

VILLAGE OF EDEN FIRE DEPARTMENT ORDINANCE

The Village Board of the Village of Eden does hereby ordain as follows:

Injury to fire apparatus.

No person shall willfully injure, in any manner, any hose, hydrant or fire apparatus belonging to the village, and no vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, track or other place, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

(Code 1979, § 2.32.200; Ord. No. 70, § 5(E), 1948)

State law reference— Crossing over fire hose, Wis. Stats. § 346.91.

False Fire Alarm Prohibited.

No person shall give or cause to be given a false fire alarm.

Building Plan Review.

All building and project development plans for projects covered by this section shall be referred to the Fire Chief or his designee for examination and approval. Developers shall submit one set of plans for fire department use. This shall apply to all new buildings in the Village excluding the construction of one-family and two-family dwellings and appurtenant structures. Changes of use or modifications of existing buildings or structures shall follow the same procedure. Prior to the issuance of a building permit, written requirements shall be secured from the fire department relating to fire safety measures of the proposed development. If the Fire Chief or his designee finds that a proposed fire lane, fire hydrant, or other fire safety measures in a project does not comply with this section or the current version of the fire safety code as adopted by the Village and/or the State of Wisconsin, the Fire Chief or his designee shall be authorized to specify the changes necessary to bring the proposal into compliance. Appeals from orders of the Fire Chief or his designee shall be to the Zoning Board of Appeals. The Fire Chief or his designee shall inspect the construction of any fire lanes and the placement and specifications of any fire hydrants required by this section and no occupancy permit shall be issued for any project covered by this section until the Fire Chief or his designee has inspected and approved the fire lanes and hydrants.

Fire Lanes

Fire Lanes. Fire lanes shall be required in accordance with this section on public or private property used for assembly, commercial, educational, industrial, institutional, or multi-family dwelling purposes and on private property containing residential developments consisting of three or more dwelling units to which access is provided from public street by a private road or driveway where any dwelling unit is set back more than 50 feet from the paved portion of the public street. Fire lanes may also be designated on those private roads where it is found by the Fire Chief that such access is necessary for firefighting equipment and apparatus. No building permit shall be issued without compliance with the terms of this section if any part of the area being developed contains any of the uses or conditions described in the subsection.

“Fire Lane” means a part of a public or private parking lot or private driveway or private road which is designated as a fire lane and designated to provide access for fire trucks to any building or location and which lanes meet the following minimum specifications:

- a. Not less than 24 feet wide at any point
- b. Curves and turnarounds shall be designated for a 40 foot radius
- c. Dead end lanes more than 300 feet long shall provide for a turnaround that is T-type, or, cul-de-sac, at the closed end of the lane.
- d. The surface shall be paved with bituminous or concrete or other approved similar all weather material and shall be of sufficient strength to support fire department equipment.

(2) Location and Maintenance of Fire Lanes. Fire lanes shall be located where necessary to provide fire protection to all buildings and the premises.

(3) Designation and Signage of Fire Lanes. The owner or occupant of any premises where a fire lane is required under this section shall designate all fire lanes and shall post appropriate signs indicating the existence of all fire lanes and indicating that no parking is permitted on fire lanes, as specified and approved by the Fire Chief. Signs shall be used in such locations and in such a manner as in the judgment of the Fire Chief will carry out the purposes of this section and give adequate warning to users of the premises where the fire lanes and fire hydrants are located. Signage shall meet the following minimum standards:

- a. Where reasonably feasible, signs shall be erected within 5 feet of the beginning and within 5 feet of the end of the fire lane with spacing between signs not exceeding 75 feet. Each sign shall face in the direction of oncoming traffic and shall be affixed to a stationary pole or object.

Fire inspector—Appointment; deputies.

The chief of the fire department shall hold the office of fire inspector, with power to appoint one or more deputy fire inspectors, who shall perform the same duties and have the same powers as the fire inspector.

(Code 1979, § 2.32.210; Ord. No. 70, § 6(A), 1948)

Same—Duties.

It shall be the duty of the Fire Chief or his designee to inspect all buildings, premises and thoroughfares within the fire department contracted district limits for the purpose of noting and causing to be corrected any condition liable to cause fire at least once per calendar year pursuant to Wis Admin Code SPS 314.01(13)(b)7a., except the interiors of dwelling units, or as often as may be deemed necessary. In no case shall the period between inspections exceed (15) months. Repairs or alterations necessary to remove the hazardous condition shall be made within a reasonable time at the expense of the owner. In case the property owner believes the time allowed is unreasonable, he shall have the right to appeal to the Village board. The inspector shall also investigate the storage and handling of explosives and flammable liquids within the fire department contracted district.

(Code 1979, § 2.32.220; Ord. No. 70, § 6(B), 1948)

Written records of inspections.

The chief shall keep a written record of each property inspected which shall conform to the requirements of the state department of commerce, and shall make the semiannual report of inspections required by the state department of commerce.

(Code 1979, § 2.32.230; Ord. No. 70, § 6(C), 1948)

Removal of fire hazard by owner.

Whenever or wherever in the Village any inspection by the fire chief or his deputies reveals a fire hazard, the chief or his deputies are invested with the authority to serve a notice, in writing, upon the owner of the property, giving said owner a reasonable time in which to remove the hazard. In case the property owner believes the time allowed is unreasonable, he shall have the right to appeal to the Village board. To compensate for inspection and administrative costs, a fee of \$50 may be charged for any reinspection to determine compliance with an order to correct conditions which violate Code provisions under the jurisdiction of the Fire Department, except that no fee shall be charged for the reinspection when compliance is recorded. A fee of \$75 may be charged for a second reinspection, a fee of \$150 for a third reinspection and a fee of \$300 for each subsequent reinspection. In the event that the fire hazard is not removed within the time allowed, it shall be deemed a nuisance and the fire chief or his deputy is authorized to have the same removed by the Village. The cost of such removal shall be recovered in an action by the Village against the owner of the property, together with all costs, disbursements, and reasonable attorney fees, said fees to be governed by the scale set by the county bar association for preparation and trial work in circuit court, and interest from the time the work is completed.

Duty To Maintain.

Any device, piece of equipment or system required to be installed by this Code or applicable standards referenced therein for which express maintenance requirements are not established shall be continuously maintained in good working condition.

Safeguarding Vacant Premises.

Unoccupied buildings, structures, premises or portions thereof shall be secured and protected in accordance with this section.

(a) Security. Exterior openings and interior openings accessible to other tenants or unauthorized persons shall be boarded, locked, blocked and otherwise protected to prevent entry by unauthorized individuals. Exterior openings which cannot be secured by locking an existing door or window shall be boarded up in the manner set forth by the United States Fire Administration's National Arson Prevention Initiative Board Up Procedures, hereby incorporated by reference as if fully set forth herein. The USFA National Arson Prevention Initiative Board Up Procedures shall be kept on file at the Fire Prevention Bureau.

(b) Fire Protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times, unless one of the following exceptions apply:

1. When the premises have been cleared of all combustible materials and debris if the Fire Chief or a designee determines the type of construction, fire separation distance and security of the premises do not create a fire hazard.
2. Where such buildings, structures or premises shall not be heated and fire protection systems will be exposed to freezing temperatures, fire alarm and sprinkler systems may be placed out of service and standpipes are permitted to be maintained as dry systems without an automatic water supply, provided the building, structure or premise has no contents or storage and all windows, doors and other openings are secured as required.

(c) Fire Separation. Fire-resistance-rated partitions, fire barriers, and fire walls separating vacant tenant spaces from the remainder of the building, structure or premise shall be maintained.

(d) Removal of Waste and Other Materials. Persons owning or in charge or control of a vacant building, structure, premise or portion thereof shall remove all accumulations of flammable or combustible waste or rubbish therefrom. Such persons shall remove all flammable or combustible materials of any type therefrom if the premises are not protected by a sprinkler or sprinkler and standpipe system installed pursuant to the specifications set forth in this Fire Code. Such persons shall securely lock or otherwise block or secure doors, windows and other openings to prevent entry by unauthorized persons and maintain the premises clear of waste or hazardous materials.

(Code 1979, § 2.32.240; Ord. No. 70, § 6(D), 1948)

Denial of access prohibited.

No person shall deny the chief or his deputies free access to any property within the Village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the fire inspector in the performance of his duty, or refuse to observe any lawful direction given by him.

(Code 1979, § 2.32.250; Ord. No. 70, § 6(E), 1948)

Disclaimer On Inspections.

The purpose of fire inspections is to comply with the fire inspection provisions of the state codes. The inspections and the reports, findings and orders issued after such inspections are not intended as, nor are they to be construed as, a guarantee. The findings of the inspections are intended to report conditions of non-compliance with Code provisions that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems of the closed premises. The Village makes no warranty or representation, expressed or implied, that its inspection of the property has discovered all fire code violations or all fire hazards or that this report contains a complete list of all fire code violations existing on the property inspected herein.

Adopted this 21st day of July 2015, on a motion made by Kirk Kramp and seconded by Jean Ziegler.

VILLAGE OF EDEN

Dennis Immel
Village President

ATTEST: _____
Sheila M Zook
Clerk/Treasurer