STATE OF WISCONSIN VILLAGE OF HALES CORNERS MILWAUKEE COUNTY

ORDINANCE NO. 16 - 4

AN ORDINANCE ADOPTING AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 6 FIRE PREVENTION CODE OF THE VILLAGE OF HALES CORNERS TO UPDATE THE CODE IN ITS ENTIRETY AND TO INCORPORATE THE APPLICABLE WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES AND DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION ADMINISTRATIVE CODE REGULATIONS, THE APPLICABLE INTERNATIONAL CODE COUNCIL, INC. CODES AND THE APPLICABLE NATIONAL FIRE PROTECTION ASSOCIATION REGULATIONS

WHEREAS, the Village Fire Protection Code has not been substantially amended since 1972; and

WHEREAS, the Village Fire Department has reviewed all Wisconsin State, and the prevailing national and international fire prevention codes in preparing an updated ordinance for the Village; and

WHEREAS, the Fire Chief having recommended the adoption of a new Fire Prevention, Protection and Control Code to the Village Board, including, but not limited to provisions to incorporate the applicable Wisconsin Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection Regulations, the applicable International Code Council, Inc. Codes and the applicable National Fire Protection Association Regulations;; and

WHEREAS, the Village Board having considered the proposed amendments to the Fire Prevention Code and having concurred with the recommendation for adoption by the Fire Chief and having determined that the proposed Fire Prevention, Protection and Control Code will serve to protect the health, safety and welfare of the Community.

NOW, THEREFORE, the Village Board of the Village of Hales Corners, Wisconsin, do ordain as follows:

SECTION 1: Chapter 6 of the Municipal Code of Hales Corners, Wisconsin, be and the same is hereby repealed and recreated to read as that "Chapter 6 Fire Prevention, Protection and Control Code" as follows:

CHAPTER 6

Fire Prevention, Protection, and Control Code

Version 03.14.2016

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6.01 GENERAL PROVISIONS.

(1) **Intent.**

(a) To provide the Municipality with comprehensive regulations to improve public safety by attempting to control, limit, restrict and/or eliminate fire hazards.

(b) To improve life safety for employees, firefighters, and frequenters of places of employment and public buildings.

(c) To regulate the installation, use and maintenance of equipment; regulating the use of structures, occupancies and open areas.

(d) To require the removal and/or reduction of fire hazards; establishing the responsibilities and procedures for Code enforcement; and to set the minimum standards for compliance and achievement of these objectives.

(e) To protect property from the hazards of fire and explosion by establishing minimum standards for the use, operation, maintenance and inspection of buildings, structures and premises.

(2) **Applications.**

(a) The provisions of this Code shall apply to all public buildings and places of employment. Exceptions: The following buildings and uses are not public buildings or places of employment and are not subject to the provisions of this Code:

1. One and two-family dwellings.
2. Buildings used exclusively for farming as described in Wis. Stat. §102.04 (3). Nothing contained in this section shall be construed as applying to the transportation of any article or thing shipped in conformity with the regulations prescribed by the Interstate Commerce Commission, or as applying to the military forces of the United States.

(b) The provisions of this Code shall apply equally to new and existing conditions, except that existing conditions not in strict compliance with the terms of this subsection shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property or have been superseded by this Code.

(c) The provisions of this Code apply to all persons and/or properties within the jurisdiction of the Municipality.

(d) The provisions of this Code apply equally to the property owner and/or occupant.

(e) Sections 6.07, 6.10, 6.19, 6.20, 6.98 and 6.99 of this Code, apply to all individuals and/or properties within the jurisdiction of the Municipality.

(3) **Plan Submittals.**

(a) Any time that a fire protection, fire alarm, fire control, and/or fire suppression system and/or any portion thereof is installed, altered, added on to, or has appliances removed, plans shall be submitted to the Authority Having Jurisdiction (AHJ) for review and filing. Review of plans will be done in accordance with §6.10(13) of this Code for conditional approval.

(b) All plans for fire protection, fire alarm, fire control, and/or fire suppression systems and/or any portion thereof must meet or exceed the applicable NFPA and the requirements of this Code.

(c) Plans shall be submitted for review to the AHJ prior to an electrical and/or plumbing permit being issued.

(d) A minimum of three copies of each plan, specification, and required calculation shall be submitted. Two copies of each may be retained by the AHJ.

(e) An AutoCAD electronic file of the plans shall also be submitted to the AHJ with each submittal and upon the completion of each project with the as-built conditions.

(f) A completed permit application must accompany all plan submittals.

(g) The permit application must be signed by the individual assuming complete responsibility for the submitted system(s).

(h) The permit application for all fire sprinkler and standpipe systems must be signed by an individual who holds a valid Wisconsin Automatic Fire Sprinkler Contractors License.

(i) The appropriate permit, inspection and/or plan review fees must be submitted with each permit application.

(j) Plans will not be reviewed until all fee(s) have been received by the Village.

(k) All plan reviews are based on information provided. All plan reviews are done for general Code compliance only. Plan reviews do not relieve or limit the responsibility and/or liability of any contractor, architect, engineer, designer or any other responsible party for the system(s) reviewed. The Village or any of its agents and/or firm or persons hired by the Village to review plans are not responsible for and do not accept any responsibility and/or liability for the system(s) reviewed.

(4) **Building & Site Plan Requirements.** Prior to, and as a condition of obtaining an occupancy permit, the owner of all buildings, except one and two family units, shall supply the Fire Department with an eight and one-half by eleven inch site plan which includes the following:

(a) Location(s) of gas and electrical shut-offs.

(b) Location(s) of high pile storage.

(c) Location of Fire Department Connection and sprinkler control valve.

(d) Dimensions of the structure in feet.

(e) Location of the Standpipe.

(f) Main entrance labeled.

(g) Apartments, suites, or unit numbers.

(h) Location of all hydrants on the site and surrounding streets.

(i) Location of alarm panels.

(j) Location of access boxes.

(k) Location of any hazardous material control areas and location of MSDS storage.

(l) Special fire protection and area covered: heat vents, FM 200 systems, or items deemed special fire protection in nature by the AHJ.

(m) Special construction features: sky lights, blowout walls, or items deemed special construction in nature by the AHJ.

(n) Floor plans, including roof access points.

(5) **Permit Required.**

(a) An electrical and/or plumbing permit must be obtained prior to the start of installation and/or alteration of any portion of a fire protection, fire alarm, fire control, and/or fire suppression system.

(b) An operational permit issued by the AHJ is required to use a building or a portion thereof as a high-piled combustible storage area exceeding five-hundred (500) square feet.

(c) Permits will only be issued after the required fire protection, fire alarm, fire control, and/or fire suppression system plans and specifications have been reviewed and conditionally approved by the AHJ.

(d) Permits for the installation and/or alteration of fire sprinkler and/or standpipe systems will only be issued to individuals who hold a valid Automatic Fire Sprinkler Contractors License.

(e) Any contractor that begins installation and/or alteration of any system regulated by this Code prior to obtaining the required permit will be charged a triple permit fee.

(6) **Inspection and Testing.**

(a) All fire suppression systems and fire alarm systems required under this Code shall be inspected by the AHJ prior to having any of its parts covered-up or concealed in any manner whatsoever. The AHJ shall be given a forty-eight (48) hour notice prior to any system inspection.

(b) The AHJ shall witness all tests of fire control systems, fire alarm initiating devices, notification appliances, and any other required system requiring an operational test. The AHJ shall be given a forty-eight (48) hour notice prior to any system witness test.

(7) **Inspection and Right of Entry.**

(a) The AHJ and/or their authorized representative may, at all reasonable hours, enter any place of employment and/or public building within their jurisdiction for the purposes of making any inspection or investigation which, under the provision of this subchapter they shall deem necessary.

(b) The AHJ shall inspect, or cause to be inspected, all places of employment and public buildings as often as may be necessary, but not less than once a year.

(c) The purpose of any inspection and/or investigation is to determine if any violations of the provisions or intent of this Code and/or the Codes or standards adopted by reference exist and to order corrections of the violations observed.

(d) The AHJ, upon the complaint of any person or whenever they shall deem necessary, shall inspect any place of employment and/or public building and premises within their jurisdiction.

(e) Any owner or occupant of any place of employment and/or public building, who refuses to permit, prevents or interferes with entry into or upon the premises by anyone authorized by the AHJ shall be guilty of violating this chapter and shall be subject to fines. **Exception:** The interiors of private dwelling units will not be inspected unless an inspection is specifically requested by the owner or occupant and/or as allowed by State Statutes.

(8) **Enforcement and Documentation.**

(a) The AHJ or anyone the Fire Chief has designated as the AHJ shall enforce the provisions of this Code.

(b) Whenever any Officers, Members or Inspectors of the Fire Department Bureau of Fire Prevention shall discover fire hazards which are so situated as to endanger life or property, they shall order such conditions or materials removed or remedied in such manner as may be specified. Fire hazards include, but are not limited to the following:

1 Dangerous or unlawful amounts of flammable, combustible or explosive material as determined by the AHJ.

2. Hazardous conditions arising from defective or improperly installed equipment for handling or using flammable, combustible or explosive material.

3. Dangerous accumulations of rubbish, waste paper, boxes, shavings, or other highly flammable materials as determined by the AHJ.

4. Accumulations of dust, grease, or waste materials in air conditioning systems, exhaust ducts or vent hoods.

5. Obstructions, including snow, debris, construction material, vehicles or other matter, to or on any fire escapes, stairs, passageways, doors, windows, corridors, loading platforms, sidewalks, or driveways, liable to interfere with the operation of the Fire Department or egress of occupants.

6. Any building, structure, or premises which for want of repairs, lack of exit facilities, fire alarm apparatus or fire extinguishing equipment or by reason of age or dilapidated condition, or from any cause, creates a fire hazard.

(c) No person shall operate a motor vehicle onto, on, or across the access drive upon the Hales Corners Fire Department premises, except as may be necessary for Fire Department or Village government purposes. Any motor vehicle operated upon the access drive for other than specified purposes shall be an "unauthorized vehicle" for which entry upon the access drive is prohibited. The operation of any such unauthorized vehicle shall be a violation of this Chapter and a violation of Chapter 2 of the Municipal Code and shall subject the operator thereof to the penalty and enforcement provisions of both Chapters, a violation of this access drive prohibition for Chapter 2 penalty and enforcement provision purposes being considered akin to a violation of Wis. Stat. §346.12, prohibiting driving through safety zones.

(d) The AHJ may use any means necessary in documentation of inspections or conditions, including the use of electronic equipment.

(9) **Notification of Use or Occupancy Change.**

(a) Whenever there is a change in occupancy or the agent(s) (manager, shift supervisor, after business hour emergency contact, or persons of authority relative to that business) of that occupancy, the owner or their duly authorized agent shall submit the changes in writing to the Fire Department within five working days. The information shall consist of the following:

1. Name and address of occupancy
2. Owners name, address and phone number(s)
3. Agents name, address and phone number(s)
4. Other information as required by the AHJ

(b) Whenever a change in the service company for the alarm system has occurred within the occupancy, the owner or authorized agent shall submit the change(s) in writing to the Fire Department within five working days. The information shall consist of the following:

1. All information required in §6-01(9)(a) of this Code
2. Type(s) of fire protection systems
3. Service company name, address and phone number(s)

(c) No change can be made in the use or occupancy of any building or structure, or any space within a building, structure, or space of a building or structure either in a different division of the same occupancy group or in a different occupancy group, unless the building or structure complies with this Code's requirements for the new division of occupancies, as these requirements exist. This subsection does not apply to an approved temporary use or to a new use that will be less hazardous, based on life and/or fire risk, than the existing use.

(d) An inspection by the Fire Department shall be required for any new or change of occupancy.

(10) **Temporary Use.** The AHJ may allow a building or portion of a building to be used temporarily in a manner that differs from the approved use for the building or space, or may approve a temporary building to be used by the public, subject to all of the following provisions:

(a) The AHJ shall determine the time period within which the temporary use is permitted, based on the extent of hazards created by the temporary use. This time period may not exceed 180 days, except the AHJ may grant extensions for demonstrated cause.

(b) The AHJ shall determine maximum occupancy load.

(c) The AHJ shall determine any fire protection and/or control devices and life safety provisions that may be needed.

(11) **Stop Work Order**

(a) The AHJ may request the Building Inspector issue a stop work order upon any permit issued subject to the inspection and authority of this chapter, where the AHJ 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 made in the application or plans upon which the issuance was based.

(b) If the AHJ determines requirements of this Code are not complied with or there may be life safety issues, the AHJ may issue a stop work order on any project or portion thereof.

6.02 DEFINITIONS.

Unless otherwise expressly stated, the following terms shall, for the purpose of this Code, have the meaning indicated in this section.

(1) **Access Box** means a steel key vault, mounted on the exterior of a building that contains keys, floor plans, maps or other items as required by the AHJ, for access to all portions of the building.

(2) **Addition** means an extension or increase in height or floor area of a building or structure.

(3) **Adult Day Care** means any place, that receives at any time for compensation four or more adults, for care and supervision, for less than twenty-four (24) hours a day.

(4) **Adult Family Home** is similar to a CBRF except that it is licensed for six or less tenants.

(5) **Alteration** means any construction or renovation to an existing structure other than repair or addition.

(6) **Approved Agency** means an agency accepted or acceptable to the Bureau of Fire Prevention, such as Underwriters Laboratories, Inc. (UL), the National Institute of Standards and Technology (NIST), the American Gas Association (AGA) laboratories or other nationally recognized testing authorities.

(7) **Assembly Group A.** Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering together of persons for purposes such as civic, social or religious functions, recreation, food or drink consumption or awaiting transportation. A room or space used for assembly purposes by less than fifty (50) persons and accessory to another occupant shall be included as a part of that occupancy. Assembly occupancies are classified as A-1, A-2, A-3, A-4, and A-5 as described in the IBC.

(8) **Automatic Fire Detector** means a device designed to detect specific products of fire including smoke, heat, or both.

(9) **Authority Having Jurisdiction (AHJ)** shall be the Fire Chief, or designee of the Fire Chief, to enforce this Code, the laws of the State of Wisconsin, as designated in SPS 314.02 (1), pertaining to the prevention of fires and public safety, and approving equipment installation, or procedures as outlined in NFPA Standards, Codes and/or Recommended Practices.

(10) **Automatic Closing Device** means one which functions without human intervention and is actuated as a result of predetermined temperature rise, rate of rise of temperature, combustion products or smoke density.

(11) **Automatic Fire Alarm System** means a system which automatically detects fire condition and actuates notification appliances throughout the protected premises.

(12) **Automatic Fire-Extinguishing System** means an approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of fire.

(13) **Automatic Fire Sprinkler System** means an integrated system of underground and/or overhead piping designed with fire protection standards in accordance with NFPA 72. The system includes a suitable water supply. The portion of the system above ground is a network of specially sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharges water over the fire area.

(14) **Basement** means that portion of a building that is partly or completely below grade plane. A basement shall be considered as a story as per section 502 of the IBC.

(15) **Bureau of Fire Prevention** means the Fire Department made up of the following personnel: the Fire Chief, the Fire Marshal, Fire Inspectors, or any other designee of the Fire Chief.

(16) **Boarding House** means a building arranged or used as lodging for compensation, with or without meals, not occupied as a single-family unit.

(17) **Business Group B.** Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts, as described in the IBC.

(18) **Carbon Monoxide (CO) Detector** means an electronic or battery-operated device that sounds an alarm when an unsafe level of carbon monoxide is in the air.

(19) **Ceiling** means the upper surface of a space, regardless of height. Areas with a suspended ceiling would have two ceilings, one visible from the floor, and one above the suspended ceiling.

(20) **Code** means a standard that is an extensive compilation of provisions covering a broad subject matter that is suitable for adoption into law independently of other Codes and standards.

(21) **Combustible Material** means all material not classified as "Noncombustible" are considered combustible. This property of a material does not relate to its ability to structurally perform under fire exposure. The degree of combustibility is not defined by standard fire test procedures.

(22) **SPS Chapter** means the Administrative Code Section of the Wisconsin Department of Safety and Professional Services.

(23) **Common Area.** Common area refers to any area in a building that can be accessed by more than one person from different families at one time.

(24) **Community Based Residential Facility (CBRF)** means a community facility where five or more adults who are not related to the operator or administrator and who do not require care above intermediate level nursing care reside and receive care, treatment or services that are above the level of room and board, but that include no more than three hours of nursing care per week per resident.

(25) **Conditional Approval** means an approval of plans and/or specifications by the AHJ based upon information provided to the AHJ, including but not limited to, any changes required by the AHJ to the above mentioned plans and/or specifications.

(26) **Consultant** means a company, individual or agency hired by the Bureau of Fire Prevention to provide advice on fire related issues. Consultants may provide services, which could include plan reviews of fire suppression systems, fire alarm systems, witness tests and/or conduct inspections.

(27) **Day Care Center** means any place which receives at any one time for compensation four or more children under the age of seven years, for care and supervision, for less than twenty-four (24) hours a day or more than ten days a month, without the attendance of a parent, relative or legal guardian.

(28) **Dwelling or Dwelling Unit** means a single unit providing living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. For the purpose of this Code, dwelling unit includes apartments and condominiums but does not include hotel and motel rooms, guest suites, dormitories, boarding rooms, or sleeping rooms in nursing homes.

(a) Single Family Dwelling means a detached building containing only one dwelling unit and designed for one family.

(b) Two Family Dwelling means a detached building containing not more than two individual dwelling units which are entirely separated by vertical walls or horizontal floors, un-pierced except for access to the outside or common basement.

(29) **Educational Group E.** Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade, as described in the IBC.

(30) **Factory Industrial Group F.** Group F occupancy includes, among others, the use of a building or structure, or a portion thereof, for assembly, disassembly, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as Group H occupancy. Group F occupancies are classified as F-1, and F-2 as described in the IBC.

(31) **False Alarm** means the willful and knowing initiation or transmission of a signal, message or other notification of an event of fire when no such danger exists.

(a) Malicious Alarm means a false alarm of fire deliberately sounded by someone in order to inconvenience the Fire Department.

(b) Accidental Alarm means an alarm set off and transmitted through accidental operation of an automatic or manual fire alarm device.

(c) Good Intent False Alarm means an alarm that turns out to be false, but was reported in good faith.

(32) **Family Unit** means two or more individuals who are related to each other by blood, marriage, adoption or legal guardianship. For purposes of this Code a group of not more than 4 persons not necessarily related by blood or marriage, living together in a single living unit will be considered equivalent to a single family.

(33) **Fire Alarm Annunciation Device** means a device connected to a fire alarm to signal either a fire or trouble condition. Fire Alarm Annunciation Devices could include visual devices, horn/strobes, horns, bells, and/or annunciator panels.

(34) **Fire Alarm Initiating Device** means a device connected to a Fire Alarm System that causes a trouble, supervisory and/or alarm signal to be initiated. Fire Alarm Initiating Devices could include:

smoke, heat, flame, ionization, or photoelectric detectors, water flow, low air, low temperature, low water, or supervisory switches.

(35) **Fire Alarm System** means a system or portion of a combination system that consists of components and circuits arranged to monitor and annunciate the status of the fire alarm or supervisory signal-initiating devices to activate notification appliances throughout the protected premises and to initiate the appropriate response to those signals.

(36) **Fire Barrier** means a fire-resistance-rated wall assembly of materials designed to restrict the spread of smoke and fire in which continuity is maintained.

(37) **Fire Control System** means a system designed and constructed with the intent of controlling or limiting a fire. Fire control systems may be automatic or non-automatic. Fire control systems could include automatic fire sprinkler systems, standpipe systems, chemical agent systems, fire hydrants and/or any other system acceptable to the AHJ.

(38) **Fire Department Connection (FDC)** means a part of a sprinkler, standpipe, deluge and/or combination system to be used by the Fire Department to pump additional water into the system to which it is connected.

(39) **Fire Door Assembly** means any combination of a fire door, frame, hardware, and other accessories that together provide a certain degree of fire protection to the opening.

(40) **Fire Resistive** means that property of materials of their assemblies that prevents or retards the passage of excessive heat, hot gases or flame under conditions of use. Materials are tested as prescribed in Section 703 of the IBC.

(41) **Firewall** means a fire-resistance-rated wall having protected openings, which restricts the spread of fire and extends continuously from the foundation to or through the roof, with sufficient structural stability under fire conditions to allow collapse of construction on either side without collapse of the wall.

(42) **Floor Area or Square Footage of a Building** means the area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

(43) **Floor, Ground** means that level of a building on a sloping or multilevel site which has a floor line at or not more than three feet above exit discharge grade for at least one half (1/2) of the required exit discharges.

(44) **Fossil Fuel** means coal, natural gas, oil, wood, propane or kerosene.

(45) **Frequenter** means every person, other than an employee, who may go in or be in a place of employment or public building under circumstances which render such person other than a trespasser. Such term includes a pupil or student when enrolled in or receiving instruction at an educational institution.

(46) **Grade Plane** means a reference plane representing the average of finished ground level adjoining the building exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

(47) **Height, Building** means the vertical distance from the grade plane to the average height of the highest roof surface.

(48) **Hazardous Group H.** Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those found in Tables 307.7(1) through 307.7(4) of the IBC. Group H occupancies are classified as H-1, H-2, H-3, H-4, and H-5 as described in the IBC.

(49) **IBC** means the International Building Code.

(50) **Institutional Group I.** Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which people having physical limitations because of health or age

are harbored for medical treatment or other care or treatment, or in which people are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies are classified as I-1, I-2, I-3, and I-4 as described in the IBC.

(51) **Listed** means included in a list published by a nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation, that maintains periodic inspection of production of listed equipment or materials and whose listing states either that the equipment or materials meet nationally recognized standards or have been tested and found suitable for use in a specified manner.

(52) **Manual Fire Alarm System** means a system or portion of a combination system that consists of components and circuits arranged to initiate the notification appliances and appropriate response to those signals only after a person manually activates the fire alarm system.

(53) **Mercantile Group M.** Group M occupancy includes, among others, building and structures or a portion thereof, for the display and sale of merchandise, and involves stock of goods, wares or merchandise incidental to such purposes and accessible to the public, as described in the IBC.

(54) **Mezzanine or Mezzanine Floor** means an intermediate level or levels between floor and ceiling of any story and in accordance with IBC section 505.

(55) **Miscellaneous Group U.** Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy and shall be constructed, equipped and maintained to conform to the requirements of this Code commensurate with the fire and life hazard incidental to their occupancy, as described in the IBC.

(56) **Multifamily Dwelling** means building or portion thereof containing 3 or more dwelling units such as tenements, apartments and rooming houses. Row houses with fire walls extending from the basement to the underside of the roof separating each living unit are not considered multifamily dwelling for the purpose of this Chapter.

(57) **NFPA** means the National Fire Protection Association.

(58) **Noncombustible Materials.** A noncombustible material is one which, in the form in which it is used, meets one of the requirements listed below. Materials used adjacent to or in contact with heat producing appliances, warm air ducts, plenums and chimneys shall be classified as noncombustible only on the basis of requirement.

(a) Noncombustible does not apply to the flame-spread characteristics of interior finish or trim materials. No material shall be classified as noncombustible building construction material, which is subject to increase in combustibility or Flame-Spread Classification (FSC) beyond the limits herein established through the effects of age, moisture or other atmospheric conditions. (See flame spread rating in Wis. Adm. Code.)

(b) Materials which pass the test procedure of ASTM E-136 for non-combustibility of elementary materials when exposed to a furnace temperature of 1,382° F for a minimum period of five minutes and do not cause a temperature rise of the surface or interior thermocouple in excess of 54° F above the furnace air temperature at the beginning of the test and which do not flame after exposure of thirty (30) seconds.

(c) Materials having structural base of noncombustible material as defined in par. (a), with a surfacing not more than 1/8" thick which has a Flame-Spread Classification (FSC) not greater than fifty (50) when tested in accordance with the method of test for surface burning characteristics of building materials (ASTM E-84).

(59) **Notification Appliance** means a fire alarm system component such as a bell, horn, speaker, light, or text display that provides audible, tactile, visible outputs, or any combination thereof.

(60) **Occupant(s)** means the person or persons, who physically reside, work or are present in a facility.

(61) **Other Terms.** Other terms not defined herein used in this section shall be as defined in the *International Fire Code* Section 202 and any other referenced publications and are adopted herein by reference.

(62) **Owner** includes his duly sworn agent or attorney, a purchaser, devisee, fiduciary or person having a vested or contingent interest in the property in question.

(63) **Protected Premises** means the physical location protected by a fire alarm system.

(64) **Remodel** means to change any building or structure which affects the structural strength, fire hazard, internal circulation, or exits of the existing building or structure. This definition does not apply to maintenance, re-roofing, or alterations to the heating and ventilating or electrical system.

(65) **Repair** means the reconstruction or renewal of any part of an existing building for the purpose of maintenance.

(66) **Residential Group R.** Group R occupancy includes, among others, the use of a building or structure, or portion thereof, for sleeping accommodations when not classed as an Institutional Group I. Group R occupancies are classified as R-1, R-2, R-3, and R-4 as described in the IBC.

(67) **Rooming House** means any building, which has a room or rooms for sleeping, without permanent provisions for cooking. Rooming House rooms do not include any room in a one or two-family dwelling.

(68) **Row House** means a place of abode arranged to accommodate three or more attached side-by-side or back-to-back living units.

(69) **Spacing** means a horizontally measured dimension relating to the allowable coverage limits of fire detectors, automatic sprinkler systems, and fire alarm visual notification devices.

(70) **Storage Group S.** Group S occupancy includes, among others, the use of a building or structure, or portion thereof, for storage that is not classed as Hazardous Group H. Group S occupancies are classified as S-1, and S-2 as described in the IBC.

(71) **Story** means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. To determine the number of stories in a building, all floors will be counted whether they are above grade or below grade, including basements, sub-basements, and ground floors, but not including penthouses or mezzanines less than one-third (1/3) of a story.

(72) **Temporary** means less than one hundred-eighty (180) days.

(73) **Throughout.** For the purpose of this Code, throughout shall mean the following:

(a) Throughout for automatic fire sprinkler systems means providing fire sprinkler protection in all areas of a structure as required by NFPA 13, 13R, and/or 13D.

(b) Throughout for automatic fire alarm systems means installing detection, audible and visual notification devices in all areas of the protected premises installed in accordance with NFPA 72.

(c) Throughout for manual fire alarm systems means installing audible and visual notification devices in all areas of the protected premises installed in accordance with NFPA 72.

(74) **Wisconsin Department of Agriculture, Trade, and Consumer Protection.** Wisconsin storage tank regulations apply to acceptable storage and dispensing practices related to various populations or underground and above ground petroleum and chemical storage tanks. ATCP 93 is the administrative code which includes adopted national standard.

(75) **Welfare** includes comfort, decency and moral well-being.

6.03 ADOPTION OF WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES (SPS).

(1) The latest Wisconsin Department of Safety and Professional Services listed below and published on or before the effective date of this Code are adopted by reference, enforced and incorporated into this Code as if fully set forth herein.

(a)	Chapter SPS 305	Licenses, Certification and Registration
(b)	Chapter SPS 307	Explosive Materials
(d)	Chapter SPS 314	Fire Prevention
(e)	Chapter SPS 316	Electrical
(f)	Chapter SPS 318	Elevators
(g)	Chapter SPS 326	Manufactured Home Communities
(h)	Chapter SPS 328	Smoke Detectors

(i)	Chapter SPS 360	Erosion control, sediment control and storm water management
(j)	Chapter SPS 361	Administration and Enforcement
(k)	Chapter SPS 362	Buildings and Structures
(l)	Chapter SPS 363	Energy Conservation
(m)	Chapter SPS 364	Heating, Ventilating and Air Conditioning
(n)	Chapter SPS 365	Fuel Gas Appliances
(o)	Chapter SPS 366	Existing Buildings
	Chs. SPS 375-379: Buildings Constructed Prior to 1914	
(p)	Chapter SPS 375	Definitions and general requirements
(q)	Chapter SPS 376	Factories, office and mercantile buildings
(r)	Chapter SPS 377	Theaters and assembly halls
(s)	Chapter SPS 378	Schools and other places of instruction
(t)	Chapter SPS 379	Apartment houses, hotels and places of detention

(2) Any violation of the incorporated provisions constitutes a violation of this Code.

(3) In cases of conflict between Local and State Codes, the most restrictive provisions shall govern.

6.04 ADOPTION OF INTERNATIONAL CODE COUNCIL, INC. CODES.

The latest I.C.C. publication(s) listed below and published on or before the effective date of this Code are adopted by reference, enforced and incorporated into this Code as if fully set forth herein, in addition to I.C.C. publications adopted by the State of Wisconsin Department of Safety and Professional Servcies:

(1) International Fire Code (**IFC 2009 Edition)** applies only to sections specifically referenced in this Code) 2009 edition.

6.05 ADOPTION BY REFERENCE NFPA PUBLICATIONS.

The latest NFPA publication(s) listed below and published on or before the effective date of this Code are adopted by reference, enforced and incorporated into this Code as if fully set forth herein, , in addition to NFPA publications adopted by the State of Wisconsin Department of Safety and Professional Services:

(1)	NFPA 1	Fire Code (applies only to the use, maintenance, operation and testing), **2012 Edition**
(2)	NFPA 10	Standard for Portable Fire Extinguishers, **2013 Edition**
(3)	NFPA 11	Standard for Low-, Medium- and, High-Expansion Foam, **2010 Edition**
(4)	NFPA 12	Standard on Carbon Dioxide Extinguishing Systems, **2011 Edition**
(5)	NFPA 13	Standard for the Installation of Sprinkler Systems, **2013 Edition**
(6)	NFPA 13D	Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, **2013 Edition**
(7)	NFPA 13R	Sprinkler Systems in Residential Occupancies up to and Including four Stories in Height, **2013Edition**
(8)	NFPA 14	Standard for the Installation of Standpipes, and Hose Systems, **2013 Edition**
(9)	NFPA 15	Standard for Water Spray Fixed Systems for Fire Protection, **2012 Edition**
(10)	NFPA 16	Standard for the Installation of Foam-Water sprinkler and Foam-Water Spray Systems, **2011 Edition**
(11)	NFPA 17	Standard for Dry Chemical Extinguishing Systems, **2013 Edition**
(12)	NFPA 17A	Standard for Wet Chemical Extinguishing Systems, **2013 Edition**
(13)	NFPA 20	Standard for the Installation of Stationary Pumps for Fire Protection, **2013 Edition**
(14)	NFPA 22	Standard for Water Tanks for Private Fire Protection, **2013 Edition**
(15)	NFPA 24	Standard for the Installation of Private Fire Service Mains and their

		Appurtenances, **2013 Edition**
(16)	NFPA 25	Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, **2014 Edition**
(17)	NFPA 30	Flammable and Combustible Liquids Code, **2015 Edition**
(18)	NFPA 30A	Code for Motor Fuel Dispensing Facilities and Repair Garage's **2015 Edition**
(19)	NFPA 30B	Code for the Manufacture and Storage of Aerosol Products, **2015 Edition**
(20)	NFPA 31	Installation of Oil Burning Equipment, **2011 Edition**
(21)	NFPA 33	Standard for Spray Application Using Flammable or Combustible Materials, **2011 Edition**
(22)	NFPA 45	Standard on Fire Protection for Laboratories Using Chemicals, **2011 Edition**
(23)	NFPA 54	National Fuel Gas Code, **2015 Edition**
(24)	NFPA 58	Liquefied Petroleum Gas Code, **2014 Edition**
(25)	NFPA 59A	Standard for the Production, Storage, and Handling of Liquefied Natural Gas (LNG), **2013 Edition**
(26)	NFPA 70	National Electrical Code ®, **2014 Edition**
(27)	NFPA 72	National Fire Alarm Code, **2013 Edition**
(28)	NFPA 75	Standard for the Protection of Information Technology Equipment, **2013Edition**
(29)	NFPA 76	Standard for the Fire Protection of Telecommunication Facilities, **2012 Edition**
(30)	NFPA 88A	Standard for Parking Structures, **2015 Edition**
(31)	NFPA 91	Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids, **2015 Edition**
(32)	NFPA 96	Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, **2014 Edition**
(33)	NFPA 101	Life Safety Code, **2015 Edition**
(34)	NFPA 211	Standard for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances, **2013 Edition**
(35)	NFPA 230	Standard for Fire Protection of Storage, **2003 Edition**
(36)	NFPA 291	Recommended Practice for Fire Flow Testing and Marking of Hydrants, **2013 Edition**
(37)	NFPA 303	Fire Protection Standards for Marine and Boatyards, **2011 Edition**
(38)	NFPA 307	Standard for the Construction and Fire Protection for Marine Terminals, Piers and Wharves, **2011 Edition**
(39)	NFPA 400	Hazardous Materials Code, **2013 Edition**
(40)	NFPA 430	Code for the storage of Liquid and Solid Oxidizers, **2004 Edition**
(41)	NFPA 664	Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities, **2012 Edition**
(42)	NFPA 704	Standard System for the Identification of the Hazards of Materials for Emergency Response, **2012 Edition**
(43)	NFPA 750	Standard on Water Mist Fire Protection Systems, **2014 Edition**
(44)	NFPA 850	Recommended Practice for Fire Protection for Electric Generating Plants, High Voltage Direct Current Converter Stations, **2010 Edition**
(45)	NFPA 921	Guide for Fire and Explosion Investigations, **2008 Edition**
(46)	NFPA 1123	Code for Firework Display, **2010 Edition**
(47)	NFPA 2001	Standard on Clean Agent Fire Extinguishing Systems, **2012 Edition**

6.06 LIABILITY FOR DAMAGES.

The Code shall not be construed to affect the responsibility of any persons owning, operating, or installing equipment, for injury to persons or damage to property caused by any defect therein, nor shall the Village, any person, firm, company or agent(s) for the Village be held as assuming such liability by reason of any inspection or re-inspection authorized herein or the permit issued herein

provided or by reason of the disapproval or approval of any equipment and/or system authorized herein

6.07 SERVICE OF CORRECTION ORDERS.

(1) The service of correction orders shall be made in writing upon the owner. A copy of the service order can be delivered personally to the owner or by leaving it with the person in charge of the premises. Whenever it may be necessary to serve such order upon the owner of the premises, such an order may be served either by delivering to and leaving with the person a copy of the order, or if such owner is absent from the jurisdiction of the AHJ making the order, by mailing such a copy to the owners last known post office address.

(2) Conditions that are hazardous to life or safety of the occupants shall require immediate correction. All other violations shall be corrected within a specified time or date, as the AHJ shall determine.

(3) When the owner of any property or person in apparent control of the property is issued an order by the AHJ and fails to comply with the order within a specified time period, the Village may do the work ordered and the cost of such work shall constitute a special assessment against the property upon which the work is done and shall be levied against such property pursuant to Wis. Stat. §66.0627.

(4) No person shall refuse to permit or shall prevent or interfere with any entry into or upon any building or premise by the AHJ who is lawfully on the premises or interfere with any such inspection. If consent to enter onto personal or real properties which are not public buildings, or to portions of public buildings which are not open to the public, has been denied, the Fire Inspector shall obtain a special inspection warrant under Wis. Stat. §66.0119.

(5) Compliance. Any such order shall, within a specified time period, be complied with by the owner and occupant of such building, structure or premises. Any person feeling himself aggrieved by any order or ruling of the AHJ may appeal in writing to the Board of Appeals of the Village of Hales Corners within thirty (30) days of the alleged act or omission of said AHJ pursuant to Wis. Stat. §62.23, and to the rules of the Board of Appeals, Article XII of Chapter 1 of the By-Laws.

6.08 AUTOMATIC FIRE SPRINKLER PROTECTION.

(1) **Intent**. The intent of this section is to require the installation of Automatic Fire Sprinkler Systems to improve the protection of life and property within the Village. It will establish a minimum standard for fire safety through the standardization of the design, installation, testing and maintenance requirements for automatic fire sprinkler suppression.

(2) **Installation Required**. Except as provided in subsections (a) and (b) herein, an Automatic Fire Sprinkler System shall be installed in all structures where the floor area exceeds the thresholds, reduced by twenty-five percent (25%), as established in SPS 362.0503 and SPS 362.0903.

(a) Residential Group R Occupancies. An Automatic Sprinkler System shall be installed in any building classified as a Residential Group R Occupancy as required by SPS 362.903.

(3) When a sprinkler system is required by this chapter, but not the Wisconsin Department of Commerce, at a structure that is not currently serviced by a municipal water source:

(a) Within ninety (90) days after a municipal water system becomes available, the sprinkler system shall be connected to the municipal water supply.

(4) **All automatic fire sprinkler systems shall:**

(a) Be monitored in accordance with NFPA 72.

(b) Have sprinkler control rooms located with adequate access for Fire Department, Sprinkler Maintenance and Inspection personnel and shall not be located within private dwellings with the exception of NFPA 13D systems.

(c) Have direct access from the exterior to the sprinkler control valve as determined by the AHJ.

(d) Have a bell (minimum ten inch) and Strobe located above the FDC in accordance with NFPA 13, 13R and/or 13D.

(e) The FDC must be at least forty (40) feet from all gas meters, electrical meters and transformers.

(f) Be designed for the hazard being protected or as specified in this Code and/or as directed by the AHJ.

(g) All automatic fire sprinkler systems hydraulic designs are to be based on ninety percent (90%) available water supply (10% safety margin shall be maintained). All sprinkler systems designed shall be based on the most current approved water flow test conducted in accordance with NFPA 291.

(5) **Application to Existing Buildings.**

(a) Where the AHJ finds that an existing building, because of current occupancy or a change in occupancy constitutes a hazard to its occupants or adjoining property, the AHJ may order compliance with the provisions of this section. A hazard shall be determined by the existence of one or more of the following conditions:

1. Any building which by reason of its construction or highly combustible occupancy involves a severe life hazard to its occupants or, in the judgment of the AHJ, constitutes a fire menace, including, but not limited to, paint shop and other occupancies involving processing, mixing, storing, and dispensing of volatile liquids or solids.
2. Non-fire-resistive characteristics of a structure.
3. Accumulation of flammable or combustible materials.
4. Lack of accessibility to the premises for fire-fighting equipment.
5. Substantial number of fire calls or complaints on the premises.
6. Traffic patterns for pedestrian ingress and egress which require protection under this section.
7. Insufficient ventilation system.
8. Lack of an internal communication system, or due to the size or type of building making regular Fire Department radio communication inoperable.
9. Number, characteristics and movement of employees which require protection under this section

(b) The building owner may be required to install a repeater system or something comparable to assist radio communications.

(6) **Fire Sprinkler Control Valve Access**

(a) All structures that have automatic sprinkler systems shall comply with the following:

1. Have direct access from the exterior to the sprinkler control valves that is acceptable to the AHJ.
2. Shall not be located within private dwellings with the exception of NFPA 13D systems.
3. Have sprinkler control rooms located with adequate access for Fire Department, sprinkler maintenance and inspection personnel.

(7) **Exemptions.** Any location where the installation of sprinklers may cause or increase an occupational hazard as determined by any governmental authority having jurisdiction over such location or occupation.

6.09 AUTOMATIC FIRE PROTECTION FOR COOKING AREAS

(1) **Intent**. The intent of this section is to provide automatic fire extinguishing systems in vent hoods and duct systems in all cooking areas to effectively extinguish fire at its source and reduce property damage and losses.

(2) **Installation Requirements**

(a) The system shall be provided with automatic fuel shut-off.

(b) A Class K fire extinguisher shall be installed per NFPA 10.

(c) Alarms shall be connected to the fire alarm system per NFPA 72.

(d) Cooking equipment used in processes producing smoke, or grease-laden vapors shall be equipped with an exhaust system that complies with all the equipment and performance requirements of NFPA 1 and NFPA 96, and all such equipment and performance shall be maintained per NFPA 96 during all periods of operation of the cooking equipment.

6.10 MISCELLANEOUS CONSTRUCTION PROVISIONS.

(1) **Addressing and Door Labeling.** Addresses shall be placed on all structures or property supporting the same as follows:

(a) Placement. Pursuant to §3.114 of the Village of Hales Corners Municipal Code.

(b) Description of Numbers and Letters. Pursuant to §3.114 of the Village of Hales Corners Municipal Code.

(c) Multifamily Requirements. All multifamily buildings shall have street numbers placed on the exterior of the principal building that faces the street, service drive, or parking lot, and located adjacent to the individual unit entrances to the buildings. In addition, each building shall be identified by a letter or number, not less than twelve (12) inches high, located near the top of the building wall facing the street, service drive, or parking lot serving that building. At the entrance of each access drive, there shall be a directory listing of the street numbers and building identifications that are accessible from the said street, service drive, or parking lot. Suite numbers identifying the individual units must be placed on the primary entrance to each occupancy.

(d) Commercial and Industrial Requirements.

1. If less than seventy-five (75) feet in height shall have street numbers, not less the six inches high, placed at the exterior wall of the principal building facing the street, service drive, or parking lot, providing access to that building and located adjacent to any primary entrance door.
2. If more than seventy-five (75) feet in height shall have street numbers, not less than twenty-four (24) inches in height, located on the wall facing the primary street and main entrance.
3. All suite numbers that identify each individual unit shall be placed on the primary entrance to each business or occupancy.
4. All commercial or industrial structures, which have a rear service door, shall identify the occupant and the street address conspicuously on said rear door in contrasting and light reflective letters and/or numbers not less than six (6) inches in height, and shall continually maintain same.

(e) Address numbering and lettering shall be in addition to addresses placed on mailboxes, paper boxes or similar objects.

(f) Where a building is set back significantly from the roadway as to obscure the address, a marker shall be placed along the roadway with contrasting and light reflective letters and/or numbers, no less than three (3) inches in height.

(2) **Door, Floor, Stairway, Fire Escape, and Fire Wall Identification.** Any occupancy having more than five exterior means of egress and or more than two floors in height shall number the individual egress areas according to this section:

(a) An identifying number shall be placed on the interior and exterior of each means of egress doorway not less than six inches high in contrasting color and light reflective. The main entrance or means of egress shall be numbered one (1) with each additional means of egress, progressing clockwise around the exterior of the structure to reflect its relationship to the main entrance. All means of egress leading into the structure shall be numbered not just the required exit egresses.

(b) Each interior door providing access to an enclosed stairway that is considered part of an accessible means of egress shall be identified with numbers and letters not less than three and one half inches high in the following manner:

1. Have a sign indicating floor level posted on both sides of the egress door in a location acceptable to the AHJ.
2. Have a sign indicating the exterior exit door egress assigned in compliance with §6.10(2) (a) of this Code located on both sides of the egress door in a location acceptable to the AHJ.

(c) Identification numbers shall be placed on the exterior windows of all hotels, motels, nursing homes, and multi-family occupancies to identify the room number or address it services. The numbers shall be not less than three and one half inches high and light reflective and in a location acceptable to the AHJ.

(d) Every building required to be equipped with fire escape stairways, balconies or spiral chutes shall have displayed in conspicuous places, on each floor of such building, notices sufficient in number and in plainly legible type at least six (6) inches in height, indicating and showing the location of such fire escape stairways, balconies or spiral chutes and the direct way to reach them.

(e) In addition to the items outlined in Section SPS Chapter 362.0705, all interior fire-rated walls shall be identified as such, including their hourly rating and permanently marked with red color using one-half-inch (wide) by three-inch (tall) letters and numerals every twenty-five lineal feet above the finished ceiling.

(3) **Elevator Cars.** All required passenger and freight elevators in all buildings and structures hereinafter constructed, except one and two family residential occupancies, shall:

(a) Provide at least one elevator to all floors of such a size and arrangement to accommodate a twenty-four (24) inch by eighty-five (85) inch ambulance stretcher in the horizontal, open position.

(b) The elevator arranged to accommodate an ambulance stretcher shall be identified by the Star of Life. This symbol shall not be less than three inches in height and shall be placed on both sides of the hoist way door frame.

(4) **Fire Alarm Systems.**

(a) Intent. The intent of this section is to provide a means for automatic detection of fire conditions and to provide warning notification throughout all buildings and occupancies herein after constructed, altered, and/or enlarged.

(b) Installation Required.

1. Business Group B Occupancies. A Fire Alarm and Detection System shall be installed in any building classified as a Business Group B Occupancy.
2. Residential Group R Occupancies. A Fire Alarm and Detection System shall be installed in any building classified as a Residential Group R Occupancy as required by SPS Chapter 362.0907.

(c) Minimum System Requirements. The following minimum system requirements shall be met when any occupancy type exceeds the limits in §6.10(4)(b) of this Code. Minimum system requirements shall include:

1. Audible notification appliances shall be installed throughout protected premises.
2. Visible notification appliances shall be installed throughout protected premises and on the exterior at the main entrance. Exceptions:
   a. Closets and/or other similar small storage rooms that do not exceed 50 square feet in floor area and are not normally occupied.
   b. Normally unoccupied crawl spaces.
   c. Normally unoccupied attic spaces.
   d. Any non-accessible area.

3. Manual Initiating Devices (pull stations) shall be located at all points of egress including all exit doors on every floor and/or building level. Exceptions: Manual initiating devices are not required in buildings that have complete automatic fire sprinkler systems installed in accordance with NFPA 13.
4. Water flow detection devices shall be connected to the protected premises fire alarm system to specifically activate the notification appliances upon water flow.
5. Fire suppression system activation alarms shall be connected to the protected premises fire alarm system to specifically activate the notification appliances upon system activation. This includes but is not limited to Wet Chemical, CO2, Clean Agent, Water Mist and Dry Chemical Systems.
6. Fire control and/or suppression systems supervisory condition indicators shall be connected to and monitored by the protected premise fire alarm system. This specifically includes but is not limited to: Valve Supervisory Switches (Tamper Switches), Low Air Switches, Low Water Switches, Low Temperature Switches, Fire Pump Condition Indicators and/or any other situation or condition deemed necessary by the AHJ.
7. Fire Alarm Systems shall be addressable and capable of indicating the status of all specific components connected to the system.
8. All Fire Alarm Systems shall be monitored by a service acceptable to the AHJ.
9. Fire alarm annunciators shall be installed in all protected premises. The number and locations of the fire alarm annunciators installed shall be acceptable to the AHJ
10. As determined by the AHJ, any additional notification and/or initiation appliances/devices may be required due to size, occupancy hazards, building construction, and/or occupancy use.

(d) Shop Drawings for Fire Alarm Systems. Shop drawings for fire alarm systems are intended to provide basic information consistent with the objective of installing a fully operational, Code compliant fire alarm system and to provide the basis for the record drawings required by NFPA 72. Conditional approval of shop drawings is not intended to imply waiver or modification of any requirements of any Code or any other applicable criteria.

1. A minimum of three sets of plans, specifications, equipment data sheets and calculations must be submitted for conditional approval. The Municipality will retain two copies of each submittal and one copy will be returned to the installing contractor.
2. Fire Alarm submittals shall include, shop drawings that include to an extent commensurate with the extent of the work being performed: floor plan drawings, riser diagrams (except for systems in single-story buildings), control panel wiring diagrams, point-to-point wiring diagrams, battery calculations, specifications, current Manufacturer's equipment data sheets for all equipment that will be used for the system and typical wiring diagrams as described herein.
3. All shop drawings shall be drawn on sheets of uniform size and shall include the following information:
    a. Name of owner and occupant.
    b. Location, including street address.
    c. Device legend.
    d. Date.
    e. Floor plan drawings shall be drawn to an indicated scale and shall include the following information:
        1) Floor identification.
        2) Point of compass (North arrow indicator)
        3) Graphic scale.
        4) All walls and doors.

5) All partitions extending to within eighteen (18) inches of the finished ceiling.
6) Room descriptions.
7) Fire alarm device/component locations.
8) Locations of fire alarm primary power connection(s).
9) Locations of monitor/control interfaces to other systems.
10) Riser locations.
11) The location of the electrical panel that has the control panel circuit breaker.
12) Name and address of installation contractor.
13) Name and address of system designer.

4. Fire alarm system riser diagrams shall include the following information:
   a. General arrangement of the system, in building cross-section.
   b. Number of risers.
   c. Type and number of circuits in each riser.
   d. Type and number of fire alarm system components/devices on each circuit, on each floor or level.
5. Control panel wiring diagrams shall be provided for all control equipment (i.e., equipment listed as either a control unit or control unit accessory), power supplies, battery chargers, and annunciators and shall include the following information:
   a. Identification of the control equipment depicted.
   b. Location(s) of control panels.
   c. All field wiring terminals and terminal identifications.
   d. All circuits connected to field wiring terminals, and circuit identifications.
   e. All indicators and manual controls, including the full text of all labels.
   f. All field connections to supervising station signaling equipment, releasing equipment, and fire safety control interfaces.
6. Typical wiring diagrams shall be provided for all initiating devices, notification appliances, remote alarm light emitting diodes (LEDs), remote test stations, and end-of-line and power supervisory devices.

(e) Inspections, Testing, and Record Keeping.

1. The AHJ and/or their representative(s) may inspect all fire alarm system installations. All equipment must be inspected prior to any equipment being installed. The Fire Department must be notified at least forty-eight (48) hours prior to any fire alarm component being concealed.
2. The Fire Department and/or their representative(s) must witness all acceptance tests. The Fire Department must be notified within forty-eight (48) hours prior to any testing.
3. Two copies of the completed Fire Alarm System record of completion required by NFPA 72 must be provided to the Fire Department and/or their representative(s) prior to final acceptance.
4. Permanent records must be provided in accordance with NFPA 72. This includes completed Fire Alarm System inspection and testing form.

(f) Special Requirements. On all buildings over four stories in height a Fire Command Center for Fire Department operations shall be provided. The Fire Command center shall comply with NFPA 72 and shall contain the features required in the International Fire Code and NFPA 1, 13.7.2.27.2.2.

1. Two-way telephone communication service shall be provided for the Fire Department use. This system shall be in accordance with NFPA 72. The communications system shall operate between the central control station and every elevator car, every elevator lobby, and each floor level of exit stairs.

2. The requirements of NFPA 1, 13.7.2.27.2.2(A) shall not apply where the Fire Department radio system is approved as an equivalent system. (NFPA 101, 11.8.3.2.)

(5) **Occupancy Capacity Signs**

(a) Where Required. In all rooms having an occupancy load of fifty (50) persons or greater where fixed seating is not installed and which are used as classrooms, assemblies or similar purpose.

(b) Sub-Dividable Rooms. Rooms that are sub-dividable or are used for purposes that allow for an increased occupant load by the removal of tables or chairs shall have each occupancy load posted as described in sub-section (c).

(c) Sign Construction. All signs shall be constructed of durable materials with a minimum of one inch (1") block letters in height on a contrasting background so as to be readily visible. The number of occupants permitted for each room use and room identification for each separate room area (where provided) shall be included on the sign.

(d) Sign Location. The sign(s) shall be located in a conspicuous location in the room, adjacent to the main exit, so as to not be obstructed by doors, curtains, furniture or in a visible location acceptable to the AHJ.

(6) **Installation of Carbon Monoxide (CO) Detectors**

(a) Intent. The intent of this section is to minimize the health risk of carbon monoxide (CO) exposure by requiring the installation and maintenance of CO detectors.

(b) Installation Required. Prior to occupancy, a CO detector meeting the standards of a listed recognized testing laboratory must be installed in all commercial and multifamily residential units built after October 1, 2008 and installed in all occupancies by April 1, 2010.

(c) Exemptions.

1. Those occupancies that have no fossil fuel-burning appliances or have fossil-fuel burning appliances with sealed combustion units that are covered under manufacturer's warranty against defect and/or those occupancies without an attached garage.
2. One and Two-family occupancies

(d) Special Requirements.

1. All CO detectors installed in new construction must be continuously powered by the building's electrical service with a battery back-up. All existing occupancies shall install CO detectors that are powered by battery, hard-wired or plugged into an electrical outlet.
2. In all multi-family occupancies CO detectors must be installed per Wis. Stat. § 101.149(2)(a) 1,2,3,4,5 and §101.149(2)(e).
3. Once notified of a missing or defective CO detector, the owner of a multi-family occupancy must repair or replace the CO detector within five (5) days.

(e) Testing and Maintenance. All testing and maintenance of CO detectors must follow the manufacturer's recommendations.

(7) **Installation and Testing of Smoke Alarms**

(a) Installation Required.

1. A ten-year smoke alarm with a sealed battery or smoke alarms hardwired together, and inter-connected with a battery back-up must be installed in all multi-family and mixed-use occupancies by January 1st 2013. Smoke alarms must be installed in all bedrooms, in the common hallway outside of bedrooms, and at the head of all stairways and/or in locations required by the AHJ.

(b) Testing and Maintenance.

1. The owner(s) of multi-family occupancies are responsible for the monthly testing and documentation of the monthly testing of all smoke alarms not in tenant spaces.
2. The owner and/or occupant of all mixed-use occupancies is responsible for the monthly testing and documentation of the monthly testing of all smoke alarms in all areas they occupy.

(c) Special Requirements.

1. Once notified of a missing or defective smoke alarm, the owner of a multi-family occupancy must repair or replace the smoke alarm(s) within five (5) days.

(8) **Fire Department Access Roads and Fire Lanes.** Unobstructed fire lanes that are accessible from a public road shall be provided for every building or portion of a building in accordance with this Code, SPS Chapter 314, NFPA 1 and IFC.

(a) Designated fire access road and lanes must be submitted and conditionally approved by the AHJ prior to issuance of building permits.

(9) **Fire Hydrants.**

(a) Intent. The intent of this section is to insure adequate water supply for fire fighting purposes to structures, buildings, and normal premises. For the purpose of placing hydrants, "Normal Access Routes" are defined as pavement, sidewalks, streets, driveways and paths leading to a building that are clear and maintained year round. The normal access route does not include grass, parking stalls, ditches, hills, shrubs, flower beds, fences, walls or any other area not typically used for ingress or egress to a building.

(b) Where Required.

1. Buildings. Any building or structure hereafter erected, except single and two family dwellings shall provide at the owner's expense, approved water hydrants. Hydrants shall be located so that no part of the building is more than three hundred (300) feet from an approved hydrant by normal access routes. One hydrant shall be located within one hundred-fifty (150) feet of the Fire Department Sprinkler or Standpipe Connection. Required hydrants must be free standing and shall be installed not less than forty (40) feet from the building exterior wall and may not be closer than fifty (50) feet to another hydrant. Public hydrants across divided roads/highways shall not be used to fulfill the hydrant requirements for the building or premises. The AHJ will approve the actual location of all public and private hydrants. Two copies of the building plans including site plans shall be provided to the Building Inspector for Fire Department use, in addition to any copies or building plans required by the Building Inspector.

2. Mobile Home Parks. Any new mobile home or trailer park or any mobile home or trailer park which expands by adding additional trailer or area to the present court site shall provide an approved water hydrant when any trailer or building located in such park is more than three hundred (300) feet from an approved hydrant. Water hydrants shall be provided so that no trailer or building is more than three hundred (300) feet from an approved hydrant by normal access routes.

(c) Approved Water Hydrant. An approved water hydrant shall mean a water hydrant with two (2), two-and-one-half inch (2 ½") and one (1), four-and-one-half inch (4 ½") Fire Department Connections with National Standard Threads and an operating nut size approved by the AHJ. The connecting water line between the public water main and the approved water hydrant shall not be less than eight inches. All water hydrants approved by the AHJ and the Water and / or Sewer Utility shall be installed in compliance with standards of the Water and / or Sewer Utility and NFPA 24. All water hydrants shall be installed and maintained in such a manner and location so as to be accessible at all times to the Fire Department apparatus. All hydrants shall be installed, tested, in service, and accessible to the Fire Department prior to any above ground construction or combustibles are brought onto the site.

(d) Hydrant Flows. Hydrant flows shall not be less than 1250 gallons per minute (GPM) with a twenty (20) pounds per square inch (PSI) residual. Additionally the hydrants providing coverage to a building or site under this section must supply a total flow sufficient to meet the requirements of the building. The procedure for determining fire-flow requirements for buildings shall be in accordance with Appendix B of the International Fire Code.

(e) Inspection, Testing, Maintenance, and Repair.

1) Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

a) Private fire hydrants inspected, flow tested and maintained annually and after each operation.

b) Property owner shall immediately advise the Fire Department and the Water Utility as to hydrants which have been damaged, inoperable, or have been found deficient in required fire flow.

c) All inoperable hydrants shall be repaired as soon as possible or within a reasonable time frame as determined by the AHJ.

d) All records of inspections shall be maintained on site and made available to the AHJ upon request.

2) Hydrants must be accessible at all times. Prohibited obstructions may include, but are not limited to, snow, parked vehicles, materials, equipment, storage and refuse. No obstructions shall be within a four foot radius of the hydrant.

(10) **Access Box System Requirements.**

(a) An "Access Box" system has been adopted for use by this Fire Department. The following structures shall be equipped with an access box at or near the main entrance or such location as required by the AHJ. Multiple boxes may be required dependant on the size of the building, as required by the AHJ.

1. Commercial or industrial structures protected by an automatic alarm system or automatic fire suppression system, or such structures that are secured in a way that restricts access during an emergency.
2 Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units.
3. Nursing homes, CBRFs, child day care and other health facilities.
4. All educational occupancies
5. The AHJ shall have the authority to require any structure to install and maintain an access box.

(b) All newly constructed structures subject to this section shall have the access box installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section and who are subject to this section shall have one year from the date of being ordered by the AHJ to have an access box installed to complete installation.

(c) The owner or agent of a structure required to have an access box shall keep the following inside the box:

1. Keys to locked points of ingress and egress whether on the interior or exterior.
2. The keys to locked mechanical equipment, electrical, and elevator control rooms.
3. The keys needed to open any alarm panels.
4. Floor plans or maps as required by the AHJ.
5. The keys to other areas as directed by the AHJ.

(d) All items required to be kept in the access box shall be the most currently used and must be continually updated.

(e) The access box shall be installed at the owner's expense.

(f) The size and type of access box will be determined by the AHJ. Exception: Any building or site that has twenty-four (24) hour, seven-day a week guard service or any occupancy that remains open twenty-four (24) hours a day, seven-days a week, does not require an access box, unless ordered by the AHJ.

(11) **Standpipes.** Fire Department Standpipes shall be provided in all new structures over two stories in height and in accordance with this section. The installation of standpipes shall be in accordance with this Section and NFPA 14.

(b) The location of standpipe connections shall be accessible and shall be located so that all portions of the building are within thirty (30) feet of a nozzle attached to one hundred (100) feet of hose.

(c) When required by the AHJ, an approved standpipe shall be installed as construction progresses to make them available for Fire Department use in the top most floors constructed. Temporary standpipes shall be provided in place of permanent standpipes during the period of construction on buildings over three stories in height.

(d) The Fire Department Connections for the standpipe shall be approved by the AHJ.

(e) The Fire Department Connections shall be located at least forty (40) feet from all electrical transformers, gas meters, or propane storage.

(f) Temporary standpipes are required on buildings over three stories in height.

(12) **Fire Extinguishers; Survey and Specifications.**

(a) At least one (1) fire extinguisher shall be required for every assembly, educational, industrial, institutional, mercantile, storage, and multi-family occupancy, and additional fire extinguishers shall be required for every 2,400 square feet or fraction thereof of floor space in such establishments.

(b) The AHJ or his/her representative shall survey each occupancy requiring fire extinguishers and shall specify fire extinguishing devices of type approved by a listed recognized testing laboratory in such number as may be necessary to provide reasonable safety to persons and property.

(13) **Rough Inspections Required**

(a) Rough inspections required by this Code shall be conducted by the AHJ or a representative of the Hales Corners Fire Department.

(b) Rough inspections are required specifically to determine if substantial compliance with this Code has been provided for in all structures regulated by this Code.

(c) The following rough inspection requirements are specifically established by this Code and shall be enforced by the AHJ.

1. All automatic fire sprinkler, fire control, fire suppression, fire alarm, and fire detection systems shall have a rough inspection done by the AHJ.
2. Complete and accurate as-built drawings and revised hydraulic calculations must be resubmitted for the AHJ's review and approval for all fire sprinkler systems that utilize CPVC piping prior to any piping being concealed and must be inspected by the AHJ.
3. All systems and/or building components the AHJ deems necessary shall have rough inspections done by the AHJ.
4. All rough inspections must be completed by the AHJ prior to any system, equipment and/or component thereof subject to the requirements of this Code being concealed in any way and/or means.
5. All systems, equipment and/or components thereof, must be in plain view from the floor or grade level for all rough inspections.

(d) System and/or component concealment restrictions are hereby established. All structures regulated by this Code shall comply with the following:

1. The AHJ shall allow the concealment of any system and/or component thereof regulated by the Code only after determining substantial compliance with the requirements of this Code has been accomplished.
2. If any system and/or component thereof is concealed prior to the AHJ conducting a rough inspection of any system and/or component thereof regulated by this Code, the AHJ may order the removal of any material that is preventing a rough inspection from being completed.
3. If the requirements of this Code are not in compliance, the AHJ may issue a stop work order on any project or portion thereof.

(14) **Fire Alarm and Sprinkler Contractors**

(a) **Intent**. The intent of this provision is to require all fire alarms and sprinkler contractors providing monthly, quarterly, semi-annual and annual inspection, testing and maintenance work on any fire detection or suppression system in this municipality to submit to the AHJ, a legible copy of any and all deficiencies found while inspecting, testing or maintaining any fire detection or suppression system.

(b) **Requirements**. All deficiencies must be reported to the AHJ within 14 days of finding such deficiencies unless such deficiency creates a severe life hazard, then such deficiency must be reported to the AHJ immediately. Notification can be made by phone, fax, email or mail.

(15) **Occupancy Inspection**

The Fire Department shall conduct inspections of public buildings and places of employment prior to the issuance of local occupancy permits. Written documentation of the inspections shall be kept by the Fire Department.

(16) **Plan Review**

The Fire Department shall have the option to complete or assist in plan review and approvals of fire safety related elements prior to construction of any public buildings and/or places of employment. Plan review may be done by an independent third party of the Fire Departments choice, to be paid for by the submitting party.

(17) **Fire Pump Room Requirements**

(a) All fire pump rooms at grade level must have at least one single door access and egress directly to the outside.

(b) All egress doors must swing out from the fire pump.

(c) Must have an accessible aisle, a minimum of a 48 inches (48") wide, leading to the fire pump.

(d) Must provide accessible and clearly labeled valves and controls must be provided capable of being manipulated by a firefighter in full PPE including SCBA.

(e) Keys for all doors to the fire pump room must be labeled and in the access box.

6.11 MISCELLANEOUS USE PROVISIONS.

(1) **Careless Smoking Prohibited.**

(a) No person shall smoke or carry a lighted cigar, cigarette, or pipe, or light a match or other flame-producing device in any retail mercantile establishment, except in areas approved for such purposes by the AHJ. It shall be the duty of the person in charge of such an establishment to enforce the regulations of this section.

(b) Smoking shall be prohibited in all rooms or parts of buildings which contain flammable liquids in open containers or in which flammable liquids are used in any manufacturing process or where vapors from the flammable liquids are present or sold.

(c) A plainly printed notice of the provisions of this subchapter shall be posted in a conspicuous place in all occupancies. Such printed notice shall also be posted in any place of public assembly where smoking is prohibited.

(d) No smoking or use of flame-producing devices in schools or public libraries.

1. No person shall light a match or other flame-producing device, smoke, or carry a lighted cigar, cigarette, or pipe in any school building or public library except in areas approved for such purpose by the AHJ or for educational, cooking and maintenance work. It shall be the duty of the person(s) in charge of such buildings to post and maintain approved signs bearing the words "No Smoking" in locations designated by the AHJ.
2. Wis. Stat. §101.025(1), §101.123, §101.123(8)(a)(b) are hereby adopted by reference as if fully set forth herein.

(e) Smoking materials, including matches and lighters, shall not be used within 50 feet of areas used for fueling, servicing fuel systems for internal combustion engines, or receiving or dispensing of Class 1 liquids (as defined within NFPA Fire Prevention Code 1), upon any business property or property otherwise open to the public. Conspicuous and legible signs

prohibiting smoking shall be posted by the owner of such property which shall be visible at a distance of not less than 50 feet from such areas. The motors of all equipment being fueled shall be shut off by the owner or the operator thereof, during the fueling operation, except for emergency generators, pumps, and the like, where continued operation is essential.

(2) **Fire-Damaged Buildings (Securing).** All dwellings and buildings within the Village damaged from fire shall be secured within twenty-four hours of release of the property by the AHJ. The owner of the damaged property shall assume the liability for the protection of the public until the property is secured. The Village of Hales Corners Building Inspector shall be called to all buildings damaged by fire for evaluation when structural members are affected.

(3) **High-Piled Combustible Storage.**

(a) High-piled combustible storage must comply with Section 2301 of the International Fire Code.

(b) Definitions as found in Section 2302 of the International Fire Code will be used for high-piled combustible storage.

(c) Commodities shall be classified in accordance with Section 2303 of the International Fire Code.

(d) High-piled combustible storage areas shall be designated in accordance to Section 2304 of the International Fire Code.

(e) Housekeeping and maintenance of high-piled combustible storage areas shall be in accordance with Section 2305 of the International Fire Code

(f) General fire protection and life-safety features shall be in accordance with Section 2306 of the International Fire Code. Exception: Compliance with Section 2306.7 is not required by this Code; however, this section may be required by the State of Wisconsin.

(g) Solid piled and shelf storage shall be in accordance with Section 2307 of the International Fire Code.

(h) Rack storage shall be in accordance with section 2308 of the International Fire Code.

(i) Automated storage shall be in accordance with Section 2309 of the International Fire Code.

(j) Specialty storage shall be in accordance with Section 2310 of the International Fire Code.

(4) **Permissible Burning.**

(a) Grills. For other than one and two family dwellings, no hibachi, gas-fired grills, charcoal grill or similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony or under any overhanging portion of a building. Grilling on ground level is permissible provided that the grill is at least 10 feet away from any structure. Smoke must not be a nuisance to neighbors, or public roadways.

(b) Open fires, fire pits, and recreational fires shall comply with the requirements of NFPA 1 and the following requirements:

1) Portable Fire Pits and Open Fires.

a) Portable fire pits shall not be used or kindled on any balcony or under any overhanging portion or within 10 feet of any structure.

b) Portable fire pits must be placed on a non-combustible surface.

c) Portable fire pits shall be listed by a nationally recognized testing organization or acceptable to the AHJ.

d) Burning of yard waste or other refuse is prohibited; only clean, dry wood can be used.

e) Flammable or combustible liquids shall not be used to ignite the fire.

f) Smoke shall be limited and shall not become a nuisance to neighbors or public roads.

2) Recreational Fires (Lined In-ground Pit).

a) Shall not be located within twenty-five (25) feet of a structure or combustible material unless contained in an approved manner.

b) The total fuel area shall not exceed 3 feet in diameter and 2 feet in height.

c) Only clean, dry wood can be burned.
d) Flammable or combustible liquids shall not be used to ignite the fire.
e) Smoke shall be limited and shall not become a nuisance to neighbors or public roads.

(c) All fires must be supervised at all times by an adult and have the proper means available to extinguish the fire. No fire shall be left unattended.

(5) **Possession of Ignition Devices.**

(a) Defined. Ignition device, for the purpose of this section shall be defined as:
1. Matches.
2. Lighters.
3. Any other materials when used for the purpose of ignition.

(b) Possession Prohibited. No minor (any child under 18 years of age) may possess any ignition device, unless under the direct supervision of, or with direct permission of, a parent or legal guardian.

(c) Delivery Prohibited. No person may sell, give, deliver or make accessible, as determined by the AHJ, any ignition device to a minor without the permission of the minor's parent or legal guardian.

(d) Confiscation. Any ignition device possessed by a minor may be confiscated by any Peace Officer, Fire Chief or authorized designee of the Fire chief. Once confiscated, these ignition devices shall become the property of the confiscating authority and shall be processed accordingly as evidence in the commission of a crime or made inoperable and disposed of properly.

(e) Penalty.
1. Any person who shall violate any of the provisions of this section shall for each and every violation, be punishable by forfeiture, plus any costs or surcharges as required by law.
2. In addition to any other penalties provided for in this Code, the Judge of any court of any competent jurisdiction may order any person found guilty of violating this ordinance to any educational program as the Court deem appropriate and include as part of the penalty therein that such person pay the costs of such educational program.

(6) **Christmas Tree Sales.** For the purpose of this paragraph, the following minimum standards shall apply to the storage, handling, and display of live Christmas trees and foliage.

(a) Trees and foliage shall be stacked not closer than ten feet from any gasoline pump or other device for the transfer of petroleum products.

(b) Aisles or clear spaces of not less than three feet shall be maintained at all times.

(c) A fire extinguisher with a "2A-10BC" rating or greater shall be provided by the merchant for each seventy-five (75) feet of travel display and/or storage area.

(d) All storage and sales of live Christmas trees and foliage shall be held outside of buildings.

(e) It shall be unlawful to light a match or any flame-producing device, or to smoke or carry a lighted cigar, cigarette, or pipe in areas where live Christmas trees or foliage is displayed, sold, or stored. The person in charge of the Christmas tree sales shall post a "No Smoking" sign in locations designed to give persons entering the area a notice of this regulation.

6.12 FLAMMABLE, COMBUSTIBLE, AND HAZARDOUS MATERIALS.

(1) The following items shall not be stored in any multi-family dwelling in the community except in locations approved by the AHJ.

(a) Charcoal, except in a metal container equipped with a metal cover.

(b) Oily rags or oily dust mops.

(c) Flammable liquids.

(d) Bottle gases, propane, acetylene, oxygen or other substances of a similar nature.

(e) Gasoline motors and gasoline power equipment.

(f) Dangerous or hazardous amounts of flammable, combustible or explosive material as determined by the AHJ.

(g) Hazardous conditions arising from defective or improperly installed equipment for handling or using flammable, combustible or explosive material.

(h) Dangerous accumulations of rubbish, waste paper, boxes, shavings, or other highly flammable materials as determined by the AHJ

(i) Dangerous accumulations of dust or waste materials in air conditioning systems.

(2) Flammable, Combustible and Hazardous material shall be identified in accordance with NFPA 704.

6.13 SPECIAL INSPECTIONS REQUIRED.

At the adoption of this Code all CBRF's, Adult Family Homes, Adult Day Care Centers and Child Day Care Centers (Group) shall be inspected not less than once a year by the Fire Department.

6.14 FIRE AND TANK INSPECTION FEES

(1) An annual fire inspection fee shall be charged to the property owner for required inspections of each building, structure, and premises as required under §6.01(7) of this Code. The fee for the required fire inspections shall be established by Village Board resolution and adjusted as necessary from time to time. The annual fire inspection fee shall constitute a special charge against the property inspected and shall be entered upon the tax roll as a charge against the property and all proceedings in relation to the collection, return, and sale of the property for delinquent real estate taxes shall apply to the inspection fee.

(2) The Fire Department is authorized to perform inspections of above-ground and underground storage tanks, and fees shall be applied to the inspection of above-ground and underground storage tanks to assist in defraying the costs of performing such inspections. The fee for tank inspections shall be as established by Village Board resolution and adjusted as necessary from time to time.

(3) Applications for appeals to the AHJ under §6.18 of this Code shall be accompanied by a fee established by Village Board resolution and adjusted as necessary from time to time.

6.15 RESERVED FOR FUTURE USE

6.16 PUBLIC STREET AND HIGHWAY FIRE CALL SERVICE COSTS.

Every person to whom a fire call is provided on a public street or highway in the Village of Hales Corners shall pay to the Village actual costs of such fire call service, up to a maximum of $500 per call. A "fire call" service under this Section shall mean a response or appearance by the Village Fire Department as a result of an occurrence or incident upon a public street or highway within the Village: to extinguish a fire on a vehicle, structure or vegetation; a response or appearance to handle gasoline, other hazardous materials, or other debris; or a response to a request or appearance for extrication equipment to remove or attempt to remove individuals trapped in vehicle(s) as the result of crash on a public street or highway; all of the foregoing without regard to whether the fire equipment was actually used. Such payment shall be due upon invoice by the Village. A "person to whom a fire call is provided" shall include any person operating a motor vehicle for which a fire call is made, any person owning a motor vehicle for which a fire call is made and any person lawfully upon a public street or highway in the Village for which a fire call is made, jointly and severally. §6.98 of this Chapter, pertaining to penalties, and § 6.99 of this Chapter, pertaining to appeals, shall not apply to this Section.

6.17 INVESTIGATION OF FIRES/POLICE POWERS.

(1) The Fire Department shall investigate the cause and origin, and circumstances of fires occurring within their jurisdiction by which property has been destroyed or damaged and, so far as possible, shall determine if the fire is the result of carelessness or design. Such investigations may begin

immediately upon the occurrence of such a fire, and if it appears to the Officer making such an investigation that such fire is of suspicious origin and of a significant nature, the Fire Chief shall be notified of the facts. The AHJ 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. A member of the fire investigation team shall file a written report of damage associated with every fire within 24 hours. It shall contain a statement of all facts relating to the cause and origin and circumstances of such fire and other information as may be required.

(2) The Village Attorney and any other Department of the Village, upon the request of the Fire Chief, shall assist in the investigation of any fire that, in the Chief's opinion, is of suspicious origin.

(3) The Fire Chief, Officers in Command and the Fire Inspector at any fire are hereby vested with full and complete police authority. Any Officer of the Fire Department may cause the arrest of any person failing to give the right-of-way to the Fire Department in responding to or investigating an incident.

(4) The Fire Chief or Officers in Command may prescribe certain limits in the vicinity of any incident within which no persons, excepting Firefighters and Police Officers and those admitted by order of any Officer of the Fire Department, shall be permitted to enter.

(5) The Fire Chief or Officers in Command shall have the power to cause the removal of any property whenever it is deemed necessary and prudent for the preservation of such property. During the progress of any fire, they 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 work of the Fire Department during the progress of fire.

(6) It shall be lawful for any Fire Department personnel while acting under the direction of the Fire Chief or Officer in Command to enter premises adjacent to or in the vicinity of a building or other property that is on fire for the purpose of extinguishing, containing, or searching for extension of such fire or other exigent circumstances. No person shall hinder, resist or obstruct any Firefighter in the discharge of his duties as is herein before provided. The person so offending shall be deemed guilty of resisting Firefighters in the discharge of their duties.

(7) During the progress of fire the Fire Chief or Officers in Command shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire or to ensure that the fire has not extended to other areas; providing that it is likely that, unless such property is removed, other property is in danger of being destroyed by fire.

6.18 REVIEW OF INDIVIDUAL CIRCUMSTANCES.

(1) The AHJ shall have the power to modify any of the provisions of this Code upon application in writing by the owner or occupant, or a duly sworn authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the Code, provided that the spirit of the Code shall be observed, public safety secured, and substantial justice done.

(2) The AHJ thereon shall enter upon the records of the Department, and a signed copy shall be furnished to the applicant the particulars of such variances when granted. In addition, a copy of such application and decision shall be filed with the Village Administrator.

(3) The AHJ may require alternative measures to be installed and/or tests as proof of compliance with the intent of this Code. Such tests are to be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.

(4) If technical expertise is unavailable within the Village because of new technology, process, products, facilities, materials and uses attending design, operation or use of a building or premises subject to the inspection of the Village, the AHJ may require the owner or the person in possession or control of the building or premises to provide without charge to the Village, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety organization, acceptable to the AHJ and the owner, and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated

thereon, and prescribed the necessary recommended changes. The Fire Department may also acquire technical assistance from a consultant and may charge a fee to the owner or occupant for the service provided.

6.19 REVOCATION.

(1) The AHJ may revoke any permit issued in accordance with this Code in any case where they may find that any of the conditions for the issuance have not been maintained or where there has been false statement or misrepresentation of any material fact in the application or plans on which the issuance was based.

(2) The AHJ 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 in accordance with Administrative Review Procedures – Article XII. The decision of the Board of Appeals for revocation, following the hearing, shall be final.

6.20 CLOSING AND VACATING BUILDINGS.

(1) The AHJ may order the compliance with this section and all other lawful orders or laws relating to fire prevention and fire protection in existing building and structures.

(2) Where the public is exposed to immediate danger, the AHJ shall order the closing and vacating of the building at once.

6.21 EMERGENCY RESPONDER RADIO COVERAGE

(1) All new and existing buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

(2) All building signal boosters shall be registered with the Federal Communication Commission.

EXCEPTIONS:

(a) Where it is determined by the AHJ that the radio coverage system is not needed.

(b) In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the AHJ shall have the authority to accept an automatically activated emergency responder radio coverage system.

6.22 ADOPTION OF WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE, AND CONSUMER PROTECTION

(1) The latest Wisconsin Department of Agriculture, Trade, and Consumer Protection listed below and published on or before the effective date of this code are adopted by reference, enforced and incorporated into this code as if fully set forth herein.

State:

(a) Chapter ATCP 93 Flammable, Combustible, and Hazardous liquids

(b) Chapter ATCP 94 Petroleum and other liquid fuel products

Federal:

a) EPA Groundwater Protection Act 40 CFR280

b) EPA UST Technical Compendium

c) 40 CFR Part112, Spill Prevention, Control, and Countermeasures (SPCC)

d) SPCC for Agriculture

e) 29 CFR 1910.106 – Occupational Safety and Health Act (OSHA)

f) 40 CFR part 63, subpart BBBBBB and CCCCCC
g) EPA Office of Underground Storage and Tanks

6.98 PENALTIES.

(1) Any person who violates any of the provisions of this Code, or who fails to comply with any order made hereunder, or who builds in violation of any detailed statement of specifications or plans submitted and conditionally approved hereunder, or any certificate or permit herein from which no such appeal has been taken, or who fails to comply with such an order as affirmed or modified by a court of competent jurisdiction within the time fixed herein, shall for each and every violation and noncompliance be subject to the general penalty provision under §19.04 of this Code.

(2) **False Alarms**. In one calendar year, if the Fire Department responds to three or more false alarms as described in §6-02(31)(a)(b)(c) of this Code, the Fire Department may:

(a) Issue a citation to the building owner or occupant, which is addition to the general penalty provisions set forth under §19.04 of this Code, shall include a forfeiture sufficient in amount to reimburse the Fire Department for the cost of equipment and personnel that was used to respond to the alarm.

(b) Require that the fire alarm be serviced, upgraded, or replaced to bring the alarm system into compliance with this Code in order to prevent future false alarms.

6.99 APPEALS.

Any person feeling himself aggrieved by any order or ruling of the AHJ may appeal in writing to the Board of Appeals of the Village of Hales Corners within thirty (30) days of the alleged act or omission of said AHJ pursuant to §62.23, Wisconsin Statutes, and to the rules of the Board of Appeals, Article XII of Chapter 1 of the By-Laws.

The appellant shall annex to the notice of appeal such plats, surveys, plans or specifications which are of probative value in the determination of the appeal together with the name and address of the appellant. Upon filing of such notice with the Village Clerk, the appellant shall receive a copy of the rules of the Board of Appeals. Upon filing such notice of appeal, the Board of Appeals shall fix a time and place for the hearing of the appeal not less than 10 nor more than 30 days from the date of such filing.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED this 11th day of April, 2016.

(VILLAGE SEAL)

Robert G. Ruesch, Village President

Countersigned:

Michael F. Weber, Administrator/Clerk