

## CHAPTER 4

### Fire District; Fire Prevention Code

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#### SEC. 3-4-1 CENTRAL BUSINESS DISTRICT (ZONING DISTRICT B-C) REGULATIONS.

- (a) **DEFINITIONS.** The terms "fire-resistive construction," "mill construction," "ordinary construction," "frame construction" and "fire retardant roof coverings" shall have the meaning as defined in the Chapter IND 51, Wisconsin Administrative Code.
- (b) **REGULATIONS WITHIN CENTRAL BUSINESS DISTRICT.**
- (1) **REQUIREMENTS.** Every building hereafter erected, enlarged or moved within or into the fire district shall be of fire-resistive, mill or ordinary construction, except as otherwise provided by this ordinance. Enclosing walls, division walls and party walls shall be of 4-hour, fire-resistive walls of a construction as provided in Section IND 51.04, Wisconsin Administrative Code, which is hereby by reference made a part of this ordinance with respect to all buildings and structures within the fire district.
- (2) **EXCEPTIONS.** No building of frame construction shall be constructed within or moved within or into the fire district except the following:
- a. Buildings occupied as a private garage, not more than one story in height nor more than 750 square feet in area, located on the same lot with a dwelling; provided that any such building shall be placed at least three (3) feet from the lot lines of adjoining property. Buildings occupied as a public garage shall be placed at least three (3) feet from the lot lines of adjoining property.
  - b. Buildings of frame construction, except when used for a high hazard occupancy, not exceeding 2,500 square feet in area when used for a business occupancy or 1,000 square feet in area when used for other occupancies, nor more than one story in height, and having a horizontal separation of not less than ten (10) feet on all sides. Walls having a horizontal separation of less than ten (10) feet shall have a fire-resistance rating of not less than four (4) hours.
  - c. Greenhouses not more than fifteen (15) feet in height.
  - d. Sheds open on the long side, not more than fifteen (15) feet in height nor more than five hundred (500) square feet in area, located at least five (5) feet from buildings and from adjoining lot lines.
  - e. Builders' shanties for use only in connection with a duly authorized building construction.
- (c) **BULK OIL TANKS PROHIBITED.** The storage of Class I and Class II flammable liquids, as defined in Section IND 8.01, Wisconsin Administrative Code, in aboveground tanks outside of buildings is prohibited within the fire district.
- (d) **RAZING OLD OR DAMAGED BUILDINGS.** Any existing building of frame construction within the fire limits which may hereafter be damaged by fire, or which has deteriorated to an amount greater than one-half (1/2) of its value, exclusive of the foundation, as

determined by the Village Assessor, shall not be repaired or rebuilt, but shall be ordered removed by the Building Inspector under the provisions of the Wisconsin Statutes.

- (e) **FIRE-RETARDANT ROOFING.**
  - (1) Every roof hereafter constructed within the fire district, including buildings listed in Subsection (c), shall be covered with a roofing having a bona fide fire-resistive rating equivalent to Class "B" or better, as tested according to the American Society for Testing and Materials (ASTM) Standard E108 (Standard Methods of Fire Tests of Roof Coverings), of the Underwriter's Laboratories or other accepted testing laboratories, whose standards are hereby adopted by reference and incorporated in this Section as if fully set forth herein.
  - (2) No roofing on an existing roof shall be renewed or repaired to a greater extent than 1/10 of the roof surface, except in conformity with the requirements of this Chapter.
- (f) The Building Inspector and Fire Inspector are hereby authorized and it shall be his duty to enforce the provisions of this Chapter.

History: Code of Ordinances, 1986. Sec 3-4-1 repealed and recreated. Ordinance No. 3, Series of 1994.

**SEC. 3-4-2 FIRE PREVENTION CODE ADOPTED.**

- (a) **STATE FIRE CODE ADOPTED.** The provisions of Chapter ILHR 14 of the Wisconsin Administrative Code are hereby adopted and incorporated as the "Fire Prevention Code" of the Village of Prairie du Sac as if fully set forth herein.
- (b) **ENFORCEMENT.** The Fire Prevention Code shall be enforced by the Chief of the Fire Department and such personnel as he may designate for such purpose.
- (c) **DEFINITIONS.**
  - (1) Wherever the word "Municipality" is used in the Fire Prevention Code, it shall mean the Village of Prairie du Sac.
  - (2) Wherever the term "Corporation Counsel" is used in said Code, it shall mean Village Attorney.
- (d) **MODIFICATIONS.** The Chief of the Fire Department may grant a variance to the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in carrying out the strict letter of the Code, provided the spirit of the Code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department thereon shall be entered upon the records of the Department and a signed copy shall be furnished the applicant. A copy of each order or modification by the Fire Chief shall be filed with the Administrator.
- (e) **APPEALS.** Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code has been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the Board of Appeals created by Section 2-4-4 of this Municipal Code within thirty (30) days from the date of the decision of the appeal.
- (f) **ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED.** The limits referred to in Section 12.5b of the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Residential and Commercial Zone.
- (g) **ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS IS TO BE PROHIBITED.**

- (1) The limits referred to in Section 16.22a of the Fire Prevention Code in which storage of flammable liquids in outside above ground tanks is prohibited, are hereby established as follows: Residential and Commercial Zone.
  - (2) The limits referred to in Section 16.51 of the Fire Prevention Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: Residential and Commercial Zone.
- (h) ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUIFIED PETROLEUM GASES IS TO BE RESTRICTED. The limits referred to Section 21.6a of the Fire Prevention Code, in which bulk storage of liquified petroleum gas is restricted, are hereby established as follows: Residential and Commercial Zone.
- (i) OFFENSES. Any person who shall violate any of the provisions of this Section, or who shall fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction within the time fixed herein, shall be subject to the general penalty of this Code, found in Sec. 1-1-6.

**History.** Code of Ordinances, 1986. Sec. 3-4-2(a) repealed and recreated to adopt State Fire Code, 1994

### SEC. 3-4-3      ADOPTION OF STATE CODES.

The following Orders, Rules, and Regulations of the Department of Industry, Labor and Human Relations, all of which are set forth in the Wisconsin Administrative Code as from time to time amended, are incorporated herein by reference and adopted as part of this Fire Prevention Chapter:

- (a) Wis. Adm. Code Ch. IND 1; Safety.
- (b) Wis. Adm. Code Ch. IND 5; Explosives and Blasting Agents.
- (c) Wis. Adm. Code Ch. IND 7; Cleaning and Dyeing.
- (d) Wis. Adm. Code Ch. IND 8; Flammable and Combustible Liquids.
- (e) Wis. Adm. Code Ch. IND 9; Liquefied and Petroleum Gases.
- (f) Wis. Adm. Code Ch. IND 20; Dusts, Fumes, Vapors and Gases.
- (g) Wis. Adm. Code Ch. IND 21; Spray Coating.
- (h) Wis. Adm. Code Ch. IND 35; Safety in Construction.
- (i) Wis. Adm. Code Ch. IND 43; Anhydrous Ammonia Code.
- (j) Wis. Adm. Code Ch. IND 50; Administration and Enforcement.
- (k) Wis. Adm. Code Ch. IND 51; Definitions and Standards.
- (l) Wis. Adm. Code Ch. IND 52; General Requirements.
- (m) Wis. Adm. Code Ch. IND 53; Structural Requirements.
- (n) Wis. Adm. Code Ch. IND 54; Factories, Office and Mercantile Buildings.
- (o) Wis. Adm. Code Ch. IND 55; Theatres and Assembly Halls.
- (p) Wis. Adm. Code Ch. IND 56; Schools and Other Places of Instruction.
- (q) Wis. Adm. Code Ch. IND 57; Apartment Buildings, Hotels, and Places of Detention.
- (r) Wis. Adm. Code Ch. IND 58; Health Care, Detention and Correctional Facilities.
- (s) Wis. Adm. Code Ch. IND 59; Hazardous Occupancies.
- (t) Wis. Adm. Code Ch. IND 60; Child Day Care Facilities.
- (u) Wis. Adm. Code Ch. IND 61; CBRF
- (v) Wis. Adm. Code Ch. IND 62; Specialty Occupancies
- (w) Wis. Adm. Code Ch. IND 64; Heating, Ventilating, and Air Conditioning.
- (x) Wis. Adm. Code Ch. IND 65; Fire Prevention
- (y) Wisconsin Electrical Code

EMERGENCY KEY BOX ACCESS TO BUILDINGS AND HAZARDOUS MATERIALS INFORMATION

- (a) **INTENT AND PURPOSE.** It is hereby declared the intent of the Village Board, through the enactment of this section, to establish requirements for the installation of an Emergency Key Box and/or an accessible on-site inventory of hazardous materials at properties within the Village Limits for purposes of rapid entry for firefighting or rescue activities when life or property is threatened. The purpose of the Emergency Key Box is to allow Fire and Ambulance personnel to gain access to specified buildings at times when the buildings are not occupied or when an occupant is unable to provide ingress. The purpose of the Hazardous Materials Inventory is to provide accurate reference materials for rescue and firefighting personnel prior to entry of a structure so as to prepare themselves for entry into potentially hazardous environments during emergency responses.
- (b) **INSTALLATION.** An Emergency Key Box shall be installed on all businesses, public and commercial buildings, multiple family dwellings where access to interior units is through a common secured entrance, industrial facilities, residential care facilities or where a property within the Fire Department's jurisdiction is protected by an automatic fire alarm or fire sprinkler/suppression system. One and two family dwellings are exempt from these requirements as to Emergency Key Boxes. Owners of all existing buildings affected by Subsection (b) shall comply by January 1, 2018. All newly constructed or remodeled structures subject to Subsection (b) shall have the Emergency Key Box installed and operational prior to the issuance of the occupancy permit by the building inspector.
- (c) **EMERGENCY KEY BOX TYPE, LOCATION AND CONTENTS.** The type and location of the Emergency Key Box shall be approved by the Fire Chief or his/her designated representative prior to installation. The location of the Emergency Key Box shall be in accordance with the following criteria:
  - (1) The access box shall be at or near the main entrance or such other location as approved by the Fire Chief or his or her designee prior to installation.
  - (2) The access box shall be located at a height of not less than four (4) Feet and not more than six (6) feet above final grade.
  - (3) The owner(s) of the property shall keep keys, key cards, or codes in the access box that will allow access to the building and all locked or secured areas within the building.
- (d) **MAINTENANCE.** It is up to the property owner(s) of the building to notify the Fire Department of updated or added keys for the facility. It is the responsibility of the building owner(s) to keep the area around the Emergency Key Box clear of obstructions including, but not limited to, vegetation, paint, or clutter.
- (e) **HAZARDOUS MATERIALS INVENTORY LIST, LOCATION AND CONTENTS.** Owners of buildings which are required to have and maintain one or more Material Safety Data Sheets (MSDS) by the Occupational Safety & Health Administration (OSHA) Standard 29 CFR 1910.1200 or as directed by the Fire Chief shall have a Hazardous Materials Inventory List in a location and cabinet approved by the Fire Chief or his/her appointed representative. The Hazardous Materials Inventory List shall include an alphabetical list of hazardous materials, location and approximate quantity on site. The cabinet shall also include Material Safety Data Sheets (MSDS) of all chemicals located on the premises, in alphabetical order.
- (f) **ACCOUNTABILITY.** The Fire Department and Ambulance Service shall utilize a system approved by the Village Administrator to maintain the accountability and tracking of the use of the Emergency Key Box.
- (g) **PENALTIES.** Any person violating any provision of this Section after receiving a Notice of Non-compliance from the Fire Chief or his/her appointed representative shall be subject to the general penalty of this Code, found in Sec. 1-1-6.

History. Code of Ordinances, 1986. Sec. 3-4-4 created. Ordinance No. 3, Series of 1998. Sec. 3-4-4 Amended, Ordinance No. 2, Series 2015. Sec. 3-4-4 Amended, Ordinance No. 1, Series 2019.