

## CHAPTER 95: FIRE PREVENTION

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## **I. FLAMMABLE AND COMBUSTIBLE LIQUID STORAGE TANKS**

### **§ 95.01 FEE SCHEDULE.**

The following fees shall apply to the removal of flammable and combustible liquid storage tanks.

(A) Commercial. For the removal of commercial underground and aboveground flammable and combustible storage tanks, the fee shall be \$50 per tank with a minimum per site fee of \$100. Commercial tanks are defined as any tanks covered in conjunction with Chapters 54 through 62, and Chapter 66 of the Commercial Building Code of the State Department of Commerce.

(B) Residential. For the removal of one- and two-family dwelling flammable and combustible liquid storage tanks, the fee shall be \$50 per tank. Family residential dwellings are defined in Chapters 20 and 21 of the State Department of Commerce Uniform Dwelling Code. (1999 Code, § 95.01) (Ord. passed - -)

### **§ 95.02 NOTICE OF REMOVAL.**

All owners of commercial and family residential dwelling underground and aboveground flammable and combustible liquid tanks shall notify the Chippewa Fire Protection District of any and all tank removals in accordance with the State Department of Commerce Code ILHRIO, which requires a minimum of a 15-day notice of removal. (1999 Code, § 95.02) (Ord. passed - -)

### **§ 95.03 ENFORCEMENT.**

The Chippewa Fire Protection District, as the local program operator, is empowered to enforce this section of this chapter within the village limits, as per its contract with the State Department of Commerce. (1999 Code, § 95.03) (Ord. passed - -)

## **II. FIRE CODE VIOLATION INSPECTION & ENFORCEMENT**

### **§ 95.04 AUTHORITY**

Wisconsin Administrative Rule SPS 314 of the Wisconsin Administrative Code, including any amendments relating to fire Protection and prevention are adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any chapter of the Wisconsin Administrative Code incorporated herein by reference is required or prohibited by this section:

### **§ 95.05 FREQUENCY OF FIRE PREVENTION INSPECTIONS.**

In accord with Wis. Adm. Code Section SPS 314.01 (13)(b)7a, fire prevention inspections of all public buildings and places of employment in the Village shall be conducted at least once per calendar year or more often as is ordered by the fire chief, provided, however, that the interval between each such inspection shall not exceed fifteen (15) months. For purposes of this ordinance, public buildings shall include any state Licensed Tourist Rooming House.

### **§ 95.06 DUTIES OF THE FIRE INSPECTOR.**

- (a) The chief of the fire department shall hold the office of fire inspector, with power to appoint one or more deputy fire inspectors, or an authorized contractor with Village Board Approval, who shall perform the same duties and have the same powers as the fire inspector.
- (b) It shall be the duty of the fire inspector to inspect all buildings, premises and thoroughfares, as required by SPS 314, and the interiors of private dwellings annually within the fire limits of the Village if they are proposed to be used as a Short Term Rental business under Chapter 115 of the Village Code of Ordinances, for the purpose of noting and causing to be corrected any condition liable to cause fire.
- (c) The fire inspector shall also investigate the storage and handling of explosives and inflammable liquids as needed within the Village.
- (d) Whenever or wherever in the Village any inspection by the fire chief or his deputies reveals a fire hazard, the chief or his deputies shall serve notice in writing upon the owner of the property giving said owner a reasonable time in which to remove the hazard. In the event that the fire hazard is not removed within the time allowed, or the next scheduled inspection, it shall be deemed a nuisance, as proscribed in Chapter 92.02 of the Village of Pepin Code of Ordinances. If enforcement action is required, the Fire Chief shall notify the Police Chief for the appropriate enforcement action. Penalties shall apply as described in § 95.07 below. If deemed necessary, the fire chief or his deputy is authorized to have the nuisance abated, and the cost of such nuisance abatement shall be recovered in an action by the Village against the owner of the property as per Ch 92.04 and 92.05.

(e) The fire chief shall keep a written record of each property inspected which shall conform to the requirements of SPS 314 and shall make a quarterly report of inspections to the Village Board.

(f) No person shall deny the fire chief or his deputies' free access to any property within the Village. Whenever necessary to make an inspection to enforce this ordinance, or whenever there is reasonable cause to believe there exists a fire code violation in any building or upon any property or upon any premises within the Village, an authorized fire inspector of the Village may, upon presentation of proper credentials, enter such building or premises or property at all reasonable times to inspect the same or to perform any duty imposed upon him by ordinance, provided that, except in emergency situations or when consent of the owner, occupant or both if they can be located after reasonable effort, 24 hours' written notice is given of the authorized official's intentions to inspect.

(g) The notice transmitted to the owner, occupant, or both, shall state that in such event entry is refused, legal action, including the issuance of a search warrant, may be pursued by the authorized official. In the event the owner, occupant or both refuses entry upon such request after such request has been made, the official is empowered to seek assistance in the form of appropriate legal action from any court of competent jurisdiction in obtaining such entry.

**§ 95.07 PENALTIES.**

Failure to remedy any fire hazard identified in an inspection conducted under 95.05(d) in the time allowed shall result in a fine as provided in § 10.99.

This revised Fire Prevention Ordinance, Chapter 95, shall become effective immediately upon passage and publication as required by Law.

Passed and adopted this 7<sup>th</sup> day of June, 2022.

ATTEST:



Village President Signature



Clerk Signature