    - a. R:Roofs
    - b. F: Floors
    - c. A: All
- (b) The signs required by this Section shall be installed on the building by the owner or owner's agent prior to issuance of an occupancy permit for occupancy of the building. The sign shall be located on the upper portion of the main building entrance door jamb in the center.

##### Sec. 5-5-11 - Building Identification.

- (a) All buildings properly identified as required by Section 5-5-10.
- (b) The signs shall be provided, installed, and maintained by the building owner.
- (c) Any blocked exterior door shall be marked on the outside to indicate access not available. Marking shall read "Door Blocked - No Entry".

##### Sec. 5-5-12 through Sec. 5-5-19 - Reserved for Future Use.

#### Article C: - Automatic Sprinkler Systems

##### Sec. 5-5-20 - Automated Fire Sprinkler System Required for Certain Buildings.

- (a) Requirement. Approved automatic fire sprinkler equipment or automatic fire extinguishing systems shall be installed and maintained for all construction covered by this Chapter in Section 5-5-9.

- (b) Definitions. The following definitions shall be applicable in this Article:
- (1) Approved: As applied to the installation of automatic fire sprinklers, means approval by the authority charged with the enforcement of this Chapter.
  - (2) Approved: As applied to automatic fire sprinkler equipment and devices, means approval by a recognized testing laboratory.
  - (3) Area: The maximum horizontal projected area on the main floor of a building or structure within the perimeter of the outside surface of the exterior walls or between approved fire walls.
  - (4) Assembly Hall: All buildings or parts of buildings, other than theaters, which will accommodate more than one hundred (100) persons for entertainment, recreation, worship or dining purposes.
  - (5) Automatic Fire Sprinkler Equipment: A system of piping connected to an adequate water supply and provided with approved automatic fire sprinklers and/or devices so arranged and located as to discharge water automatically to the seat of the fire.
  - (6) Ground Floor: As per SPS 361, Wis. Adm. Code.
  - (7) Basement: As per SPS 361, Wis. Adm. Code.
  - (8) Fire Wall: A wall which has a fire resistance rating of not less than four (4) hours and which divides a building or separates buildings to restrict the spread of fire. A three (3) foot parapet wall may be a required part of a fire wall in accordance with SPS 361, Wis. Adm. Code.
  - (9) Multi-Family Dwelling: A building or portion thereof containing three (3) or more dwelling units such as tenements, apartments or rooming houses, as prescribed in the Zoning Code of this Code of Ordinances. Row houses with fire separation [one (1) hour] extending from basement to underside or roof separating each living unit are exempt from this definition.
  - (10) Story: As per SPS 361, Wis. Adm. Code.
  - (11) Sub-Basement: Any level below basement as defined in SPS 361, Wis. Adm. Code.
  - (12) Theater: All buildings or parts of buildings, containing an assembly hall, having a stage which may be equipped with curtains or movable scenery, or which is otherwise adaptable to the showing of plays, operas, motion pictures or similar forms of entertainment.
- (c) Installation Required: The requirement for automatic sprinkler systems will be determined by reference to the UBC Wisconsin Enrolled Commercial Building Code, current addition, with the following exception: Firewalls and rated partitions will not be allowed in lieu of automatic sprinkler systems. The total square footage of each story will be used to determine the requirements for an automatic sprinkler system.
- (1) General exception: Except as hereinafter provided automatic sprinkler systems, smoke detectors, and standpipes need not be installed in buildings which exist or were under construction before this ordinance was created, unless such installation was required by administrative regulation, code, or State **statute**. Previous City of Verona ordinance stated fire walls and rated partitions will not be allowed in lieu of automatic sprinkler systems. The total square footage of each story or building footprint will be used to determine the requirements for an automatic sprinkler system.

- (2) Expansion or remodeling: When a building is expanded or remodeled, and the building is of a size, type, or use, which, if the building were to be constructed new the provisions of sections 5-5-20, 5-5-40, or 5-5-60 would apply, the building or part thereof shall be subject to the following requirements:
- i. If more than 50% of the gross interior area of the building is remodeled or added to the building, the entire building shall be made to conform to the requirements of 5-5-20, 5-5-40, and 5-5-60.
  - ii. If 25%-50% of the gross interior area of the building is remodeled or added to the building, only the additional, expanded or remodeled area shall be subject to the requirements of 5-5-20, 5-5-40, and 5-5-60.
  - iii. If less than 25% of the gross interior area of the building is remodeled or added to the building, the requirements of 5-5-20, 5-5-40, and 5-5-60 need not be satisfied, unless such remodeling or expansion creates additional living units
  - iv. Regardless of any percentage set forth in (b), if the additional, expanded or remodeled area is of a size or type, or for a use which is subject to the provisions of sections 5-5-20, 5-5-40, and 5-5-60 the additional expanded or remodeled area must conform to the requirements of such sections.
  - v. In determining foregoing percentages, successive additions, expansions, or remodeling; if made within a period of 20 years shall be aggregated and treated as a single expansion or addition.
- (3) Change in use: Where at the time of its construction, a building or part thereof is exempt from the requirements of section 5-5-40 by reason of its proposed intended use and subsequent to the construction of the use of such building or part thereof is changed in such a way that the reason for the exemption no longer exists, it shall be made to conform with the requirements of section 5-5-40.
- (4) If the use of an existing building or structure is changed and the requirements for the new use are more stringent than those for the previous use, the building or structure shall be made to comply with the requirements for the new use.
- (d) Application to Existing Buildings. Where the Fire Chief and/or the Building Inspector finds that existing buildings, which, in whole or in part for the purposes set forth in Section 5-5-9, constitute a fire hazard to its occupants or adjoining property, the Fire Chief and/or the Building Inspector may require the installation of automatic sprinkler systems or automatic fire extinguishing systems as provided under this Article.
- (e) Type of System and Approval of Plans.
- (1) Automatic sprinkler equipment shall be installed and connected to an adequate water supply. Sprinkler heads, valves and auxiliary equipment of standard types shall be determined by the authority having jurisdiction in effect at the date of installation.
  - (2) All automatic sprinkler systems will be installed as to audibly alert persons occupying buildings.
  - (3) No automatic sprinkler equipment shall be installed or altered in a building until plans have been submitted to and approved by the Fire Chief and/or fire officers.

- (f) Exemptions.
  - (1) Safe deposit or other vaults.
  - (2) Rooms or buildings devoted to the manufacture or storage of aluminum powder, calcium carbide, calcium phosphide, metallic sodium or potassium, quick lime, magnesium powder, sodium peroxide or like materials where the application of water may cause or increase combustion.
  - (3) Any other locations where the installation of sprinklers may increase the occupational hazard as determined by the authority having jurisdiction.

(Ord. No. 02-650, 10-28-02)

Sec. 5-5-21 - Design and Installation.

- (a) Design Standards: The design and installation of any automatic fire sprinkler system shall be completed in accordance with NFPA 13 - Standard for Installation of Sprinkler Systems and other applicable standards of NFPA.
- (b) Additional Design Requirements.
  - (1) System Drain: The system shall have a drain piped to the outside of the building or to a drain suitable to handle the required flows.
  - (2) Inspector's Test Valve: The system shall have an inspector's test valve piped so as to discharge to the outside of the building, or to a drain suitable to handle the required flows.
  - (3) Alarm Bells or Horns: Alarm bells or horns shall be installed on all systems. Bells or horns shall be installed on the inside of the building, and shall be in each unit or tenant space. A Mechanical Water Gong alarm shall be installed on the outside of the building.
  - (4) Residential Occupancies: In multifamily residential buildings without a common interior area, the sprinkler system riser shall be located in a separate heated room with direct access to the outside of the building for use by the fire department.
  - (5) Optional Fire Sprinkler Systems in One (1) or Two (2) Family Dwellings: When any fire sprinkler system is installed in a one (1) or two (2) family dwelling it shall be installed in accordance with NFPA 13D - Standard for Installation of Sprinkler Systems in One- and Two-Family Dwellings and Mobile Homes and the following requirements:
    - a. Any installation of an Automatic Sprinkler System within a one (1) or two (2) family dwelling shall be installed in accordance with NFPA 13D - Standards for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Mobile Homes.
    - b. Automatic Sprinkler Systems installed within one (1) and two (2) family dwellings shall have two (2) plans submitted to the fire department for review and conditional approval.
    - c. Residential quick response Sprinkler Heads are to be used in buildings of this type.
    - d. The installation of the sprinkler system shall be inspected by the fire department prior to enclosing into wall and ceiling spaces.
    - e. A hydrostatic test shall be conducted on the system in the presence of a fire department inspector.

- f. A final inspection by the fire department shall be conducted prior to placing the system in service.

Sec. 5-5-22 - Conditional Approval Required for Installation.

No automatic sprinkler equipment shall be installed or altered in any building until plans have been submitted to and reviewed by the fire department. Three (3) copies of the plans and specifications shall be submitted for review. Conditionally approved plans shall be stamped with the date of review. Two copies with a conditional letter of approval will be returned to the owner and contractor; the other will be retained by the department for field use and property file reference. In the event of changes to the system during construction, an "as-Built" drawing will be sent to the department within 4 months of the project's completion.

- (1) Items to be included in the plan review packet for approval are as follows
- (2) Complete set of drawings
- (3) Hydraulic calculations
- (4) Information or "cut" sheets for all components being used in the installation
- (5) Completed copy of the Verona Fire Departments Fire Protection Permit Application.
- (6) Completed NFPA 13 Owners Certificate filled out by the owner of the project.

Sec. 5-5-23 - Installation of Sprinkler Systems—Inspection Services Required.

- (a) Installation of Sprinkler Systems: The installation of all sprinkler piping, heads, risers shall be inspected by the Fire Department before being covered.
- (b) Installation of Underground Piping: The installation of underground piping shall be inspected by the fire department prior to being covered.
- (c) Notice: The installer shall provide minimum three (3) working days' advance notice to the Fire Department before any required installation inspection.

Sec. 5-5-24 - Final Approval, Acceptance Test—Automatic Sprinkler System.

- (a) The sprinkler system shall have a hydrostatic test performed in the presence of a fire department inspector.
- (b) The sprinkler system shall be tested by flows of the main drain and inspector's test. The acceptance test shall be conducted by the installer in the presence of a fire department inspector.
- (c) The installer shall provide minimum three (3) working days advanced notice to the Fire Department prior to performance of final acceptance test.

Sec. 5-5-25 - Failure to Comply.

Failure to comply with the items listed in Sections 5-5-23 and 5-5-24 can result in enforcement action against the installer.

Sec. 5-5-26 - Automatic Sprinkler System—Annual Test Requirements—Owner's Responsibility to Maintain Automatic Sprinkler System.

(a) Maintenance.

- (1) Automatic fire sprinkler systems shall be maintained for efficient service as specified within NFPA 25 - Inspection, Testing and Maintenance of Water-Based Fire Protection Systems.
- (2) A qualified sprinkler technician shall inspect and test the automatic sprinkler system at least annually. The provision of NFPA 25, Chapter 2 shall be used as the inspection criteria.

(b) One- and Two-Family Dwellings. Automatic fire sprinkler systems installed in one (1) and two (2) family dwellings shall be maintained following the provisions of NFPA 13D and NFPA 25.

(c) Records. A current test record shall be posted adjacent the sprinkler control valve, signed by the sprinkler technician.

Sec. 5-5-27 - Retroactive Provisions.

(a) The provision of Section 5-5-21(b)(1) Sprinkler System Drains, Section 5-5-21(b)(2) Inspector's Test Valve and Section 5-5-27 Sprinkler System Annual Testing shall apply to all sprinkler systems within the City of Verona.

(b) Systems not in compliance with the provision of Section 5-5-21(b)(1) and Section 5-5-21(b)(2) shall have twelve (12) months after the effective date of this Chapter to come into compliance.

Sec. 5-5-28 through Sec. 5-5-39 - Reserved for Future Use.

Article D: - Alarm Systems (Fire and Smoke Detection)

Sec. 5-5-40 - Scope.

To provide early warning in the event of fire, detection systems shall be installed and maintained in operable condition in all occupancies and locations set forth in this Chapter.

Sec. 5-5-41 - Where Required.

When required by state codes, smoke detection systems shall be installed in all spaces in buildings regardless of size or construction. One (1) and two (2) family dwellings shall have smoke detection systems as required by Wisconsin Administrative Code.

Sec. 5-5-42 - Installation.

All components of a fire or smoke detector system shall be listed by Underwriters Laboratories, (UL) or the Factory Mutual System (FM). The entire installation shall conform to applicable provisions of NFPA Standards 71, 72A, 72C, 72D, or 72E, the National Electrical Code Article 760, the Wisconsin Electric Code and the Wisconsin Administrative Code.

Sec. 5-5-43 - System Operation.

Alarm initiating devices, and the standards for actuation of such devices, shall comply with the requirements of the Wisconsin Administrative Code.

Sec. 5-5-44 - Conditional Approval for Installation of Fire and Smoke Detection Systems.

No fire and smoke detection system shall be installed or altered in any building until plans have been submitted to and conditionally approved by the Fire Department. Two (2) copies of the plans shall be submitted. The plans shall contain drawings showing locations of detectors, pull stations and horns. The plans shall contain a brief description of connections within the system. Conditionally approved plans shall be stamped with the date of approval. One (1) copy shall be returned to the owner.

Sec. 5-5-45 - Acceptance Test Required.

- (a) The acceptance test of a fire and smoke detection system shall be conducted in the presence of an inspector from the Fire Department prior to being placed in service. All testing shall be conducted by the installer.
- (b) The installer shall give three (3) working days' advance notice to the Fire Department prior to the conduction of any test.

Sec. 5-5-46 - Failure to Comply.

Failure to comply with the items listed in Section 5-5-45 may result in enforcement action against the installer.

Sec. 5-5-47 - System Service Support.

- (a) The system installer must maintain a service organization within fifty (50) miles of the City of Verona.
- (b) The system installer must be a licensed electrician.

Sec. 5-5-48 - Alarm Systems—Test Requirements—Owner's Responsibility to Maintain Alarm System.

- (a) Maintenance-fire detection and fire alarm systems shall be tested for efficient service as specified by NFPA requirements.
- (b) A current test/maintenance record shall be posted at the system control panel.

Sec. 5-5-49 through Sec. 5-5-59 - Reserved for Future Use.

Article E: - Standpipes and Hose Systems

Sec. 5-5-60 - Where Required.

Standpipe and hose systems shall be installed and maintained in operable condition in all occupancies in the following locations:

- (a) In any new building with three (3) or more interior stories, except one (1) and two (2) family dwellings.
- (b) Within any building one hundred thousand (100,000) square feet or more in total gross area.
- (c) Within any building having any horizontal dimension of three hundred (300) or more feet.

(Ord. No. 05-695, § 1, 7-11-05)

Sec. 5-5-61 - Design and Installation.

- (a) Standpipe and hose systems shall be installed in accordance with NFPA 14 - Standards for Installation of Standpipe and Hose Systems.
- (b) Standpipe and hose systems required in this Chapter shall be Class I or III types, as specified in NFPA 14. Wet standpipe systems may be permitted as an integral part of an approved automatic fire sprinkler system, provided calculations for required fire flows have been submitted with sprinkler system plans.

(Ord. No. 02-650, 10-28-02)

Sec. 5-5-62 - Conditional Approval Required for Installation of Standpipe and Hose Systems.

No standpipe and hose system shall be installed or altered in any building until plans have been submitted to and reviewed by the Fire Department. Three (3) copies of the plans and specifications shall be submitted. The plans shall contain drawings showing locations of valves, fire department connections, and hydraulic calculations. The engineer submitting the calculations shall stamp and sign the report. Approved plans shall be stamped with the date of review. Two (2) copies shall be returned to the owner, one (1) copy kept on file in the Fire Department office.

Sec. 5-5-63 - Installation of Standpipe and Hose Systems—Inspection Required.

- (a) Installation of Standpipe and Hose Systems. The installation of all standpipes and hose systems shall be inspected by the Fire Department before being covered.
- (b) Installation of Underground Piping. The installation of underground piping shall be inspected by the Fire Department prior to being covered.

Sec. 5-5-64 - Final Approval, Acceptance Test—Standpipe and Hose Systems.

- (a) The system shall have a hydrostatic test performed in the presence of an Inspector from the Verona Fire Department.
- (b) The system shall be tested in accordance with NFPA 14. The test shall be conducted by the installer in the presence of an Inspector from the Fire Department.
- (c) The installer shall give three (3) working days' advance notice to the Fire Department prior to the conduction of any test.

Sec. 5-5-65 - Failure to Comply.

Failure to comply with the items listed in Sections 5-5-63 and 5-5-64 may result in enforcement action against the installer.

Sec. 5-5-66 - Standpipe and Hose System Test Requirements.

- (a) Standpipe and hose systems shall be maintained in accordance with NFPA 14 - Standards for Installation of Standpipes and Hose Systems.
- (b) Inspection and maintenance of a standpipe and hose system shall be conducted annually by a qualified sprinkler/standpipe technician in accordance with NFPA 14, Chapter 8. Exception: Hydrostatic testing of underground piping may be omitted during annual testing.
- (c) A current inspection/maintenance report shall be posted on the system control valve.

Sec. 5-5-67 through Sec. 5-5-79 - Reserved for Future Use.

## Article F: - Fire Hydrant Requirements

### Sec. 5-5-80 - Where Required.

- (a) Intent: The intent of this Article is to insure an adequate water supply for firefighting purposes to structures or buildings which are located on private property at extended distances from City hydrants.
- (b) Installation Required: When substantial portions of a building are set back two hundred fifty (250) feet or more from the street or highway or are more than three hundred (300) feet from a City hydrant, the owner shall install, at his expense, approved water hydrants. Hydrants shall be free standing and be installed not more than fifty (50) feet nor less than twenty-five (25) feet from the building. One (1) hydrant shall be located at the main entrance to such building. Additional hydrants shall be provided around the perimeter of the building so that no hydrant is more than two hundred fifty (250) feet from any other approved hydrant measured by normal access routes.
- (c) Approved Water Hydrant: Water hydrant connected to a City water main, with two (2) two and one-half (2-½) inch hose connections and one (1) four and one-half (4-½) inch hose connection. The connecting water line between the City water main and the approved water hydrant shall be not less than six (6) inches. All water hydrants shall be approved by the Fire Chief and the Director of Public Works and shall be installed in compliance with the standards of the Department of Public Works. All water hydrants shall be installed in such a manner and location so as to be accessible at all times to the Fire Department.
- (d) Miscellaneous Requirements. All fire hydrants shall be approved by the Fire Chief, or his/her designee, and shall be installed in compliance with the standards of the City of Verona Water Utility. All fire hydrants shall be installed in such manner and location as to be accessible at all times to the Fire Department. All fire hydrants shall be tested at least annually. Hydrants shall be located at every intersection or in every cul-de-sac. The Water Utility shall provide the Fire Chief with a written report of fire hydrant testing by January 1st of each year.

### Sec. 5-5-81 - Blocking of Fire Hydrants Prohibited.

- (a) Except where marked with official traffic markings, no person shall park any motor vehicle within ten (10) feet of any fire hydrant or connection, or otherwise interfere with the accessibility of any fire hydrant by piling, dumping or placing any other obstructive material or object within ten (10) feet of a fire hydrant, nor between them and the centerline of the street, without first obtaining written permission from the Fire Chief. Every calendar day during which such interference continues shall constitute a separate offense.

#### **(b) Fire Hydrant Snow Removal**

- (1) All property owners that have fire hydrants located on their property, or adjacent road right-of-way, shall remove all snow and ice from a 2-foot radius around each fire hydrant. The said radius shall be cleared within a 24-hour period from the last snowfall.
- (2) Any property which is found to be noncompliant shall have, at the option of the City, such snow and ice removed, and a charge for not less than \$50 per hydrant billed to them. Any outstanding bill amount and accrued interest will be placed onto the tax roll as a charge against the real estate, due and payable to the City as any other non-installment assessment is payable.

- (3) Should a property owner be unable to perform their snow removal responsibilities, it shall be their responsibility to hire or enlist the help of others to ensure that the hydrant is clear from snow and ice obstruction. The property owner may call the Verona Fire Department to avoid being fined if all options to remove the snow have been exhausted.
- (4) In instances where a fire hydrant is located on a lot line, it shall be the responsibility of the property owner to the north or to the east to ensure that the hydrant is free from snow and ice.

#### Sec. 5-5-82 - Marking of Fire Hydrants.

- (a) General Requirements: Fire hydrants' locations shall be identified with yellow paint on the curb. The curb shall be painted to produce a twenty (20) foot stripe extending ten (10) feet to each side of the hydrant unless a shorter distance is indicated by official traffic markings. Areas without a curb shall have a six (6) inch yellow stripe placed on the pavement. Pursuant to Chapter 2 of NFPA 291, all fire hydrants shall be color coded.
- (b) Classification of Hydrants: Hydrants should be classified in accordance with their rated capacities [at 20 psi (1.4 bar) residual pressure or other designated value] as follows:
  - (1) Class AA - Rated capacity of 1500 gpm or greater (5680 L/min).
  - (2) Class A - Rated capacity of 1000-1499 gpm (3785-5675 L/min).
  - (3) Class B - Rated capacity of 500-999 gpm (1900-3780 L/min).
  - (4) Class C - Rated capacity of less than 500 gpm (1900 L/min).
- (c) Marking of Hydrants.
  - (1) Public Hydrants.
    - a. All barrels are to be chrome yellow except in case where another color has already been adopted. The tops and nozzle caps should be painted with the following capacity-indicating color scheme to provide simplicity and consistency with colors used in signal work for safety, danger, and intermediate condition:
      1. Class AA - Light blue.
      2. Class A - Green.
      3. Class B - Orange.
      4. Class C - Red.
    - b. For rapid identification at night, it is recommended that the capacity colors be of a reflective-type paint.
    - c. Hydrants rated at less than 20 psi (1.4 bar) should have the rated pressure stenciled in black on the hydrant top.
    - d. In addition to the painted top and nozzle caps, it may be advantageous to stencil the rated capacity of high volume hydrants on the top.
    - e. The classification and marking of hydrants provided for in this Section anticipate determination based on individual flow test. Where a group of hydrants may be used at the time of fire, some special marking designating group flow capacity may be desirable.

- (2) Flush Hydrants: Location markers for flush hydrants should carry the same color background as stated above for class indication, with such other data stenciled thereon as may be deemed necessary.
- (3) Private Hydrants: Marking of private hydrants within private enclosures shall be marked as required in Section 5-5-82(a), (b) and (c). When private hydrants are located on public streets, they should be painted red or some other color to distinguish them from public hydrants.

Sec. 5-5-83 through Sec. 5-5-89 - Reserved for Future Use.

Article G: - Exiting from Dwelling Units

Sec. 5-5-90 - Second Exit Required.

Any dwelling units with three (3) or more units per building shall have two (2) exits from each dwelling unit. One exit shall go directly to the outside of the building, by means of an exit door. For multiple story buildings a rescue platform (exterior balcony) may be used. Rescue platforms shall be designed and installed according to Ch. IND 57.05, Wis. Adm. Code. The second exit may use a common hallway or other normal means of ingress/egress.

Sec. 5-5-91 through Sec. 5-5-99 - Reserved for Future Use.

Article H: - Existing Buildings

(Reserved for Future Use)

Sec. 5-5-100 through Sec. 5-5-109 - Reserved for Future Use.

Article I: - Building Floor Plan Submittal

Sec. 5-5-110 - Plans Required.

- (a) Before the issuance of an occupancy permit, in addition to any other required plans, the owner/agent shall submit to the Building Inspector Three (3) 11" x 17" floor plans of any building, whether new or remodeled. For multi-floor buildings, Three (3) 11" x 17" plans of each floor shall be provided. The plans shall indicate the "as built" plan of the building. One (1) set of plans shall be forwarded from the Building Inspector to the Fire Chief.
- (b) The floor plans shall indicate all electrical panels, furnaces, sprinkler connections, lock boxes, roof mounted equipment, roof and attic access panels and scuttles, fire alarm panels. The symbols used shall be National Electrical Code symbols and the symbols listed in the Appendix.
- (c) The floor plans shall be clear reproductions, capable of being copied.

Sec. 5-5-111 through Sec. 5-5-119 - Reserved for Future Use.

Article J: - Razing Damaged Buildings

Sec. 5-5-120 - Adopted Codes.

This Section adopts by reference Sec. 66.05, Wis. Stats., as they relate to damaged buildings.

(Ord. No. 02-650, 10-28-02)

Sec. 5-5-121 through Sec. 5-5-129 - Reserved for Future Use.

Article K: - Fire Prevention

Sec. 5-5-130 - Maintenance of Equipment.

Any sprinkler system, standpipe system, fire alarm system, smoke detection system and other fire protective or extinguishing system or appliance which has been installed pursuant to this Chapter or in compliance with any other statute, ordinance or regulation, shall be maintained in operative condition at all times. It shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; provided, however, that the owner or occupant may temporarily reduce or discontinue the protection where necessary to make tests, repairs, alterations or additions to the system or appliance. The Fire Department Dispatch Center shall be notified before any system is reduced or discontinued for such repair, alteration or addition and shall be notified promptly upon the system's restoration to service.

Sec. 5-5-131 - Storage In and Around Required Egress.

Storage of combustibles shall not be permitted in and around any required egress area (under staircases, in horizontal exit, etc.) in any building covered by this Chapter.

Sec. 5-5-132 through Sec. 5-5-149 - Reserved for Future Use.

Article L: - Required Access for Fire Apparatus

Sec. 5-5-150 - General Requirements.

- a) Provisions For: All premises public or private which the Fire Department may be called upon to protect in case of fire and which are not readily accessible from public roads, shall be provided with suitable gates, access roads and fire lanes so that all buildings on the premises are accessible to fire apparatus.
- b) Fire Lanes: Fire lanes shall be provided on public or private property devoted to public use for all buildings used for human habitation or occupancy which are set back more than one hundred (100) feet from a public road or exceed thirty (30) feet in height and are set back more than fifty (50) feet from a public road. Fire lanes may also be designated on those private roadways where it is found by the Fire Chief that such access is necessary for fire apparatus.
- c) Width: Fire lanes shall be at least twenty (20) feet in width with the closest edge of the lane at least ten (10) feet, and no more than 30 feet, from the building.

- d) Designation: Marking and Maintenance of Fire Lanes. The designation, marking and maintenance of fire lanes shall be accomplished as specified by the Fire Chief. The current State Department of Transportation standards for highway marking shall be used as guidelines in designating and marking any fire lanes.
- e) Emergency Access: A written document, on a form prepared by the Fire Chief and for the benefit of the City, shall be required for emergency access over all fire lanes. The document shall define the area designated as a fire lane and shall specify those methods used to label or post the area as a fire lane. A copy of the document shall be kept on file in the Fire Department, Police Department, Office of the City Clerk and office of the Building Inspector.
- f) Dead-end Roads: Any dead end road more than 300 feet in length shall be provided a turn-around at the closed end of the roadway. Turn around can be of a t-type or hammerhead, cul-de-sac or curved driveway.
- g) Turning Radius: Curves and turnarounds shall be designed for a 48-foot turning radius.

#### Sec. 5-5-151 - Designated Fire Lanes.

- (a) Designated fire lanes shall be marked with signs within five (5) feet of the beginning and within five (5) feet of the end of the fire lane, with spacing between signs not to exceed seventy-five (75) feet. Each sign shall face in the direction of oncoming traffic. The curb shall be painted yellow; if there is no curb, a six (6) inch wide stripe shall be painted the full length of the fire lane. Fire lane signs shall be affixed to a stationary pole or object. Signs shall be plainly visible.
- (b) Roadways identified exclusively as fire lanes, shall be identified with approve fire lane signs on each side facing forward and the pavement area between the signs shall be striped with six (6) inch wide yellow stripes.
- (c) Before the requirements may be enforced, the fire lane must be approved by the Fire Chief, or his/her designee. A sticker is placed on each sign indicating approval and authorizing enforcement of the provisions of this Article.
- (d) It shall be unlawful for any person(s) or firm(s) to post a fire lane sign without the approval of the Fire Chief or his/her designee.
- (e) Vehicles parked in fire lanes shall be cited with a municipal citation. This may be issued by a member of the Police Department or by members of the Fire Department who have been assigned citation authorization.
- (f) Vehicles shall be permitted to stop in a fire lane while actively loading or unloading provided the driver is present. When this requirement is met, a reasonable amount of time may be allowed for the completion of the transaction.

#### Sec. 5-5-152 - Fire Lane Parking Regulated.

- (a) Any vehicle that is parked within a fire lane designated and marked in accordance with Section 5-5-151 may be removed at the vehicle owner's expense.
- (b) Vehicles shall be towed away under the following circumstances:
  - (1) When a vehicle repeatedly violates City Fire Lane Ordinances by habitually parking in a fire lane.

- (2) When a vehicle blocks the ingress/egress of a business, theater, night club, apartment complex, gymnasium or a place of public assembly.
  - (3) When the vehicle's presence threatens the life safety of the public by impeding the ability of fire apparatus and/or emergency medical equipment to respond to an emergency.
  - (4) Removal of a vehicle under such circumstances may be authorized by the person in lawful possession of the property or by the Fire Chief, or his/her designee. The Police Department may order the towing of a vehicle at any time that the above conditions exist.
  - (5) In addition to any other remedy authorized by this section, Owners of vehicles parked in fire lanes may be cited with a Notice of Violation on a standard Wisconsin Municipal Court Citation form issued by a member of the police or fire department that has been assigned citation authorization.
- (c) An inspection report with warning notice shall be issued to the property owner, occupant or responsible party requiring that if the obstruction is not removed within the specified time period, the Department may cause the removal of the obstruction with the cost of removal billed to the person(s) responsible for the obstruction.
  - (d) When it becomes necessary to obstruct a fire lane, i.e., construction, remodeling or repair, a site approval shall be required and permission obtained from the Fire Chief. A copy of the authorization shall be posted at the site.

Sec. 5-5-153 - Unapproved Fire Lanes.

Unapproved fire lane signs posted without the approval of the Fire Chief shall be removed or the fire lane shall be formally established and posted as required by this Chapter.

Sec. 5-5-154 - Required Access Within Construction Areas.

- (a) Every building shall be accessible to Fire Department apparatus by way of an access roadway.
- (b) Access roadways shall be extended to within one hundred fifty (150) feet of all portions of the exterior walls of the first story of any building.
- (c) Access roadway shall not be less than twenty (20) feet of unobstructed width, and shall have a minimum of thirteen (13) feet, six (6) inches of vertical clearance.
- (d) Access roadways in excess of three hundred (300) feet in length shall provide approved provisions for a turnaround adequate for Fire Department apparatus.
- (e) A driving surface of at least road base quality gravel shall be maintained at all times in order that all-weather integrity is assured.
- (f) The road base shall be capable of supporting the imposed loads of fire apparatus.
- (g) During winter months, the roads shall be maintained by the owner to include proper and timely snow removal.
- (h) Failure to comply with these requirements may result in issuance of a citation under Section 5-5-6 and each calendar day shall constitute a separate offense.

Sec. 5-5-155 through Sec. 5-5-159 - Reserved for Future Use.

## Article M: - Administrative Appendix

### Sec. 5-5-160 - Explanation.

An administrative appendix which explains and clarifies sections of this Chapter may be prepared and maintained by the Fire Chief and is incorporated by reference herein.

### Sec. 5-5-161 - Liability for Damages.

This Chapter shall not be construed to affect the responsibility of any person owning, operating or installing any equipment for damage to persons or property caused by any defect therein, nor shall the City be held as assuming any such liability by reason of the inspection or re-inspection authorized herein or by reason of the disapproval or approval of any equipment authorized herein.

### Sec. 5-5-162 - Investigation of Fires.

- (a) The Fire Chief or his/her designee shall investigate the cause, origin and circumstances of every fire occurring in the City which is of suspicious nature or which involves loss of life or injury to persons or by which property has been destroyed or substantially damaged. Such investigations shall begin immediately upon the occurrence of such fire by the Fire Department officer, and if it appears that such fire is of suspicious origin, the Chief shall be immediately notified of the facts. The Chief shall take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters, and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.
- (b) Every fire shall be reported in writing to the Fire Chief or Fire Department officers within two (2) days after the occurrence of the same by the officer in whose jurisdiction such a fire has occurred. Such report shall be in such a form as shall be prescribed by the Fire Chief and shall contain a statement of facts relating to the cause, origin and circumstances of such fire, injury to persons, extent of the damage and such other information as may be required.
- (c) The City Attorney, the Police Department and the Building Inspector, upon request of the Fire Chief, may assist the inspectors in the investigation or disposition of any fire which, in their opinion, is of suspicious origin.

### Sec. 5-5-163 - Orders to Eliminate.

Whenever the Fire Inspector shall find in any building or upon any premises dangerous or hazardous conditions as follows, he shall order such dangerous materials or conditions to be removed or remedied in such manner as may be specified in the order:

- (a) Dangerous or unlawful amounts of combustible or explosive matter;
- (b) Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter;
- (c) Dangerous accumulations of rubbish, wastepaper, boxes, shavings or other highly flammable materials;
- (d) Accumulations of dust or waste material in air conditioning systems or of grease in kitchen exhaust ducts;

- (e) 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;
- (f) Any building or other structure which, for want of repair, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, creates a fire hazard or a threat to life and safety.

Sec. 5-5-164 - Service of Orders.

- (a) The service of such orders as mentioned in Section 5-5-163 above may be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by delivering the same to and leaving it with any person in charge of the premises, or in case such person is not found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises. Whenever it may be necessary to serve such an order upon the owner of premises, such an order may be served either by delivering to and leaving with the said person a copy of the said order, or if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.
- (b) If building or other premises are owned by one (1) person and occupied by another under lease or otherwise, the orders issued in connection with the enforcing of this Chapter shall apply to the owner and occupant thereof; in such cases, the rules or order shall affect the owner and occupant unless it is otherwise agreed between the owner and occupant.

Sec. 5-5-165 - Fire Records.

The Fire Chief shall keep in his office a record of all fires and of all facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby.

Sec. 5-5-166 - Modifications.

The Fire Chief or Fire Inspectors shall have power to modify any of the provisions of this Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of this Chapter; provided that, the spirit of this Chapter be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of Department officials thereon shall be entered upon the records of the Department and a signed copy shall be furnished to the applicant.

Sec. 5-5-167 - Permits, Certificates, Approvals, Inspections, Appeals.

- (a) A building permit shall be issued only for those buildings which conform to the provisions of this Chapter. Three (3) copies of the plans and specifications detailing standpipe, hydrant, sprinkler or substitute systems designed by licensed designer of fire protection systems, professional engineers or architects, shall be submitted for approval. Approved plans shall be stamped, "Approved by Fire Chief and/or Fire Officers" and the date of approval. Two (2) copies shall be returned to the owner and one (1) copy kept on file in the Fire Department. Inspection of systems and determination of compliance with this Chapter and the approved plans shall be made by the Fire Chief and/or Fire Officers.
- (b) Whenever the Fire Chief and/or fire officers shall disapprove an application or the Fire Chief and/or fire officers shall request a revocation, the applicant may appeal the decision to the Board of Appeals within thirty (30) days of the date of the appealed decision.
- (c) Whenever the applicant shall claim that the provisions of this Chapter do not apply to the structure in question or that the intent and meaning of this Chapter have been misconstrued

or wrongly interpreted, the applicant may appeal the decision to the Board of Appeals within thirty (30) days of the date of the appealed decision.

- (d) The Fire Chief and/or fire officers may request the revocation of any permit issued in accordance with this Chapter in any case where he finds that any of the conditions for issuance have not been maintained or where there has been any false statement or misrepresentation of any material fact in the application or plans on which the issuance was based.
- (e) The Fire Chief shall promptly notify the permit holder of the request for revocation and, if so requested by the permit holder, the effective date of the revocation shall be deferred pending a hearing before the Fire Chief. The decision of the Fire Chief for revocation, following the hearing, shall be final except that the permit holder may appeal the decision to the Board of Appeals within thirty (30) days.
- (f) All appeals shall be in the form of a written notice served on the Verona Fire Department or City Clerk in which the questioned decision is fully stated. Such notice shall be at once transmitted to the Board, which Board shall arrange for a hearing on the particular issue raised.

## **Chapter 6 - Emergency Preparedness**

### Sec. 5-6-1 - Policy and Purpose.

- (a) The preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage caused by fire, flood, natural disasters, accidents, enemy attack or other hostile action.
- (b) By reason of the increasing possibility of disasters of unprecedented size and destructiveness, and to ensure that preparations will be adequate to cope with such disasters, and to provide for the common defense, to protect the public peace, health, safety and general welfare, and to preserve the lives and property of the people, it is hereby declared necessary:
  - (1) To establish a local emergency preparedness commission.
  - (2) To provide for the exercise of necessary powers and to ensure the coordination of all available City and private resources during emergencies; and
  - (3) To provide for the rendering of cooperation and mutual aid between this City and other political subdivisions.
- (c) It is further declared to be the purpose of this Chapter and the policy of the City that all emergency functions of this City be coordinated to the maximum extent practicable with existing services and facilities of this City and with comparable functions of the federal, state and county governments and other political subdivisions, and of various private agencies to the end that the most effective preparation and use may be made of manpower, resources and facilities for dealing with any disaster that may occur.

## **Chapter 7 – Fire Protection Charges and Licensing Fees**

### **5-7-1. - Scope.**

- (a) Due to the continuing increase in the cost of providing adequate fire protection to the city, a fire protection fund is to be established to assist in the provision of this service. Fees shall also be established for the Licensing of Maintenance of Fire Protection Equipment.

### **5-7-2 - Impositions.**

- (a) The city shall impose a fee for service rendered by the fire department which imposes a financial burden above the level of service established by the common council in the following circumstances:
  - (1) *Standby charges:* The fire chief may charge a standby fee for costs incurred by the city that are necessitated by a need for special fire protection and prevention devices provided for special functions general public safety at emergency and nonemergency situations. The fee will be based on the schedule as adopted pursuant to section 5-7-3.
  - (2) *User fee:* The fire chief may charge a fee based on actual cost incurred by the city for any service performed by the fire department where the service requires a recall of additional fire personnel or the use of specialized equipment or resources to terminate an emergency.
  - (3) *State and federal mandated duties:* The fire chief may bill the offices or agencies of the state or the United States actual costs incurred for the performance of duties mandated by them. This charge will be based on the schedule as adopted pursuant to section 5-7-3.
  - (4) *Fire cause determination fee:* The fire chief may charge a fee for all costs incurred by the fire department for providing service as the result of actions that are determined to be a violation of the fire prevention code. This fee will be based on the schedule as adopted pursuant to section 5-7-3 and shall be payable by the person.
- (5) A license shall be required to service fire extinguishers per NFPA 10.
  - a. The contractor seeking a license shall demonstrate competence and pay a licensing fee of \$100 per year. The fee cannot be prorated.
  - b. Licenses shall be valid for a calendar year from Jan1 to Dec 31, and are not transferable.
  - c. The Fire Chief or his/her designee, may revoke any license, issued under this code where any condition of issuance has not been complied with, or where there has been any false statement or misrepresentation of any material fact in the application or plans on which the issuance was based.

### **5-7-3 - Fee schedule.**

- (a) The fees as provided under 5-7-2 shall be based upon actual costs of services rendered. The fire chief shall annually present to the common council for approval, a fee schedule based on the approved fire department budget. The fee schedule will encompass manpower, equipment, material and maintenance costs to ensure proper charges for services rendered. Said schedule shall be as set forth in the annual budget fee schedule.

### **5-7-4 - Charges binding on successors.**

- (a) The fees in 5-7-2 shall be binding upon all persons rendered such services as well as their successors in interest, assigns, estates and heirs.

### **5-7-5. - Disposition of funds.**

- (a) All monies received under the provisions of this division shall be placed in an account set up for the express purpose of funding expenses necessary to furnish fire protection to the citizens of the city

### **5-7-6 – Design and construction reviews, approvals and permits for Fire Protection and other safety features.**

#### **a) Application for Permit, Plans and Specifications.**

- 1) No person may install, erect or construct or add to, enlarge, move, improve, alter, convert, extend replace components, or demolish or cause the same to be done, or commence any work covered by this code on any fire protection system, any access control, delayed egress, stair door locking system or device, or LPG containers, high-piled storage arrays, flammable and combustible liquid storage arrangements, including any system subject to plan review under Wis. Admin. Code ch. SPS 361, without first submitting plans for review and approval to the Chief and obtaining a fire department work permit. This requirement is irrespective of whether such person intends to submit such plans to any other lawful approving authority. Permits shall be issued in the name of the owner or owner's agent. The Chief by special permission may authorize work to start prior to compliance with this subsection.
- 2) Applications for permits shall be filed with the Chief in writing on a form to be furnished for that purpose. Such application shall describe the land or structure upon which work is to be done, either by street number, lot, block or tract, or similar general description which will identify the proposed installation or work and shall show the use or occupancy of all parts of the building and such other pertinent information as may be required by the Chief. By filing, the applicant certifies the installation will comply with the applicable codes.
- 3) Working plans and specifications showing the location of each component or element of the proposed system, all drawings, manufacturers cut sheets for devices, calculations, material approvals, manufacturers listed installation and design manuals, pre-engineered design specifications, design specifications, and the manufacturer, model and type of each component element of such systems, when needed, shall accompany every application for a permit, and shall be

filed with the Chief. Applicant shall submit three (3) sets of plan documents and one (1) set of supporting documents for review. However, the Chief may authorize the issuance of a permit without plans or specifications for minor or inconsequential work.

b) Fees.

1) Scope. The fees fixed in this section shall be assessed and collected by the Chief for the examination and approval of system plans. These fees also include the inspection of newly installed and remodeled systems. These fees do not cover any re-inspections. These fees are collected in advance from the owner or agent. The appropriate portion of each fee, as set forth in Wis. Admin. Code § SPS 302.31, Table 2.31-3, shall be forwarded to Department of Safety and Professional Services.

2) Plan Examinations.

- a. Plans showing design and construction details, design computations and specifications submitted for examination and approval as required by this section shall be accompanied by a fee in the amount determined in accordance with this section.
- b. For the purpose of determining the fee on the basis of square foot, floor area measurements shall be taken from outside of building at each floor level, including basement and other areas affected or serviced by the system. Except as otherwise specified in this code, for remodeling or adding to an existing system, the appropriate fee shall be determined by calculating the square footage of the area to be serviced by such remodeling or addition to the system.

c) Fee Schedule.

1) New Systems. Except as otherwise specified in this section, plan review fees for new systems shall be computed upon the basis of the total square footage of each building or affected area and determined by the following table:

Table A

| AREA<br>(SQUARE FEET) | FIRE<br>ALARM<br>SYSTEM<br>PLANS | FIRE<br>SUPPRESSION<br>SYSTEM<br>PLANS |
|-----------------------|----------------------------------|--|
| Less than 2,500       | \$130                            | \$130                                  |
| 2,501 - 5,000         | \$160                            | \$160                                  |
| 5,001 - 10,000        | \$315                            | \$315                                  |
| 10,001 - 20,000       | \$620                            | \$620                                  |
| 20,001 - 30,000       | \$925                            | \$925                                  |
| 30,001 - 40,000       | \$1,240                          | \$1,240                                |
| 40,001 - 50,000       | \$1,555                          | \$1,555                                |
| 50,001 - 75,000       | \$1,880                          | \$1,880                                |
| 75,001 - 100,000      | \$2,210                          | \$2,210                                |
| 100,001 - 200,000     | \$2,580                          | \$2,580                                |
| 200,001 - 300,000     | \$3,030                          | \$3,030                                |
| 300,001 - 400,000     | \$3,480                          | \$3,480                                |
| 400,001 - 500,000     | \$3,930                          | \$3,930                                |
| Over 500,000          | \$4,310                          | \$4,310                                |

