

CHAPTER 5

FIRE PROTECTION

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5.01 FIRE PROTECTION. Fire protection is provided to the Village by agreement with the members of the Frederic Rural Fire Association.

5.02 APPOINTMENTS. (1) FIRE CHIEF. See sec. 1.02 of this Code.

(2) OTHER OFFICERS; SUBORDINATES. Other officers and subordinates shall be appointed by the Fire Chief when not elected in accordance with the Association bylaws.

5.03 GOVERNMENT OF ASSOCIATION. The Association shall be governed by the bylaws of the Association, Village ordinances and resolutions, and the Wisconsin Statutes.

5.04 ASSOCIATION BUDGET. The Frederic Rural Fire Department Board shall file with the Village, as requested, a detailed estimate of the appropriations needed for the conduct of the Association during the ensuing fiscal year.

5.05 POWERS AND DUTIES OF CHIEF. (1) GENERAL SUPERVISION. The Chief shall have the general supervision of the Association, this supervision shall be subject to and not conflict with this chapter and the bylaws of the Association.

(2) COMMAND OF FIREFIGHTING OPERATIONS. The Chief or, in his absence, the highest ranking line officer shall be present at all fires, if possible, and have complete command and entire accountability for all fire-fighting operations.

(3) ENFORCEMENT OF FIRE PREVENTION ORDINANCES. The Chief shall enforce all fire prevention ordinances of the Village and the State laws and regulations pertaining to fire prevention and shall have a formal fire prevention program.

(4) FIRE RECORDS. The Chief shall keep fire records, using the State form, of every fire to which the Association was called.

5.06 POLICE POWER OF ASSOCIATION. (1) POLICE AUTHORITY AT FIRES/EMS CALLS. The Fire Chief and his assistants or officers in command at any fire are hereby vested with full and complete police authority. Any member of the Association may report to the proper authorities any person failing to give the right of way to the Fire Association in responding to the fire or EMS call.

(2) CONTROL OF FIRE ASSOCIATION EMERGENCIES. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons except firefighters, EMS personnel and police officers and those admitted by order of the Chief shall be permitted to enter. The Chief may cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire, the Chief may order the removal or destruction of any property necessary to prevent the further spread of the fire. The Chief may also cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Association.

(3) ENTERING PREMISES. Any firefighter, while acting under the direction of the Fire Chief or other officer in command, may enter upon the premises adjacent to or in the vicinity of any building or other property when the Chief reasonably believes such entry is required for the protection of persons or property. If any person shall hinder, resist or obstruct any firefighter or EMS personnel in the discharge of his duty, as is hereinbefore provided, the person so offending shall be deemed guilty of resisting the firefighter or EMS personnel in the discharge of his duties.

(4) CORRECTION OF FIRE HAZARDS. When any inspection by the Fire Chief or Deputy Inspector reveals a fire hazard, the Chief or the Deputy Inspector may serve a notice in writing upon the owner of the property giving the owner a reasonable time in which to remove the hazard. If the fire hazard is not removed within the time allowed it shall be deemed a nuisance and the Fire Chief or the Deputy Inspector may have the same removed by the Village, and the cost for such removal shall be recovered in an action by the Village against the owner of the property and may also be entered on the tax roll as a special charge against the property.

(5) ENTERING ON PREMISES. No person shall deny the Fire Inspector or the Deputy Inspector free access to any property within the Village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Inspectors in the performance of duties or refuse to observe any lawful direction given by the Inspector or Deputies.

5.08 VILLAGE FIRE PREVENTION CODE; ADOPTION OF CODES. The following chapters of the Wisconsin Administrative Code, Rules of the Department of Commerce, are hereby adopted by reference and made a part of this Code.

COMM 10	Flammable and Combustible Liquids Code
COMM 11	Liquefied Petroleum Gas Code (Gold)
COMM 12	Liquefied Petroleum Gas Handbook (Blue)
COMM 14	Fire Prevention Code
COMM 16	Wisconsin State Electrical Code
COMM 20-25	Uniform Dwelling Code
COMM 28	Detection and Alarm Systems
COMM 30	Fire Association Health and Safety Standards
COMM 50-64	Building and Heating Ventilating and Air Conditioning Code.
COMM 70	Historic Building Code
NEPA 10	Portable Fire Extinguishers
NEPA 13	Installation of Sprinkler Systems
NEPA 30	Flammable and Combustible Liquids Code
NEPA 30A	Auto and Marine Service Station Code
NEPA 58	Storage and Handling of Liquefied Petroleum Gases
NEPA 70	National Electric Code
NEPA 80	Fire Doors and Windows
NEPA 101	Safety to Life From Fire in Buildings and Structures
NEPA 101M	Alternative Approaches to Life Safety
NEPA 211	Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances
NEPA 385	Tank Vehicles For Flammable and Combustible Liquids
NFPA 395	Standard For the Storage of Flammable and Combustible Liquids on Farms and Isolated Construction Projects
NFPA 1031	Fire Inspector Professional Qualifications Wisconsin Fire Chiefs Guide Book

Copies of all applicable Federal, State and County codes, statutes and ordinances used in the operations of the Fire Association are adopted by reference and are on file in the office of the Fire Chief or are available through Federal, State, County or Village government and the National Fire Prevention Association.

5.09 RIGHT OF WAY. The officers and members of the Fire Association, with their fire equipment of every kind, when going to or are on duty at a fire, shall have the right of way over all other vehicles upon Village streets when giving visual and audible signal, and the operator of any other vehicle, whether motor or otherwise, upon the approach of such emergency vehicles, shall immediately drive such other vehicle as far as possible to the right of the thoroughfare and shall keep such vehicle stationary until such emergency vehicles shall have passed. Except when actually responding to a fire alarm or other emergency call, or when on duty at a fire, the emergency vehicles of the Fire Association shall, however, have no special right of way or other privileges of any kind, but shall be subject to all traffic regulations applicable to other vehicles.

5.10 TRAFFIC LAWS APPLY TO VOLUNTEERS. All firefighters and EMS personnel, when responding to a fire call or EMS call with a private vehicle, shall comply with all traffic regulations.

5.11 OPEN BURNING. (1) Individual property owners and renters may burn only materials permitted by the administrative rules of management and solid waste management programs of the Wisconsin Department of Natural Resources.

(2) Open burning shall be done in a safe manner and so that weather conditions do not pose a fire hazard. Open burning shall not cause air pollution or become a nuisance to neighboring properties. Failure to extinguish a fire at the request of a law enforcement officer may be cited.

(3) Open burning may be done only during the hours of 6:00 PM and midnight. Burning is prohibited on Sundays and holidays and during periods when burning is banned by the Wisconsin Department of Natural Resources. A responsible person shall attend the fire at all times.

(4) The Fire Chief is hereby granted the authority or permission to limit open burning in the Village and to order a fire extinguished following a nuisance complaint.

5.12 HAZARDOUS AND OTHER SPILLS. See ch. 9 of this Code.

5.13 EMERGENCY MEDICAL SERVICE. Emergency medical service is provided pursuant to a contract approved by the Village Board.

5.20 PENALTY. Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty, as provided in sec. 25.04 of this Code.