

## CHAPTER 6

### Fire Prevention Code

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**6.01 INTENT.** It is the intent of this Chapter to prescribe regulations consistent with recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling, and use of hazardous substances, materials, and devices and from conditions hazardous to life or property in the use of occupancy of buildings or premises.

**6.02 DEFINITIONS.**

- (1) **Approved** as applied to fire sprinkler installations means approved by the authority charged with enforcement of this section.
- (2) **Approved** as applied to automatic fire sprinkler devices means by provisions of the applicable orders and/or codes of the Wisconsin State Industrial Commission.
- (3) **Area** means the maximum horizontal projected area on one floor of a building or structure within the exterior walls or, when a building is divided by approved fire walls, each section so divided shall be considered an area.
- (4) **Automatic Fire Sprinkler Equipment** means an integrated system of underground and overhead piping designed in accordance with fire engineering standards. The system includes a suitable water supply, such as a gravity tank, fire pump, reservoir, or pressure tank and/or connection by underground piping to a municipal water main. The portion of the sprinkler system above ground is a network of specially sized or hydraulically designed piping installed in a building, structure, or area, generally overhead, and to which sprinklers are connected in a systematic pattern. The system includes a controlling valve and a device for actuating an alarm when the system is in operation. The system is usually activated by heat from a fire and discharges water over the fire area.
- (5) **Basement** means any store where less than half the height between the floor and ceiling is above the average level of street, sidewalk, or finished grade.
- (6) **Fire Chief.** The Fire Chief of the Village of Hales Corners as defined in Article VII of the Bylaws.
- (7) **Fire Department.** The Fire Department of the Village of Hales Corners as defined in Article VII of the Bylaws.
- (8) **Fire Resistive** means the type of construction in which the structural members including walls, partitions, columns, floor, and roof construction are of noncombustible materials with fire resistive ratings not less than those specified in the following table.

The two classifications are identified by the required fire resistance of floors as a matter of convenience.

Fire Resistance Rating of <u>Structural Members in Hours</u>	Classification	
	<u>3 Hour</u>	<u>2 Hour</u>
Bearing walls or bearing portion of walls, exterior or interior	4	3
Nonbearing walls or portions of walls, exterior or interior (NC – noncombustible)	NC	NC
Principal supporting members including columns, trusses, girders, and beams for one floor or roof only	3	2
Principal supporting members including columns, trusses, girders, and beams for more than one floor or roof	4	3

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|--|---|----|
| Secondary floor construction members, such as the beams, slabs, and joints not affecting the stability of the building | 3 | 2  |
| Secondary roof construction members such as beams, purlins, and slabs, not affecting the stability of the building     | 2 | 1½ |
| Interior partitions enclosing stairways and other openings through floors  | 2 | 2  |
- (9) **Fire Walls** means a wall which has a fire resistance rating of not less than four (4) hours and which subdivides a building or separate buildings to restrict the spread of fire including a three (3) foot parapet wall.
- (10) **Multi-family House** means a building or portion thereof containing three (3) or more dwelling units, including tenement house, apartment house, or flat.
- (11) **Story** means that part of a building comprised between a floor and the floor or roof next above.
- (12) **Other Terms Used in This Section** shall be as defined in Chapter Ind. 51 of the Wisconsin Administrative Code.

**6.03 STATE CODES ADOPTED.** The following orders and codes of the State Industrial Commission pertaining to fire prevention shall be a part of this Chapter as if the same had been fully set forth herein, and it shall be the duty of the Fire Chief and his authorized assistants to enforce these orders and all other provisions set forth in this Chapter.

- (1) Cleaning and Dyeing Code, Chapter IND 7, Wis. Admin. Code.
- (2) Flammable Liquids Code, Chapter IND 8, Wis. Admin. Code.
- (3) General Orders on Liquified Petroleum Gases, Chapter IND 9, Wis. Admin. Code.
- (4) General Orders on Dusts, Fumes, Vapors, and Gases, Chapter IND 20, Wis. Admin. Code.
- (5) General Orders on Spray Coating, Chapter IND 21, Wis. Admin. Code.
- (6) Boiler and Unfired Pressure Vessel Code, Chapters IND 41 and 42, Wis. Admin. Code.
- (7) Refrigerating Plan Code, Chapter IND 45, Wis. Admin. Code.
- (8) Scope of Building Code, Chapter IND 50, Wis. Admin. Code.
- (9) Definitions and Standards, Chapter IND 51, Wis. Admin. Code.
- (10) General Requirements, Chapter IND 52, Wis. Admin. Code.
- (11) Structural Requirements, Chapter IND 53, Wis. Admin. Code.

- (12) Factories, Office, and Mercantile Buildings, Chapter IND 54, Wis. Admin. Code.
- (13) Theaters and Assembly Halls, Chapter IND 55, Wis. Admin. Code.
- (14) Schools and Other Places of Instruction, Chapter IND. 56, Wis. Admin. Code.
- (15) Apartment Buildings, Hotels, and Places of Detention, Chapter IND 57, Wis. Admin. Code.
- (16) General Orders on Existing Buildings, Chapter IND 60 through 64, Wis. Admin. Code.
- (17) General Orders on Fire Prevention, Chapter IND 65, Wis. Admin. Code.

#### **6.04 FIRE INSPECTIONS.**

- (1) **Periodic Inspections Required.** The Fire Chief shall inspect or cause to be inspected as often as may be necessary but not less than once in six (6) months, all buildings and premises in the Village except the interior of private dwellings for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions of intent of any ordinance of the Village affecting the fire hazard and exists. Such inspection frequency shall be established in Fire Inspection criteria submitted by the Fire Chief, through the Police and Fire Commission, to the Village Board. Such criteria and any alterations thereto shall become effective only upon adoption by Village Board Resolution.
- (2) **Correction of Hazardous Conditions.**
  - (a) Combustible Material; Obstructions. Whenever the Fire Chief shall find in any building or upon any premises combustible or explosive matter of dangerous accumulations of rubbish or accumulations of waste paper, boxes, shavings, or any highly flammable materials which are so situated as to endanger life or property, or shall find obstructions to or on any fire escapes, stairs, passageways, corridors, halls, loading platforms, doors, or windows, liable to interfere with the operations of fire departments or emergency equipment or egress of occupants in case of fire, he shall order the same to be removed immediately. If he shall find entrance or exit sidewalks or vehicular driveways or interior driveways or sidewalks obstructed by snow, debris, construction material, vehicles, or other matter liable to interfere with the ingress or the operation of fire apparatus or other emergency vehicles, he shall order the obstruction removed. 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 in both Chapters, a violation of this access drive prohibition for Chapter 2 penalty and enforcement provision purposes being considered akin to a violation of §346.12, Wis. Stats., prohibiting driving through safety zones.

To effectuate the foregoing as to vehicles, the Village Administrator, upon such finding by the Fire Chief, may order "No Parking" signs erected, may designate the placement thereof, and may order that curbs be painted a distinctive color. The parking of any vehicle on private property or otherwise, in violation of the foregoing, shall constitute a violation of this Chapter. In addition, the vehicle parked in violation may be impounded by the Police Department and held until the towing and storage charges incurred are paid.

- (b) Defective Buildings. When any inspector shall find any building or other structure which for want of repairs, lack of sufficient fire escapes, automatic or other fire alarm apparatus, or fire extinguishing equipment, or by reason of age or dilapidated conditions, or from any other cause, is especially liable to fire and which is so situated as to endanger other property or the occupants thereof, and whenever such inspector shall find in any building combustible waste material, explosive matter, or flammable conditions dangerous to the safety of such buildings or the occupants thereof, he shall order such dangerous conditions or materials to be removed or remedied.

If in any existing building exits are necessary or where repairs to any structural part of such building or structure are required, the inspector shall notify the Building Inspector who shall re-inspect such building or structure, thereafter instituting the proper remedies as may be required.

- (c) Orders.
1. Service. Any orders under this section shall be served in writing upon the occupant and owner of the premises. If the owner or occupant of the premises cannot be found, such written order shall be affixed in a conspicuous place on the entrance door to such building or structure or on the premises. Thereafter, a copy of such order shall be mailed to the owner and occupant addressed to their last known post office address. No person shall remove such affixed notice without the written consent of the Fire Chief.
  2. Compliance. Any such order shall forthwith be complied with by the owner and occupant of such building, structure, or premises. The owner or occupant may within 24 hours appeal to the Fire chief for a review of such order, who shall thereafter as soon as possible file his decision. Unless such order is revoked or modified by the Fire Chief, it shall remain in full force and be complied with within the time fixed in said order.

- (3) **Exceptions.** This Section shall apply to all buildings except:
- (a) Private residences and accessory buildings in connection therewith.
  - (b) Temporary buildings or sheds used for construction purposes only.

Provided, if any building or structure, whether above exempted or not, is especially liable to fire, and is so situated as to endanger other buildings or property, or contains any combustible or explosive material dangerous to the safety of any building or premises or the occupants thereof, or endangering or hindering firemen in case of fire, such building or structure shall be subject to these orders so far as may be necessary to protect adjoining or other buildings and their occupants and firemen.

- 6.05 RIGHT OF ENTRY.** The Fire Chief or any inspector may at all reasonable hours enter any buildings, premises, or public thoroughfares, excepting only the interior of private

dwellings, for the purpose of ascertaining and causing to be correct any condition liable to cause fire, or any violation of the law or order relating to fire hazards or prevention of fires. The owner, agent, or occupant of any such premises who refuses to permit, or prevents or interferes with, any entry into or upon the premises by any such inspector, or interferes with any such inspection, shall be guilty of violating this Chapter.

**6.06 INVESTIGATION OF FIRES.** The Fire Department shall investigate the cause, origin, and circumstances of fires occurring in the Village by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire is the result of carelessness or design. Such investigations shall begin immediately upon the occurrence of such fire, and if it appears to the officer making such an investigation that such fire is of suspicious origin, the Fire Chief shall be immediately notified of the facts. He shall thereupon take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case. A written report shall be filed within 24 hours with the Fire Department of every fire by the senior officer in charge of such fire. Such report shall be in such form as prescribed by the Fire Chief. It shall contain a statement of all facts relating to the cause, origin, and circumstances of such fire and other information as may be required.

The Village Attorney and any other department of the Village, upon the request of the Fire Department, shall assist in the investigation of any fire, which in the Department's opinion, is of suspicious origin.

**6.07 WASTE MATERIAL.**

- (1) No owner, agent, or occupant of any building situated within the Village shall allow to accumulate any waste paper, hay, straw, rags, or other waste material of combustible nature in any building or on a premise more than 24 hours unless stored as provided in subsection (2).

The Fire Chief shall order the immediate removal of such accumulated combustible waste material from any building or premises when in his opinion such storage would create a fire hazard. Ashes, when kept in basements in buildings under this section shall be placed in fireproof bins, areas, or containers.

- (2) Combustible cuttings disposal of waste, cloth, paper, or other waste combustible cutting shall be cleared up and removed from the building at the close of each day's work, and shall be stored in a separate fireproof storage building, or in a metal container with cover, or in a metal-lined box with cover, or in a fireproof vault or room.

**6.08 KEEPING OILY RAGS, ETC.**

- (1) Oily waste and oily rags, when not in actual use, during the day, shall be kept in approved, standard, self-closing metal waste cans, set firmly on three (3) inch legs. One such waste can shall be installed for every 2,500 square feet of floor area, on each floor, where oil waste or oily rags are used. The contents of all such waste cans shall be destroyed, burned, or removed from the building at the close of each day's work.
- (2) Sweeping compounds within buildings shall be kept and stored in covered metal drums or containers.

- (3) Oily or greasy clothing shall not be allowed to remain on wooden floors or work benches, nor placed in wooden lockers or hung against wooden walls or partitions. Well-ventilated metal lockers or metal-lined wooden lockers shall be provided.
- (4) No owner or occupant of any building or premises shall store or permit the storage in any building or on any premises of any loose or baled hay, straw, hemp, flax, tow, shavings, sawdust, or any other combustible materials of like nature.

**6.09 CARRYING FIRES AND OPEN CANDLE FLAMES.**

- (1) No person shall carry any fire in or through any street, lot, land, or alley except if such fire be carried within a closed secure pan, vessel, or vehicle.
- (2) No open flames or open flame candles or open flame fixtures, guarded or not, including fireplaces, shall be used for lighting or decorative purposes in public assembly rooms or in buildings or structures with public amusement, recreation, or dining purposes, unless the Chief of the Fire Department or his designated representative permits such use under such restrictions as, in his judgment, are necessary to avoid danger of ignition of combustible material or injury to persons.
- (3) Duly constituted churches or lodges may use open flame candles or other open flame fixtures customarily associated with official functions and ceremonies without the prior approval of the Chief of the Fire Department or his designated representative provided precautions are taken to avoid danger of ignition of combustible material or injury to persons.

**6.10 EMISSION OF SPARKS FROM CHIMNEYS OR SMOKESTACKS.** The owner of any building wherein any chimney or smokestack used in connection with heating or power by boilers or furnaces or for burning of refuse, emits sparks or burning embers, shall provide such chimney or smokestack with an approved arrestor or any other approved device that shall prevent such emissions.

**6.11 DEFECTIVE CHIMNEYS.** No person shall allow any dangerous chimney, flue, roof, or any part of a building which might constitute a fire hazard to remain upon his premises after due notice to repair or remove the same has been given by the Fire Department to remedy the conditions.

**6.12 USE OF OXY-ACETYLENE TORCHES.** Any person desiring to use oxy-acetylene torches for cutting any metal on any premises and in or on any building, shall first make application for permission to do so to the Fire Chief. The application for such permission shall set forth the location of the premises where the work is to be done and a description of the work that is to be done. Before such oxy-acetylene torches are used, proper protection of surroundings shall be made by the use of asbestos blankets or other fire resisting materials. Ashes or sand shall be used for the absorption of oil. A fire extinguisher, pails of water, or small hose attached to water supply shall be conveniently located close to the cutting operations. Such other precautions shall be taken as may be ordered by the Fire Chief.

This section shall not apply to business establishments when such oxy-acetylene torch is used in connection with regular business operations. Such establishments shall use the same precautions to prevent fires as required of persons who must obtain a permit.

- 6.13 OIL DRIP PANS.** Metal drip pans shall be placed under all oil barrels resting on wooden floors, platforms, or supports, and under all machines using oil, to catch the oil drippings and oily metal borings. The contents of such drip pans shall be properly stored in metal bins until removed from the building.

When a printing press or other oil bearing machine is placed on a combustible floor, such floor shall be covered with substantial sheet metal.

Metal oil drip cups shall be placed under all shaft bearings, including elevator machinery, suspended from the ceiling.

- 6.14 GASOLINE ENGINES.** All stationary gasoline engines hereafter installed shall be placed upon incombustible floors, platforms, or supports.

The gasoline engine room shall be kept free from dust, waste, and combustible materials, needless grease or oil, and shall be lighted by incandescent electric lights. No open flame or heat shall be permitted in such rooms.

The exhaust pipe of such engine shall extend to the outside, above the roof, and in no case shall it exhaust within six (6) feet from any building.

Where such exhaust pipe passes through any combustible wall, partition, ceiling, or floor, a clearance of not less than two (2) inches shall be provided around the pipe, and the exposed woodwork shall be protected by metal, or such pipe may run through a ventilated double metal thimble, having an air space of not less than one (1) inch between the inner and outer rings of the thimble. Such exhaust pipes shall not be closer than six (6) inches to any unprotected combustible wall, partition, or woodwork.

- 6.15 GLUE POTS AND SOLDERING FURNACES.** Glue pots and soldering furnaces, when in use, shall rest on an incombustible base, and there shall be no unprotected woodwork within 12 inches from the same.

Wooden work benches may be used as a base for the same, only when covered with metal over 1/8 inch sheet asbestos, to a distance of not less than 18 inches beyond the pot or furnace on all sides.

- 6.16 SMOKING.** Any person who by smoking or attempting to light or to smoke cigarettes, cigars, pipes, or tobacco in which lighters or matches are employed who shall in a careless, reckless, or negligent manner, whether willfully or wantonly or not, set fire to any bedding, furniture, curtains, drapes, house, or any household fitting or any part of any building shall be guilty of violating this Chapter. 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.

- 6.17 GAS SHUT-OFF, GAS APPLIANCES.** Every gas supply main shall have a service cock outside of the building so placed and maintained that it can be shut of at any time without entering the building.

All defective pipes, tubes, valves, joints, or other installation connected with gas lighting or heating systems shall be repaired or replaced forthwith.

The use of flexible armored gas tubing shall be limited to portable devices and no more than four (4) feet of length of such tubing shall be used as a connection to any portable device. There shall be but one (1) shut-off valve and that shall be on the gas pipe to which such tubing is attached.

- 6.18 PATHWAYS REQUIRED.** The owner or occupant of any business buildings and any buildings used for any purpose of storage shall have and keep clear from all obstruction and encumbrance, the floor to ceiling, one pathway on all floors, including the basement floor, of such building at least three (3) feet wide, and running from the front to the rear of such buildings. There shall also be pathways two (2) feet wide along the front and rear of such buildings as the Fire Chief or the Building Inspector may deem necessary, with not less than one two (2) foot wide pathway connecting such wide pathways with the fire escape exits or other exits and stairways.

- 6.19 FLAMMABLE DECORATIVE MATERIAL.** No person shall have flammable window draperies, curtains, or other decorative materials hanging within any building sued for public assembly. Use of paper decorations, confetti, or flammable materials in such places is prohibited. In such buildings, fabric decorations where used shall be flameproofed and so maintained by the owner or occupant of the building. Flameproofing shall be approved by the Fire Department.

**6.20 CLOSING AND VACATING OF BUILDINGS.**

- (1) The Fire Chief may order the compliance with the provisions of this Chapter and all other lawful orders or laws relating to fire prevention and fire protection in all existing buildings and structures.
- (2) The Fire Chief shall close any building and order it vacated wherein violations of any of the provisions of this Chapter are found and not corrected within the time stipulated by the Fire Chief.

Where the public is exposed to immediate danger, the Fire Chief shall order the closing and vacating of the building at once.

- 6.21 STOVES IN PUBLIC AND MERCANTILE BUILDINGS.** No owner or occupant of any building or any person engaged, either as a contractor, workman, or in any other capacity in any work upon any building, shall maintain a fire in any building in a stove, salamander, or other similar contrivance unless some responsible person is at all times present to attend such fire unless a fireproof substance is at all times maintained immediately under such stove, salamander, or other similar contrivance and unless the same is connected with the outside of said building by means of a noncombustible pipe or

chimney in such manner that all of the smoke and gases arising from such fire are conducted directly to the outside of said building.

**6.22 NOTICE SHOWING LOCATION OF FIRE ESCAPES.** Every building required to be equipped with fire escape stairways and 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, balcony, or spiral chutes and the direct way to reach them. If such notice be not displayed within 30 days after such equipment is installed and kept continuously displayed the Building Inspector or Fire Chief shall cause the buildings to be closed and kept closed until the provisions of this section shall have been complied with.

**6.23 OBSTRUCTION: CHANGE IN POSITION OR CONSTRUCTION.** No person shall close up or obstruct any passageway leading to any fire escape stairways, balconies, or platforms, or any spiral chute of any building. No change in the position or construction of any such fire escape stairway, balcony, or platform, or spiral chute shall be made unless the permission of the Building Inspector and Fire Chief shall first have been obtained.

**6.24 CONSTRUCTION AND OPERATION OF FILLING STATIONS.**

(1) **Construction and Care.** Gasoline stations or any other places or structures where gasoline or other flammable liquid is disposed of shall be so constructed or graded as to effectively prevent spills from flowing into the interior of buildings or from collecting in any place. No such flammable liquid or the drainage from crank cases, except in suitably closed metal containers, shall be permitted within a hazardous distance from a motor or spark emitting device.

(2) **Vending Devices.** Devices vending or gauging flammable liquids shall be firmly secured to concrete or masonry foundations, shall not leak or drip, and when an attendant is not present shall be securely locked.

(3) **Signs.** "No Smoking" and "Stop Motor While Filling" signs shall be prominently posted so as to be readily visible at points where gasoline is handled.

(4) **Smoking Prohibited.** In all rooms or parts of buildings which contain flammable liquids in open containers or in which the vapors from flammable liquids are present, or in which flammable liquids are used in any manufacturing process, smoking and the carrying of matches is prohibited. Suitable signs lettered "Smoking Prohibited" shall be displayed.

(5) **Fire Extinguishers.** Wherever flammable liquids are dispensed or distributed an adequate number of chemical fire extinguishers shall be provided in prominent and easily accessible places. Extinguishers shall be reconditioned and refilled once a year and shall always be in working order. No fire bucket, pail, or any device by which water alone is applied to flames shall be constructed to be an extinguisher within the meaning of this section.

(6) **Open Flames.** No flammable liquids shall be drawn, handled, or stored near or in the presence of open flames or fires.

- 6.25 DELIVERY AND STORAGE OF FLAMMABLE LIQUIDS.** Any person dealing at retail or wholesale in gasoline, benzene, or naphtha, and order like products of petroleum in this Village, shall deliver the same to the purchaser only in tank wagons or in barrels, jugs, or cans, painted vermilion red and having the word “Gasoline”, “Benzene”, and the name of such other like product of petroleum plainly stenciled in English thereon, except gasoline, benzene, naphtha or other like product may be delivered from underground containers or tanks by means of a hose, through a measuring device or pump complying with the rules and regulations of the State, direct to the tank of motor vehicle. No dealer shall deliver kerosene in a barrel, jug, or can painted or stenciled as herein provided. Any person purchasing gasoline, benzene, naphtha, or other like product of petroleum for use or sale shall procure and keep the same only in barrels, jugs, or cans painted and stenciled as herein provided, or if such products are used as fuel for a motor vehicle or motor boat, in the tanks of such vehicle or boat. No person keeping for use or using kerosene shall put or keep the same in any barrel, jug, or can painted or stenciled except as herein provided. However, gasoline, benzene, and naphtha or other like product of petroleum or of which gasoline, benzene naphtha, or petroleum in a constituent part may be sold in bottles or cans of not more than one (1) quart for cleaning and similar purposes, if the contents of such bottles or cans are so designated by a label securely pasted or attached thereto with the words “gasoline”, “benzene”, or “naphtha” as “unsafe when exposed to heat or fire”, printed thereon in bright red ink in letters not less than one-fourth inch in size.
- 6.26 UNDERGROUND STORAGE OF FLAMMABLE LIQUIDS.** No underground tank for the storage of flammable liquids shall be closer than 10 feet lateral distance from the building sewer to the nearest point of excavation for each tank.
- 6.27 NO SMOKING IN MERCANTILE ESTABLISHMENTS.** It shall be unlawful to light a match or other flame-producing device, or to smoke, carry a lighted cigar, cigarette, or pipe in any retail mercantile establishment, except in areas approved for such purpose by the Fire Chief. It shall be the duty of the person in charge (operator, licensee, owner, or manager) of such establishment to post and maintain approved signs bearing the words “No Smoking” in locations as designated by the Fire Chief or his representative. Such person shall be held responsible for the enforcement of the regulations of this section.
- 6.28 FIRE EXTINGUISHERS; SURVEY AND SPECIFICATIONS.**
- (1) 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.
  - (2) The Fire Chief or his representative shall survey each occupancy requiring fire extinguishers and shall specify fire extinguishing appliance and fire detecting devices of a type approved by a recognized testing laboratory in such number as may be necessary to provide reasonable safety to persons and property.
- 6.29 COMMERCIAL AND INSTITUTIONAL KITCHENS.** All commercial and institutional kitchens shall have a U.L. Approved Hood and Duct Extinguishment System as approved by the Wisconsin Fire Insurance Rating Bureau. The system shall also have an automatic fuel cutoff.

**6.30 MAINTENANCE OF EQUIPMENT.** Sprinkler systems, standpipe systems, fire alarm systems, and other fire protective or extinguishing systems or appliances which have been installed in compliance with any permit or order, or because of any law or ordinance, shall be maintained in operative condition at all times, and I shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations, or additions. The Fire Chief shall be notified before such tests, repairs, alterations, or additions are started unless the work is to be continuous until completion.

**6.31 AUTOMATIC SPRINKLER SYSTEMS.**

(1) **Intent.** The intent of this section is to provide a means for the automatic extinguishment of fires in buildings or parts of buildings which because of their size, construction, or occupancy or lack of suitable protective equipment constitute a special fire hazard to life or property and an excessive burden upon the fire extinguishing facilities of the Fire Department.

(2) **Where Required.** Every building hereinafter constructed or structurally altered shall have an approved automatic sprinkler system installed and maintained when occupied in whole or in part for the following purposes.

(a) The manufacture, storage, or sale of combustible goods or merchandise in:

1. Fire resistive buildings if: over 10,000 square feet in area; or over one (1) story in height and exceeding 6,000 square feet in area; or over four (4) stories in height regardless of area; or throughout every building, regardless of number of stories where the floor area is undivided by fire walls and exceeds 6,000 square feet and where any point within the building is more than 50 feet, measured in a straight line, from an exterior and accessible opening of the building.

2. Non-fire-resistive buildings if: over 7,000 square feet in area; or over one (1) story in height and exceeding 4,000 square feet in area; or over three (3) stories in height, regardless of area; or throughout every building, regardless of the number of stories where the floor area undivided by fire walls exceeds 5,000 square feet and where any point in the building is more than 50 feet, measured in a straight line, from any exterior and accessible opening of the building.

(b) Garages. Throughout public garages as follows: fire-resistive building over 10,000 square feet area; non-fire-resistive buildings over 6,000 square feet in area.

(c) Basements. Throughout all basements and cellars of buildings having an area of 2,500 square feet or more used for the manufacture, storage, or sale of combustible material or merchandise, or the housing of automobiles.

(d) Hotels. Throughout hotel buildings of non-fire-resistive construction more than three (3) stories in height, and more than two (2) stories in height, if over 5,000 square feet area.

(e) Multi-family Dwellings and Dormitories. In the basements, cellars, storerooms, work rooms, hallways, and stairways of multi-family buildings and dormitories of non-fire-resistive construction, more than two (2) stories in height, or over 4,000 square feet of area.

- (f) Theaters and Halls. Throughout buildings occupied or used as places of public assembly having a stage arranged for theatrical, operatic, or similar performances, excepting only auditorium foyers, lobbies, and throughout all such buildings of non-fire-resistive construction, if such places of assembly are located above the first floor, whether or not there is a stage.
  - (g) Hospitals and Other Institutional Buildings. Throughout hospitals and other institutional buildings of non-fire-resistive construction over two (2) stories in height and over one (1) story in height, if over 5,000 square feet in area.
  - (h) Schools and Public Buildings. In basements, kitchens, shops, and other spaces where combustible materials are stored or handled, in buildings of non-fire-resistive construction over two (2) stories in height, or of two (2) stories in height, if over 10,000 square feet or more in area.
- (3) **Application to Existing Buildings.**
- (a) Where the Fire Chief finds that existing buildings which are used in whole or in part for the purposes set forth in subsection (2) of this section and which constitute as severe fire hazard to its occupants or to adjoining property he may order compliance with the provisions of this section. Installation of the automatic sprinkler system shall be started within one (1) year from the service of such order and completed within 90 days after construction is started.
  - (b) “Severe Fire Hazard” shall be determined by one or more of the following:
    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 Fire Chief constitutes a fire menace, e.g. paint shops and other occupancies involving processing, mixing, storage, and dispensing of volatile liquids.
    2. Non-fire-resistive characteristics of the structure.
    3. Accumulation of flammable and/or combustible material.
    4. Accessibility to the premises for fire fighting equipment.
    5. Number of invitees on the premises.
    6. Traffic patterns for pedestrian ingress and egress.
    7. Ventilation system.
    8. Internal communication system.
    9. Number, characteristics, and movement of employees.
    10. Use and area of the premises as it would apply under subsection 2 of this section.
- (4) **Type of System and Approval of Plans.** Approved automatic sprinkler equipment shall be installed, connected to an adequate water supply with sprinkler heads, valves, and auxiliary equipment of standard types suitable for the individual building to be protected as determined by Standard 13 of the National Fire Protection Association in effect at date of installation. No automatic sprinkler equipment shall be installed or altered in a building until plans have been submitted to and approved by the Fire Chief. Two (2) copies of the plans and specifications shall be submitted for review; approved plans shall be stamped “Approved by the Fire Chief” the date of such approval and one (1) copy returned to the owner, the other kept on file by the Building Inspector.
- (5) **Interim Installations.**
- (a) Unless, or until such time as, a municipal water supply is available to serve a building in which installation of an automatic sprinkler system is required, connection of the system to a water supply shall not be required; however, all

design characteristics of systems installed under this Chapter shall include provisions for eventual connection to a municipal water supply. In addition, such interim installation shall also include;

1. One or more Fire Department connections with two female couplings with National Standard Threads attached to a header of adequate sizes in accordance with fire protection engineering standards, but not less than four (4) inches, to supply the system; and
2. An automatic fire detection and alarm system of a type approved by the Wisconsin Department Commerce, which fire detection and alarm system shall be connected to a private alarm system company. The fire detection and alarm system shall be in conformance with the requirements of N.F.P.A. Standards 72C and 72E, Heat or Smoke Detection Systems.

(b) The intent of Section 6.31(5)(a) is to eliminate the requirement for installation of overhead tanks, pressure tanks, and other water supply systems while simultaneously making the safety benefits of a sprinkler system available to occupants and firefighters. All fire sprinkler systems installed under the requirements of this section shall be connected to a municipal water system within 90 days after water mains to serve the building are accepted by the Village Engineer.

(c) Those sprinkler systems installed prior to the adoption of this code, and which do not have an alarm and detection system as provided under subsection (a)2 herein, and those automatic sprinkler systems installed in new or existing buildings which have access to municipal water shall contain a remote alarm connected to the Fire Department Dispatch office. The alarm shall be installed in accordance with the “Standards for the Installation and Maintenance and Use of Remote Station protective Signaling Systems for Fire Alarm and Supervisory Service”, N.F.P.A. 72C.

(6) **Exemption and Substitution of Other Fire Protection Equipment.** Nothing contained herein shall be construed as requiring the installation of sprinklers in safe deposit or other vaults or in rooms or buildings devoted to the manufacture or storage of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quick lime, magnesium powder, sodium peroxide, or like materials where the application of water may cause or increase combustion, nor in any other location where the installation of sprinklers may increase the hazard; nor shall it be construed in any way as prohibiting the substitution of other automatic protective equipment when approved by the Fire Chief.

## **6.32 STANDPIPE SYSTEMS.**

(1) **General Requirements.** All required standpipe systems shall meet the requirements of this section.

(2) **Classes of Service.**

(a) Class I – Fire Department Standpipes. For use by fire departments and those trained in handling heavy fire streams from 2½ -inch hose.

1. Where Required. Fire Department standpipes shall be provided in all structures over two (2) stories in height unless said building is equipped with an automatic sprinkler system throughout.

Required standpipes shall be installed as construction progresses, to make them available for Fire Department use in the topmost floor constructed. Temporary standpipes may be provided in place of permanent standpipes during the period of construction when approved by the Fire Chief.

2. Number of Standpipes. Standpipes shall be sufficient in number so that any part of any floor area can be reached within 30 feet by a nozzle attached to 100 feet of hose connected to the standpipe in an unsprinklered building and 250 feet of hose in a partially sprinklered building.
3. Cross Connections. When two or more standpipes are required, they shall be cross connected and equipped with individual control valves. All control valves shall be of an approved indicating type valve. The valves shall be located so that the water supply to any standpipe riser can be shut off without interrupting the water supply to the remaining standpipes and be readily accessible to the Fire Department.
4. Location of Outlets. Hose outlets shall be located in stairway enclosures. Where stairways are not enclosed, outlets shall be at the inside of outside walls, within one foot of a smokeproof tower, interior areas, standpipes may be located at accessible interior locations.
5. Protection of Standpipes. Standpipes shall be protected against mechanical and fire damage. Dry standpipes shall be visible for inspection and not concealed. It is not the intent of this section to require standpipes to be protected with an hourly rated fire protection.
6. Size. No required standpipe shall be less than four (4) inches in diameter, and not less than six (6) inches in diameter for standpipes in excess of 100 feet in height, or the system is hydraulically designed in accordance with the requirements of subsection (3).
7. Hose Valves and Connections. An approved 2½ -inch hose connection valve shall be located at each storey, not less than three (3) feet nor more than six (6) feet above the floor level. Hose connection valves shall be equipped with a tight fitting cap on a chain and having heavy lugs for a spanner wrench.
8. Hose Threads. All threads on hose connections shall be of National Standard dimensions. Note: §213.13, Wis. Stats., requires that all hose connections be fitted with the National Standard hose threads adopted by the National Fire Protection Association.
9. Fire Department Connection. An approved fire department connection shall be installed on a four (4) inch or larger pipe connection, and at a location on the building that is approved by the Fire Chief with each standpipe system. The connection shall be marked "Standpipe". If automatic sprinklers are also supplied by the hose connection, the sign shall read "Standpipe and Automatic Sprinkler". The elevation of the connection may not be less than 18 inches nor more than 42 inches above the sidewalk or ground. If municipal water is available at the building site, the fire department connection shall be located as close as possible to and within 150 feet of a fire hydrant unless the Fire Chief shall permit other distance.
10. Automatic Water Supply. An automatic water supply for a wet standpipe system shall be designated to provide not less than the following capacity from top outlets at not less than 65 PSI flowing pressure for a period of 30

minutes; 500 GPM for a single standpipe; 750 GPM for two (2) interconnected standpipes; 1,000 GPM for larger systems. Any of the following supplies will be acceptable:

- a. Public water works systems where pressure and discharge capacity are adequate;
  - b. Approved automatic fire pump (or pumps);
  - c. Pressure tank;
  - d. Gravity tank;
  - e. Approved manually controlled fire pump operated by remote control devices at each hose outlet; or
  - f. Reservoirs.
11. Dry Standpipes. If only one standpipe is required, a dry standpipe may be used. A dry standpipe shall be limited to a single riser and shall not exceed 150 feet in height.

(3) **Combined Automatic Sprinkler and Standpipe System.**

- (a) Definition. A combined system is a system where the vertical water piping serves both the automatic sprinkler system and the 2½ -inch hose outlets of the standpipes used by the Fire Department. The combined system shall comply with all applicable sections of this Fire Prevention Code as it pertains to automatic sprinkler systems and standpipe systems.
- (b) Water Supply and Riser Size. The minimum water supply and riser size for a combined systems shall comply with the requirements of subsection (2), (6), and (7), except the minimum water supply for a partially sprinklered light hazard occupancy building shall be 750 gallons per minute.
- (c) Connections. Each connection from a vertical riser of a combined system shall be provided with an individual control valve of 2½ -inches, capped as provided in Subsections (2) and (7).

- (4) **Maintenance**. Standpipe systems and equipment shall be maintained in an operable condition.

**6.33 MODIFICATION OF CODE REQUIREMENTS.** The Fire Chief shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in 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. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant. In addition, a copy of such application and decision shall be filed with the Village Administrator.

**6.34 TANK INSPECTION FEES.** The Fire Department of the Village of Hales Corners is authorized to perform inspections of above-ground and underground storage tanks. The following fees shall be applied to the inspection of above-ground and underground storage tanks to assist in defraying the costs of performing such inspections:

Commercial Tanks:

Removal per tank	\$100.00
Installation of tank	\$30.00 / 1000 gallons (\$100.00 minimum)
Plan review	\$40.00

Site inspection	\$60.00
Upgrade in system	\$60.00
Re-inspection	\$55.00 / inspection

Residential Tank:

Removal per tank	\$100.00
Installation of tank	\$100.00
Plan review	\$40.00
Site inspection	\$60.00
Upgrade in system	\$60.00
Re-inspection	\$55.00 / inspection

The fees shall be charged to the owner of the property upon which such tank is located and shall be due and payable within 30 days of the mailing of a statement to the property owner for same. Any delinquent amount of such fees remaining unpaid may be entered on the tax roll and bill for the property as a special charge, in addition to all other methods of collection available at law and in equity to the Village.

**6.35 APPEALS.** If the Fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief to the Board of Appeals within 30 days from the date of the decision appealed. Where applicable, the Rules of the Board of Appeals shall apply.

**6.36 FEES.**

(1) An annual fire prevention inspection fee shall be charged to the property owner for required inspections of each building, structure, premises and sprinkler systems.

(2) The annual fee for required fire inspections shall be as follows:

a)	<u>Residential*</u>	
	Structures with 3 or more units	\$ 6.30 per unit
b)	<u>Commercial</u>	
	<u>Square Footage**</u>	<u>Charge per Unit</u>
	Under 1,000	\$ 7.35
	1,000 – 4,999	\$ 18.90
	5,000 – 24,999	\$ 37.80
	25,000 – 99,999	\$ 75.60
	100,000 – 149,999	\$100.80
	150,000 – 199,999	\$126.00
	200,000 – 249,999	\$151.20
	250,000 – 374,999	\$189.00
	375,000 – 499,999	\$226.80
	500,000 or more	\$378.00 plus \$31.50 per each additional 25,000 sq. ft. over 500,000 sq. ft.
c)	<u>Industrial</u>	
	<u>Square Footage**</u>	<u>Charge per Unit</u>
	Under 5,000	\$ 37.80
	5,000 – 24,999	\$ 75.60

25,000 – 99,999	\$113.40
100,000 – 174,999	\$189.00
175,000 – 224,999	\$283.50
225,000 – 349,999	\$378.00
350,000 – 499,999	\$504.00
500,000 or more	\$504.00 plus \$31.50 per each additional 25,000 sq. ft. over 500,000 sq. ft.

d) Institutional (Churches/Schools)

<u>Square Footage**</u>	<u>Charge per Unit</u>
Under 1,000	\$ 12.60
1,000 – 4,999	\$ 31.50
5,000 – 24,999	\$ 63.00
25,000 – 99,999	\$126.00
100,000 – 249,999	\$189.00
250,000 – 499,999	\$252.00
500,000 – 999,999	\$378.00
1,000,000 or more	\$630.00

\* The fee for hotels and motels shall be the same as for residential property, except that the fee shall be calculated on a per room basis.

\*\*Square footage refers to total gross floor area of any building or structure.

- (3) The annual calendar year fee shall be charged for inspection and/or testing services provided during such calendar year and shall constitute a special charge against the property so served, pursuant to §66.60(13), Wis. Stats. Property owners shall be billed for such fees no later than June 30 of each year. If such fees are not paid on or before July 31 of each year, the fees shall become a lien against the property inspected and/or tested and shall automatically be extended upon the current tax roll as a delinquent tax against the property. All proceedings in relation to this collection, return, and sale of property for delinquent real estate taxes shall apply to such special charge. Sprinkler flow test fees shall be charged and collected with the alarm system billing.
- (4) All buildings owned by the United States Government, the State of Wisconsin, Milwaukee County, public schools, and the Village of Hales Corners shall be exempt from this fire inspection fee.
- (5) This section shall be effective for calendar years commencing January 1, 1995.

**6.37 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 the 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 a 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. §6.34 of this Chapter, pertaining to appeals, and §6.35 of this Chapter, pertaining to penalty, shall not apply to this Section.

**6.38 PENALTY.** Any person who shall violate any provision of this Chapter or any order, rule, or regulation issued hereunder shall be subject to a penalty as provided in section 19.04 of this Code.