

CHAPTER 34 FIRE DEPARTMENT

34.16 POLICE POWER OF DEPARTMENT

(a) The Chief and assistants or officers in command at any fire are hereby vested with full and complete police authority at fires. Any officer of the department may cause the arrest of any person failing to give the right-of-way to the Fire Department in responding to any fire.

(b) The Fire Chief or the officer in charge at any fire may prescribe certain limits in the vicinity of any fire within which no person except a fireman and policeman and those admitted by order of any officer of the department shall be permitted to come. The Chief or officer in charge at any fire occurring in the Town of Lisbon 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 adjacent property. During the progress of any fire he may order the removal or destruction of any property necessary to prevent the further spread of the fire. He shall cause the removal of all wires or other facilities may turn off all electricity or other services where the same impedes the work of the department during the progress of the fire.

(c) Fire Department personnel, while in an emergency situation, may enter adjacent property.

Any fireman, which 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 then on fire for the purpose of extinguishing such fire, and if any person shall hinder, resist or obstruct any fireman in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting fireman in the discharge of their duty.

(d) Duties of Bystanders to Assist.

Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer may cause the arrest of any person or persons refusing to obey said orders per state statue.

(e) False Alarms.

No person shall give a false alarm to any public official or employee, whether by means of a fire alarm or otherwise; nor shall any person interfere with the proper functioning of a fire alarm system; nor shall any person interfere with the lawful efforts of firemen to extinguish a fire.

(f) Police Power of Fire Department.

(1) Authority at Fires.

The Chief and assistants in command at any fire are hereby vested with full and complete police authority at fires. 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 any fire.

(2) Removal of Property.

The powers and duties vested in the Chief or officer in charge of a fire as provided herein shall be limited to such fires that occur in the Town of Lisbon and shall not include fires outside the Town of Lisbon to which the Fire Department has responded by virtue of a mutual aid agreement.

34.17 FIRE INSPECTOR DUTIES

(a) The Chief of the Fire Department shall hold the office of Fire Inspector with power to appoint one or more Deputy Fire Inspectors who shall perform the same duties and have the same powers as the Fire Inspector.

(b) Except as specifically provided in this Chapter, the statutory provisions in Chs. 1.1, Wis. Stats. And Wisconsin Administrative Code-Commerce Chs. 4-5, 7-15, 20-25, 28, 30, 50-64, 66, 69, 70, and 75-79, are hereby adopted and by reference made a part of this Chapter, as if fully set forth herein. Any future amendments, revisions, or modifications of the statutory regulations in Chapter 101, Wis. Stats. And Wisconsin Administrative Code-Commerce as incorporated herein are intended to be made a part of this Chapter.

(c) Whenever any inspection by the fire Chief or his Deputies reveal a fire hazard, the Chief or his Deputy shall serve a notice in writing upon the owner of the property or business giving such owner a reasonable time in which to remove or correct the hazard.

(1) Appeals

If the property owner believes that the time allowed is unreasonable, he may appeal to the Town Board.

(2) Extensions

An Extension may be issued to the owner of the property or business at the discretion of the Chief or his Deputy. An extension shall also be issued after the first thru the third citations.

(3) Violations

Each hazard that the owner of the property or business fails to correct will constitute a separate violation.

(4) Citations

If the Chief or his Deputy determines that an extension is not warranted, or the violation is not corrected within the time allowed by the extension, then the owner of the property or business shall be subject to a citation. Each violation found and not corrected within the time allowed is a separate citation.

(d) The Chief shall keep a permanent record card of each property inspected which shall conform to the requirements of the State Administrative Codes Department of commerce and shall make a bi-annual report of inspection required by the Department of Commerce.

(e) No person shall deny the Chief or his Deputy free access to any property within the Town or any service area of the Fire Department of the town at any reasonable time for the purpose of making their inspections. No person shall hinder or obstruct the Fire Inspector in the performance of his duties or refuse to observe any lawful direction given by him.

34.18 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 Section 1.05 of the Town of Lisbon Town Code.

34.19 FIRE PREVENTION DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved means approval by the chief of the fire department or deputy fire inspector of the fire prevention program in accordance with the provisions of this chapter, as applied to a material, device or mode of construction. As applied to Automatic Fire Sprinkler and Devices, approved by a recognized testing laboratory recognized by NFPA.

Authority Having Jurisdiction means the authority having jurisdiction is the organization, office or individual responsible for approving equipment, an installation or a procedure.

Automatic Fire Alarm System means a system which automatically detects a fire condition and actuates a fire alarm signal device.

Balcony An elevated platform attached to a building and enclosed on one or more sides by a railing.

Basement A basement floor is the level below the first or ground floor level with its entire floor below exit discharge grade.

Lisbon Fire Prevention division is the head of the Town Fire Prevention or a duly authorized deputy.

Classes of Construction The classes of construction referenced are set forth in the International Building Code

- (1) Type I A or B
- (2) Type II A or B
- (3) Type III A or B
- (4) Type IV HT
- (5) Type V A or B

Dwelling Unit means one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit with cooking, living, sanitary and sleeping facilities.

Fire Department, Chief of means the head of the town fire department, a duly authorized deputy, or the designee of the head of the town fire department whose duties are defined in Section 34.13.

Fire District means the entire Town of Lisbon as reported to the State Department.

Fire Limits means generally the limits of the town, except those districts defined as residential.

Fire Resistance Classification means the time in hours during which a material or assembly continues to exhibit fire resistance under specific conditions of tests and performance.

Fire Resistive means that type of construction in which the structure members, including walls, partitions, columns, floor and roof construction, are of noncombustible materials with fire resistant rating not less than those specified in the Wis. Adm. Code Comm. Table 51.03-A.

Firewall means a wall which has a fire resistance rating of not less than four hours and subdivides a building or separate buildings to restrict the spread of fire, including a three-foot parapet wall.

Multifamily Dwelling means the occupancy or use of a building or portion of a building, containing three or more dwelling units.

NFPA means the current editions National Fire Protection Association Codes and Standards.

Occupancy or use. The purpose for which a building, structure, equipment, materials, or premises, or part thereof, is used or intended to be used as regulated in Comm.

Occupancy definitions. The following occupancy classifications and their Fire Department 34.19 definitions will be used to determine the building, structure or tenant use of any given space. They are referenced from the International Building Code.

Assembly (Group A):

Group A-1: Assembly uses with seating for the production or viewing of motion pictures or viewing performing arts.

Group A-2: Assembly uses intended for the consumption of food or drink.

Group A-3: Assembly uses intended for worship, recreation or amusement (Uses not classified elsewhere in Group A).

Group A-4: Assembly uses intended for viewing indoor sports events with spectator seating.

Group A-5: Assembly uses intended for participation in or viewing outdoor activities.

Business (Group B):

Group B: The use of a building or portion thereof for office, professional or service type transactions.

Educational (Group E):

Group E: The use of a building or structure for education purposed by six or more persons at any one time through the 12th grade. Day care used for the education, supervision or personal care of more than five children over the age of two shall be part of this group.

Factory and Industrial (Group F):

Group F-1: Factory or Industrial uses that pose a moderate hazard (All uses not fitting the F-2 category).

Group F-2: Factory or Industrial uses that involve the fabrication or manufacturing of noncombustible materials and the processing or packaging of the finished product does not pose a significant fire hazard.

High Hazard (Group H):

Group H-1: Buildings or structures that contain materials that poses a detonation hazard.

Group H-2: Buildings or structures that contain materials that presents a deflagration hazard or hazard from accelerated burning.

Group H-3: Buildings or structures that contain materials that readily support combustion or present a physical hazard.

Group H-4: Buildings or structures that contain materials that are health hazards.

Group H-5: Semiconductor fabrication facilities and comparable research and development.

Institutional (Group I):

Group I-1: Buildings or structures or portions thereof housing more than 16 persons on a 24-hour where the persons live in a supervised residential care environment basis because of age, mental disease or other reasons. Persons in this group can respond to emergencies without physical assistance.

Group I-2: Buildings or structures or portions thereof used for medical, surgical, psychiatric, nursing or custodial care on a 24-hour basis for five or more persons who are not capable of self preservation. A facility is part of this group if the facility is used to provide childcare on a 24-hour basis to more than five children who are two years of age or less.

Group I-3: Buildings or structures or portions thereof that are inhabited by more than five persons who are under restraint or security. Persons in this group are usually incapable of self-preservation because of security measures.

Group I-4 Buildings or structures or portions thereof occupied by persons of any age who receive custodial care for less than 24 hours by persons other than family in a place other than the home of the person being cared for.

Mercantile (Group M):

Group M: Buildings or structures or portions thereof used for the display and sale of merchandise (involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public.

Residential (Group R):

Group R-1: Residential occupancies where the occupants are primarily transient (less than 30 days).

Group R-2: Residential occupancies containing more than two dwelling units where occupants are permanent in nature.

Group R-3: Residential occupancies are permanent in nature where building do not contain more than two dwelling units or adult or childcare facilities that provide accommodations for five or less persons of any age for less than 24 hour.

Group R-4: Residential occupancy building for residential care/assisted living for more than five but not more than 16.

Storage (Group S):

Group S-1: Moderate hazard storage.

Group S-2: Low hazard storage of noncombustible items (can be on combustible pallets).

Utility and Miscellaneous (Group U):

Group U: covers all building and structures not covered in any other occupancy chapter.

Owner also means his duly authorized agent or attorney, a purchaser, devisee, fiduciary or person having a vested or contingent interest in the property in question.

Residential 1 & 2 family means dwellings covered in Wisconsin uniform dwelling Codes.

Remodeling means to change any building or structure which affects structural strength, fire hazard, initial circulation, or exits of an existing building or structure, however, does not increase the area or square footage. This definition does not apply to maintenance, reproofing, or alterations to the heating and ventilation or electrical systems.

Story or Level means the space in a building between the surfaces of any floor and the floor next or above or below, or roof next above, or any space not defined as basement, ground floor, mezzanine, balcony, penthouse, and attic.

Structurally Altered means additions which increase the area or square footage of existing buildings.

34.20 SECURITY KEY AND VAULT SYSTEM

(a) The Knox Box Vault system is adopted as the standard key vault system in the Town.

(b) A Knox Box shall be installed in all new commercial and industrial buildings constructed after passage of this ordinance. Said key lock box shall be installed and operational prior to the issuance of an occupancy permit. A Knox Box shall be installed in existing commercial and industrial buildings that are secured in a manner that restricts access during an emergency at any time. All governmental buildings, nursing care facilities and multi-family residential structures that have restricted access thru locked doors and have a common corridor for access to living areas shall have a Knox Box system.

(c) The Knox Box shall be installed at such locations(s) as designated by the fire Chief or his designee.

34.21 AUTOMATIC SPRINKLER SYSTEMS

State law references: Automatic fire sprinkler systems, Wis. Stats. § 101.14(4m).

Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved means:

(1) As applied to automatic fire sprinkler systems. Approved by the authority charged with the enforcement of this division.

(2) As applied to automatic fire sprinklers and devices. Approval by a recognized testing laboratory.

Area means ground area of buildings or sections of buildings divided by approved firewall, each section being considered a separate area.

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 aboveground 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 actuated by heat from a fire and discharges water over the fire area.

Basement means any story where less than half of the height between floor and ceiling is above the average level of the street, sidewalk or finished grade.

Fire resistive means that type of construction in which the structure members, including walls, partitions, columns, floor and roof construction are of noncombustible materials with fire resistant rating not less than those specified in the Wisconsin Administrative Codes

NFPA standards mean the codes and standards established by the National Fire Protection Association.

Occupancies shall have the same meaning as set out in section 34.21 of the Municipal Code.

Story means that part of a building comprised between a floor and the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above it.

PURPOSE OF DIVISION

The purpose of this division is to provide the means for the automatic extinguishment of fire 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 or an excessive burden upon the fire extinguishing capabilities of the fire department.

WHERE INSTALLED.

Every building constructed or structurally altered by more than 50% of original structure shall have an approved automatic sprinkler system installed and maintained when occupied, in whole or in part, for the following purposes:

(1) Assembly group A.

A. Assembly Group A buildings which accommodate less than 100 persons shall have an approved sprinkler system installed and maintained if they meet any one or more of the following:

1. Building of IA construction of over 5,000 square feet or more in area on any floor.
2. Throughout all buildings of other than IA construction if:
 - i. Over 2,500 square feet in area; or
 - ii. Over two stories in height, regardless of area.

B. Assembly group A buildings that can accommodate 100 or more persons shall have an approved sprinkler system installed and maintained throughout.

(2) Business group B and mercantile group M. An approved sprinkler system shall be installed and maintained in business group B and mercantile group M buildings which meets one or more of the following:

- A. Buildings of IA construction of over 5,000 square feet or more in area on any floor.
- B. Throughout all buildings of other than IA construction if:
 1. Over 2,500 square feet in area; or
 2. Over two stories in height, regardless of area.

(3) Educational group E. An approved sprinkler system shall be installed and maintained throughout all educational occupancies.

(4) Factory and industrial group F and storage group S. An approved sprinkler system shall be installed and maintained in buildings that meet one or more of the following:

- A. Buildings of Type IA construction if:
 1. Is over 12,000 square feet in area.
 2. Is over one story in height, exceeding 6,000 square feet in area.
 3. Is over two stories in height, regardless of area.
- B. Throughout all buildings of other than IA construction if:
 1. Is over 5,000 square feet in area.
 2. Is two stories or more in height regardless of area.

(5) High hazard group H. An approved sprinkler system shall be installed and maintained throughout all group H occupancies.

(6) Institutional group I and residential group R-4. An approved sprinkler system shall be installed and maintained throughout all Group I and Group R-4 Occupancies.

(7) Residential groups. Residential Group R-1 and R-2 occupancies shall have an approved sprinkler system installed and maintained if it meets any one or more of the following:

- A. Buildings of IA construction if:
 1. Is over 12,000 square feet in area.
 2. Is over one story in height, exceeding 6,000 square feet in area.
 3. Is over two stories in height, regardless of area.

- B. Throughout all buildings of other than IA construction if:
 1. Is over 4,000 square feet in area on a floor.
 2. Is more than two stories in height.

(8) If an entire subdivision, through its Homeowners Association, would place architectural restrictions requiring all homes within the subdivision to be sprinklered, the subdivision development may be considered for a variance eliminating the installation for underground water tanks as required in this chapter. Said variance shall be at the discretion of the Plan Commission with advice from the Fire Chief.

(9) Utility and miscellaneous group U. Group U covers all building and structures not covered in any other occupancy classification. Sprinkler system requirements for group U buildings and structures chapter will be reviewed by the fire chief on a case by case basis.

EXCEPTIONS

The following classes of buildings shall be exempt from the requirement of automatic sprinkler systems:

(a) Any portion of a building housing a process or material which would interact with water to create a greater fire hazard than without water, provided that an alternate fire suppression system is used.

(b) Dwellings units.1 & 2 family, that fall with in the Town ordinances.

FIRE DEPARTMENT HOSE CONNECTIONS.

Every automatic sprinkler system installed in new or existing buildings shall be equipped with at least two female couplings for fire department hose connection, with National Standard Treads attached to a header of adequate size in accordance with fire protection engineering standards, but not less than four inches to supply the system. The connection shall be within 300 feet by means of drivable hard surface access.

INSTALLATION.

(a) Approved automatic fire sprinkler equipment shall be installed in accordance with one or more of the following NFPA standards as the chief of the fire department may determine are applicable:

(1) NFPA #13, "Standards for the Installation of Sprinkler Systems."

(2) NFPA #13D, "Sprinkler Systems - One and Two-Family Dwellings."

(3) NFPA #13R, "Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height."

(4) NFPA #231, "General Storage."

(5) Such other NFPA standards as the chief of the fire department may determine are applicable.

(b) No automatic sprinkler equipment shall be installed or altered in a building until plans have been submitted to and approved by the chief of the division of fire prevention. Three copies of the plans and specifications shall be submitted for review. Approved plans shall be stamped, "Approved division of fire prevention," together with the date of such approval.

(c) An outdoor rated horn/strobe notifier with an excess of 100-candle power shall be installed in lieu of the required bell. The normal placement is above the fire department connection, but shall be approved by the chief of the fire department.

(d) All Sprinkler systems shall be monitored for water flow by a central or remote station per current NFPA 72.

(e) Underground water mains, hydrants and valves shall conform to current specifications of the Town.

(f) The water utility will require such tests as may be required by the National Fire Protection Association's standards. Such tests shall be conducted under the supervision of a utility representative who shall certify acceptance or rejection of the system.

(g) Final approval, acceptance test--Automatic sprinkler system.

(1) The sprinkler system shall have a hydrostatic test performed in the presence of a fire department inspector.

(2) The sprinkler system shall be tested by flows of the main drain and inspector's test. The installer in the presence of a fire department inspector shall conduct the acceptance test.

(3) The installer shall provide minimum three working days advanced notice to the fire department prior to performance of final acceptance test.

(4) Any work or testing performed on sprinklers and underground supply shall be done by a

dully licensed individual.

(h) Maintenance. The owner or occupant of a building or structure containing any automatic sprinkler system shall maintain that system in an operative condition at all times which includes periods where the building may not be occupied. The occupant of the building shall notify the fire chief immediately in case the sprinkler protection is rendered out of service for any reason. All sprinkler systems shall be tested to meet the requirement of NFPA 25. A person(s) or company holding a testers credential issued by the State of Wisconsin shall perform the tests.

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 is required, connection of the system to a domestic water supply shall be required; however, all design characteristics of systems installed under this division shall include provisions for eventual connection to a municipal water supply. Occupancy groups A,E,H,I,and R shall comply with NFPA 22 for private water supply. Occupancy groups B, F, M, and S which are less than 12,000 square feet and are required to install an automatic sprinkler system shall have a private water source to flow two heads at engineered rate for 15 minutes. In addition, such interim installations shall also include:

(1) One or more fire department connections with two female couplings with National Standard Treads attached to a header of adequate size in accordance with fire protection engineering standards, but not less than four inches to supply the system.

(2) An automatic fire detection and alarm system of a type approved by the authority having jurisdiction.

(b) All fire sprinkler systems installed under the requirements of this division shall be connected to a municipal water system within twelve months after water mains to serve the building are available for use.

(c) In areas of the town where municipal water supply is projected to be less than two years away from installation required sprinkler systems shall not be required to connect to a water supply; however, all design characteristics of systems installed under this division shall include provisions for eventual connection to a municipal water supply.

FIRE HYDRANT REQUIREMENTS

(a) Owner installation required. When substantial portions of a building are set back 250 feet or more from the street or highway or access to the farthest point around the building via a drivable hard surface exceeds 300 feet from a municipal hydrant, the owner shall install at his expense approved fire hydrants. Hydrants shall be freestanding and be installed not more than 60 feet or less than 30 feet from the building. Required fire hydrants shall be placed 300 feet from the closest municipal hydrant and then around the perimeter of the building that is accessible via a drivable hard surface, so that no hydrant is more than 300 feet from any other approved hydrant.

(b) Approved water hydrant. The term "approved water hydrant" means a water hydrant connected to a municipal water main with one 4 1/2-inch and two 2 1/2-inch fire department connections. The connection waterline between the city water main and the approved water hydrant shall be not less than six inches and need not be more than 12-inch pipe. Where the municipal water main is eight inches or larger, the connection line shall be no less than eight inches in size. All water hydrants shall be approved by the chief of the fire department and the municipal water utility, and shall be installed in compliance with the standards of the municipal water utility. All water hydrants shall be installed in such a manner and locations so as to be accessible at all times to the fire department. Maintenance of private hydrant shall be done per current NFPA 25 with appropriate documentation forwarded to the fire department fire prevention division as well as the local water utility. Failure to do so will result in a fine.

FIRE DEPARTMENT STANDPIPES

(a) The installation of a sprinkler system will not supersede the requirements for the installation of fire department standpipes.

(b) A class three standpipe will be installed in all buildings meeting one or more of the following:

(1) Any building of four stories or more;

(2) Any building having occupancy of 100 or more;

(3) Any building with one floor of 12,000 square feet or more in area;

(4) Any building over one story in height and 6,000 square feet or more in area on a floor.

(c) All devices and materials used in standpipe systems shall be of approved type.

(d) All other standards and specifications will be taken from the current edition of NFPA Pamphlet #14 "Standard for the Installation of Standpipe and Hose Systems."

MAINTENANCE OF EQUIPMENT

(a) Sprinkler systems, standpipe systems, fire alarm systems and other fire protective or extinguishing systems shall be maintained in operative condition at all times as per the requirements of this code. It is 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 department shall be notified before repairs, alterations or additions are started and shall be notified again when the system has been restored to service.

(b) Periodic inspections shall be performed in accordance with NFPA 25.

FIRE ALARMS

(a) General. Fire alarms systems shall mean any device designed to sense or alert persons to the possible presence of fire. A fire alarm system may include but is not limited to, smoke alarms, heat alarms, pull boxes, horns, and strobes and alarm panel. All fire alarm systems shall be installed per NFPA 72. All required alarm systems (required per NFPA 101 or the AHJ) shall be monitored by a UL listed monitoring company. All alarm systems shall be installed with a permit issued by the building inspection department. Fire alarm plans and specifications shall accompany each submittal. Plans will be reviewed and conditionally approved by the fire prevention division. The Lisbon Fire Department shall witness all field and acceptance testing.

(b) Maintenance. The owner or occupant of a building or structure containing any fire alarm system shall maintain that system in an operative condition at all times which includes periods where the building may not be occupied. The occupant of the building shall notify the fire chief immediately in case the fire alarm is rendered out of service for any reason. All fire alarms shall be tested to meet the requirement of NFPA 72. A person(s) or company holding tester credential issued by the State of Wisconsin shall perform the tests.

34.22 FLAMMABLE OR COMBUSTIBLE LIQUIDS

APPLICATION

The provisions of this division shall apply to all persons, firms, corporations, co-partnerships and governmental agencies, except federal, storing, handling or using flammable or combustible liquids, and to the owner or lessee of any building, premises or equipment in or on which flammable or combustible liquids are stored, handled or used.

RESTRICTED LOCATIONS

(a) The storage of class I liquids in aboveground tanks outside of buildings is regulated by Wis. Admin. Code § Comm. 10, and NFPA 30 and 30A.

(b) No new bulk plants shall be constructed within the fire district except within those areas designated

as industrial districts and unless approval of the division of fire prevention has been given for the proposed location with respect to topography, nearness to places of public assembly and adequacy of water supply for fire control.

(c) No permit shall be issued for the construction of a refinery, plant storing or handling crude petroleum within that part of the Town zoned solely for residential occupancies or for mercantile establishments predominantly retail in character; and until approval has been given for the proposed location after consideration of topography, nearness to places of public assembly and adequacy of water supply for fire control.

RETROACTIVITY

Existing plants, stores, equipment, buildings, structures, and installations for the storage, handling or use of flammable or combustible liquids which are not in strict compliance with the terms of this division may be continued in use, provided that these do not constitute a distinct hazard to life and property. When the chief of the division of fire prevention deems that the continued use will constitute a clear hazard to life or adjoining property, he shall notify the owner or operator and specify the reason in writing.

INSPECTION AND APPROVAL

(a) Before constructing or erecting facilities for the storage, handling or use of flammable or combustible liquids, the division of fire prevention shall inspect the premises and equipment proposed to be used.

(b) Before operating any equipment or storing any flammable or combustible liquid, or covering the underground portions of any such equipment, the division of fire prevention shall inspect such premises or equipment. The operator or property owner or person storing the flammable or combustible liquid shall notify the division of fire prevention at least five business days before taking any action under this division to enable the division to complete any needed inspection.

(c) The division of fire prevention may, at any reasonable time, inspect premises, buildings, installations or equipment for the storage, handling or use of flammable or combustible liquids. If a violation of this division is found to exist, written notice shall be filed with the owner, occupant or operator citing the violation and ordering its correction.

(d) Containers, tanks, equipment and apparatus meeting the standards of nationally recognized inspection or test laboratories shall be considered as meeting the requirements of this division.

34.23 AMBULANCE CONVEYANCE FEES

(a) A fee as determined from time to time by the Town board shall be charged for persons transported by the Town fire department ambulances.

(b) The Town clerk-treasurer is authorized to collect such fees based on information provided by the Town fire department.

34.24 BURNING PERMITS

(a) Burning of Certain Materials Prohibited.

It shall be unlawful for any person to burn in an outdoor residential incinerator or open burning any garbage, trash, rubber or rubber products, asphaltic type materials or any other such related materials which create, by such burning, a smoke or odor nuisance. Garbage, as the term is used herein, is defined as putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food. Trash, as used herein, is defined as human or animal excrement, animal remains or offal, petroleum products, vegetable products, mineral products and metal pressurized containers.

(b) Burning or the disposal of ash residue shall not be permitted on or within any improved street, drainage ditch, parkway, public place or right-of-way.

(c) No fire shall be conducted or permitted which results in smoke to be spread beyond the property lines that are offensive to neighboring property owners or to create a nuisance for others. If the smoke or

heat created by such burning is an annoyance or causes discomfort to the neighborhood or traveling public it shall be ordered extinguished upon complaint.

(d) A Burning permit is required for all burning. No person shall set fire to any grass, leaves, field, brush, or similar combustible material except as otherwise provided herein, without first obtaining a permit from the Town Clerk. Such permit shall state the name and address of the person applying for the permit. The term of such a permit shall be for a period not to exceed one year. The permit shall be effective provided the permit holder complies with all of the requirements of the Fire Department with respect to the setting, control and extinguishment of the fire.

(e) Fires Other than campfires/bonfires/open field burning/large amounts of trees, stumps construction waste or clearing of land/ structures

A permit issued under subsection (d) shall authorize burning only during the hours from sunrise to sunset, subject to the following conditions:

(1) The size of the pile of materials to be burned shall not exceed four feet, by four feet, by three feet high, unless a larger size is authorized by the Fire Chief.

(2) The pile of materials being burned shall be at least fifty feet from any structure, wood or lumber pile, wooden fence, trees or bushes, and provisions shall be made to prevent the fire from spreading to within fifty feet of such items.

(3) Fuel for open burning shall consist of dry materials only and shall not be ignited with flammable or combustible liquids.

(4) Materials for open burning may not include rubbish, garbage, trash, any material made of, or coated with, rubber, plastic, leather or petroleum based materials and may not contain any flammable or combustible liquids.

(5) The burning of materials pursuant to a permit issued under the terms of subsection (d) shall constantly be attended and supervised by a competent person at least sixteen years of age until such fire is extinguished. This person shall have readily accessible a garden hose, having the capability to disburse water as set forth in subsection (i) 2.

(6) Notwithstanding the issuance of a permit, no burning shall be permitted when the wind velocity exceeds nine miles per hour or local circumstances make the fires potentially hazardous. Local circumstances including, but are not limited to: thermal inversions, ozone alerts and very dry conditions.

(f) Campfires

A permit issued pursuant to subsection (d) shall authorize campfires, subject to conditions of subsection (e) and also the following conditions:

(1) The property owner on whose property the campfire is located has consented to the activity.

(2) The base of the fire must contain stones, block, brick, a steel ring, or similar fire retardant materials and composition.

(3) The size of the fire cannot exceed two feet, by two feet, by two feet.

(4) The fire is not allowed to burn between the hours of 12:00 am (midnight) and continuing through sunrise the following morning.

(g) Residential Incinerators.

(1) Outside burning shall be permitted using an incinerator which shall be metal container or masonry product built or fabricated so as to be completely enclosed, except having a top opening for loading, and a lower opening for draft control. Such openings shall be covered with a metal screen of

mesh, opening not greater than one-half inch. Such residential incinerator shall be located at a distance of at least twenty five feet from any structure, and shall have all grass and other flammable material cleared away from its base for a distance of three feet from all exterior surfaces of the incinerator.

(2) No burning in a residential incinerator shall be permitted between the hours beginning after sunset, and continuing through sunrise of the following morning.

(h) Bonfires/ Open Field Burning/ Large Amounts of Trees, Stumps, Construction Waste, Clearing of Lands/ Structures

All fires in this category shall be subject to a one time permit issued by the Town Clerk and approved by the Fire Department. Conditions of burning will be addressed per each request. This permit will be subject to a fee set by the Town Board.

(i) Additional Conditions and Qualifications.

Fires and/or burning is permitted in subsection (e),(f) and (g) shall be subject to the following conditions and qualifications:

(1) Emergency Regulations.

Whenever, because of extreme dryness or drought, the Town Board and/or Fire Chief shall deem it imprudent to set fires upon any land within the town, it shall by proclamation, declare an emergency and cause to be published in a newspaper of general circulation in the town a notice forbidding the setting of fires within the Town of Lisbon and after the publishing of such notice, no person shall set any fires until the expiration of such emergency.

(2) Service by Fire Department.

In the event that any fire which has been set, either under a permit issued or without a permit, requires service of the Town Fire Department to control the same, the person causing such fire to be set shall be liable to the town for all costs and expenses incurred in connection with the fire run by the town and shall pay the same upon written notice from the Town clerk as to the amount thereof. In the event such invoice is not paid within thirty days after notice from the Town Clerk the amount thereof shall be placed on the tax roll and assessed against the real estate upon which the fire was set and collected by the town at the next succeeding tax collection. The term "person" as used in this section shall include the owner and any person in possession of any real estate upon which a fire is set. In the event a permit has been issued, the term "person" shall mean the individual who has applied for the burning permit. Any person may appeal to the Town Board for a review of the amount of any invoice issued under the terms of this paragraph. Such appeal shall be in writing, and shall be filed with the Town Board within thirty days after the date of the invoice. An appeal so filed shall stay the enforcement of the invoice until after a hearing with respect to the amount of the invoice is conducted by the Town Board. In all events, the hearing shall be conducted within sixty days of the receipt of the appeal.

(3) The burning activity must be continuously supervised by an adult property owner or occupant of the property.

(4) An operable garden hose must be present at the site which will provide a flow rate of five gallons per minute and a nozzle capable of spraying ten feet, within a radius of seventy-five feet around the fire or burning activity; provided, however, that this provision shall not apply if the fire or burning of materials is more than 200 feet from any structure.

(5) Burning shall be permitted only when winds do not exceed nine miles per hour as reported by the National Weather Service during the entire period of burning.

(6) No asphalt shall be burned under any circumstances.

(7) No gasoline, fuel oil, solvents, or other accelerants shall be used for ignition or at any time during the burning process.

(8) Open burning or burning of materials in containers shall cease immediately upon order of any law enforcement official of the Town of Lisbon, or order of the Chief of the Lisbon Fire Department, or designated representative.

(j) The following are exempt from the provisions of this section:

- (1) Grills and outdoor fireplaces for food preparation
- (2) Fires set for training or instruction of firefighters or testing fire equipment

(k) Any person who shall violate any provisions of this section or any regulation made hereunder shall be issued a citation with the forfeitures set by the Town Board

34.25 FIRE PROTECTION WATER TANK REQUIREMENTS

(a) The Developer/Subdivider shall provide emergency water reservoirs for fire protection purposes within subdivisions as follows:

Subdivisions from:

Five to thirty-nine lots	1 - 10,000 gallon reservoir
Forty to seventy-nine lots	2 - 10,000 gallon reservoirs
Eighty to one hundred twenty lots	3 - 10,000 gallon reservoirs
One additional tank for each additional forty lots	

(b) The location of the tanks shall be specified by the Chief of the Fire Department.

(c) Specifications for the tank and installation shall be as shown on attached exhibit A, and as follows:

- (1) Sand bedding will be used for the base and backfilling around the tank.
- (2) Any steel tank will be tested per UL-58 standard for tank construction using a 5 to 7 psi pressure test for at least 1 hour. The outside of the tank shall be coated to prohibit corrosion. A 2-part coal extended polyurethane coating, 10 to 15 mil thick, or optional 60 mil fiberglass reinforced polyester laminate coating, or equivalent coating pre-approved by the fire department are required.
- (3) The drafting/suction pipe height above the finished road surface shall be twenty-four inches to the centerline of the elbow fitting of the six inch pipe. The six inch elbow will have an adaptor from six inch pipe thread to 6 inch male NST (fire thread). Supplied on the six inch male NST thread will be a six inch by six inch double female swivel adapter with rocker lugs. A rocker lug plug (male thread cap) with chain will be supplied on the end.
- (4) The drafting pipe shall extend to within twelve inches of the bottom of the tank. The length of the draft pipe shall be kept to a minimum after meeting the requirements of section (c) above. The drafting pipe shall be six inches in diameter and shall terminate with an elbow to accept the six inch adaptor, hydrant fitting, cap, and chain.
- (5) A screened five or four inch vent pipe with the opening facing downward shall be included in all tanks. This shall extend a minimum of twenty-four inches above the final roadway surface.
- (6) A four inch fill pipe with elbow shall be included on each tank. This shall extend a minimum of twenty-four inches above the final roadway, as measured at the pipe and include a two-point-five inch Siamese "Y" with caps and chains.
- (7) The maximum distance from the road edge to the drafting pipe shall not exceed nine feet, to enable a fire engine, positioned on the finished road surface, to easily reach the draft pipe with one section of the standard hard suction hose.
- (8) All above ground piping shall be primed and painted red for suction, white for vent, and yellow for fill before the tank is approved for service and filled.
- (9) A "No Parking" sign shall be installed at the location specified by the Fire Department. The sign and installation shall be at the expense of the developer.
- (10) Installation shall be made with consideration of the winter temperatures. Steps shall be taken to ensure the piping and water in the tank will not freeze during extended periods of below freezing

temperatures.

(11) Ballast shall be installed with all tanks.

(d) Administrative Procedures

(1) The developer/subdivider or installer of the tank shall notify the Fire Department of completion of the installation for purpose of inspection. Forty-eight hour notification shall be provided and an inspection fee of \$150.00 shall be submitted to the Fire Department to cover the costs of the inspection. All new or upgraded installations shall require inspection. Once approved, tanks shall be filled by the Fire Department. Water tank inspection forms must be obtained from the Town Clerk or the Fire Department.

(2) The developer/subdivider or contractor installing the tank shall post with the Town a letter of credit in the amount of \$10,000 or \$1.00 per gallon of tank size to be held by the Town until the tank has received final Fire Department approval.

(3) Any Fire Department may utilize the water tank for fire protection purposes. All tanks shall be refilled by the department making use of the water. Refilling shall be accomplished as soon as possible.

(4) The Fire Department shall inspect the fire tanks in the spring and fall of each year.