

CHAPTER 3.00 PUBLIC SAFETY

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3.01 EMERGENCY GOVERNMENT.

A. INTENT.

“Emergency Government” shall mean the preparation for and the carrying out of all emergency functions (other than functions for which the military forces are primarily responsible) to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or by fire, flood or other natural causes.

B. ORGANIZATION.

By reason of the increasing possibility of disasters of unprecedented size and destructiveness and to insure that preparations will be adequate to cope with such disasters, and to provide for the common defense, to protect the public peace, health, safety and general welfare, and to preserve the lives and property of the people, it is hereby declared necessary to appoint a Emergency Government Coordinator and provide for the exercise of necessary powers during emergencies. (#00-07)

3.02 EMERGENCY GOVERNMENT COORDINATOR.

A. APPOINTMENT.

The office of Coordinator of Emergency Government is hereby created. The Coordinator shall be appointed by the Village President subject to confirmation by the Village Board under the direct supervision of the Fire Chief and shall receive such salary as may be authorized by the Village Board. The Coordinator shall be the Village President if no appointment is made. The Coordinator is required to take and file an official oath. Deputy and assistant Coordinators may be appointed by the Coordinator, subject to the approval of the Village Board, as may be deemed necessary. Such appointees shall receive such compensation as may be determined by the Village Board.

B. DUTIES AND AUTHORITY.

1. The Coordinator shall be the executive head of the Emergency Government Organization, and shall have direct responsibility for the organization subject to the direction and control of the Village President, the Village Board and the Fire Chief. The Coordinator shall coordinate all activities for emergency government within the Village; shall maintain as liaison, cooperate with emergency government agencies and organizations of other political jurisdictions and of state and federal government; shall participate in county and state emergency government activities upon request; and shall have such additional authority, duties and responsibilities as authorized by this chapter.
2. The Coordinator shall prepare a comprehensive general plan for emergency government for the Village and shall present such plan to the Fire Chief for review and to the Village Board for its approval. When the Village Board has approved the plan by resolution, it shall be the duty of all municipal agencies and all emergency government forces of the Village to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner.

C. UTILIZATION OF EXISTING SERVICES AND FACILITIES.

In preparing and executing the Emergency Government Plan, the Coordinator shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the Village, to the maximum extent practicable. The officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities to the Coordinator.

D. EMERGENCY REGULATIONS.

Whenever necessary to meet an emergency for which adequate regulations have not been adopted by the Village Board, the Coordinator of Emergency Government may, after review by the Fire Chief, by proclamation, promulgate and enforce such orders, rules and regulations relating to the conduct of persons and the use of property as shall be necessary to protect the public peace, health and safety, and preserve lives and property and to insure the cooperation necessary in an identified emergency. Such proclamations shall be posted in two public places, and may be rescinded by the Village Board by resolution at any time.

E. MUTUAL AID EMERGENCIES.

The Coordinator of Emergency Government may, subject to review by the Fire Chief and the approval of the Board, enter into Mutual Aid Agreements with other political jurisdictions. Copies of such agreements shall be filed with the State Coordinator.

3.03 DECLARATION OF EMERGENCY.

A. POLICY AND PROCEDURE.

1. Upon the declaration by the Governor or the County Emergency Government Coordinator, the local Coordinator of Emergency Government, on the issuance of disaster warnings and the existence of states of emergency shall be issued as required in the Emergency Government Plan.
2. The Emergency Government Organization shall take action in accordance with the Emergency Government Plan only after the declaration of an emergency and the issuance of official disaster warnings. Such state of emergency shall continue until terminated by the issuing authority provided that any such declaration not issued by the governor may be terminated at the discretion of the Village Board.

3.04 CONTINUITY OF GOVERNMENT.

The Village Board shall on an annual basis, review and update by resolutions, designations for each Village officer and the head of each Village department, who shall perform his duties and have powers only during such period of time as the official or department head is unable to act in his official capacity due to a local emergency. Such written designation shall set forth the name, address and telephone number of each

successor and alternate successor, the same shall be filed with the Village Clerk, and a copy thereof filed with the Coordinator of Emergency Government.

3.05 JOINT ACTION ORDINACE.

A Joint Action Ordinance of the Board of Supervisors of Washington County for the providing of a County Municipal Joint Action Emergency Government Plan of Organization was adopted by the County Board on January 9, 1979. Such County ordinance is made a part hereof by reference and is ratified and accepted by the Village. This ratification and acceptance of the Joint Action Ordinance shall constitute a mutual agreement between the Village and County of Washington as provided by Section 1 of such Joint Action Ordinance.

3.06 COUNTY-MUNICIPAL EMERGENCY GOVERNMENT COORDINATOR.

The County-Municipal Emergency Government Coordinator appointed and employed by the Washington County Board is designated and appointed Emergency Government Coordinator for the Village, subject to the conditions and provisions set forth in the Wis Stats and the Washington County Joint Action Ordinance.

3.07 PENALTIES.

No person shall willfully obstruct, hinder or delay any member of the Emergency Government Organization in the enforcement of any order, rule, regulation or plan issued under this section, or do any act forbidden by any order, rule, regulation or plan issued under this section. Any person violating this section shall be subject to a penalty as prescribed in 21.04. In addition, any person who shall violate any provision of the Joint Action Ordinance shall be subject to a penalty as provided in 21.04 of this Municipal Code.

3.08 – 3.10 (open)

3.11 THE POLICE DEPARTMENT.

A. ORGANIZATION AND STRUCTURE.

1. Personnel. The Police Department shall consist of the Chief of Police and such officers as the Village Board may prescribe by ordinance or resolution. (#94-13)
2. Appointments. The Police and Fire Committee shall, in conjunction with the Personnel Committee, recommend the appointment of a Chief of Police to the Village Board, who shall appoint the Chief of Police. The Chief of Police shall hold office during good behavior, after successful completion of a probationary period. The Chief of Police shall be subject to suspension or removal by the Police and Fire Disciplinary Committee for cause. The Chief of Police shall recommend the appointment and promotion of subordinates, subject to approval by the Village Board, upon

recommendation of the Police and Fire Committee and Personnel Committee. (#94-13)

3. Salary. The Chief of Police and the police officers shall receive a salary as fixed by the Village Board and shall not be entitled to any other compensation.

B. CHIEF OF POLICE: DUTIES AND POWERS. (#00-06)

1. The Chief of Police shall be responsible for the supervision of all police and law enforcement services and activities performed by the Police Department in accordance with the state law and the ordinances and policies established by the Village Board.
2. The Chief of Police shall possess the powers, enjoy the privileges, and be subject to the liabilities conferred and imposed by law upon marshals and constables.
3. The Chief of Police shall keep an accurate and complete record of all complaints, arrests, traffic, violations, convictions and dispositions of the department.
4. The Chief of Police shall submit a written monthly report to the Village Board of all activities and transactions of the department during the preceding month.
5. Service Fees - Pursuant to the provisions of Wis. Stats. §§ 814.70, 814.705 and 814.71, the Jackson Police Department shall charge a service fee of \$35 when the police serve a warrant or commitment order upon a person. The person served with the warrant or commitment order shall be responsible for the payment of the warrant or commitment order service fee. The service fee may be collected as a court cost through the court.
6. Multiple Warrants. The Jackson Police Department shall charge a separate fee for each warrant or commitment order served on a person.
7. Disposition of Fees. Upon collection by the court, all warrant or commitment order service fees shall be forwarded to the Village Treasurer.
8. Severability. It is hereby declared to be the legislative intent that should any provision of this Ordinance be declared invalid, illegal, unenforceable, or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance. Furthermore, the relevant court of competent jurisdiction is authorized to substitute for the provision at

issue a valid and enforceable provision as similar as possible to the provision at issue.

9. **Implementation.** All ordinances or parts of ordinances of the Village inconsistent with or contrary to this Ordinance are hereby repealed. The Village Clerk is authorized and directed to take all action necessary to incorporate this Ordinance into the Village Code of Ordinances without further authorization. (#10-01)

C. POLICE OFFICERS. (#00-05)

1. General Powers and Duties. Each officer of the Department shall possess the powers conferred on marshals and constables by law, shall preserve and protect the health, safety, public peace and order of the Village and shall enforce the laws and ordinances of the state and Village subject to the orders, rules and regulations of the Village.
2. Power of Arrest. The Chief of Police and any police officers shall be granted the authority to arrest all persons in the Village found in the act of violating any law or ordinance of the village or State or aiding or abetting in such violation, and they shall be authorized to arrest without warrant, all persons whom they have reasonable grounds to believe have violated any law or ordinance and who will not be apprehended unless immediately arrested, shall take all arrested persons in charge and confine them and shall within a reasonable time bring such persons before the court having jurisdiction thereof to be dealt with according to law.
3. Assisting Fire Department. Whenever necessary, any police officer shall assist the Fire Department in maintaining order at the scene of a fire.
4. Permits and Licenses. The police officers shall ensure that the necessary permits and licenses issued by the state or the Village are in the possession of or are properly displayed by any persons engaged in an activity or business within the Village for which a permit or license is required and that the terms of such license or permit are complied with.
5. Conditions of Employment. The hours of work, working conditions and other fringe benefits of police officers shall be determined by the Village Board through negotiated contract.

D. DEPARTMENT RULES / STANDARDS OF CONDUCT.

The Chief of Police shall prepare rules for the administration of the Police Department, which rules shall be in full force upon approval of the Village Board and shall outline the conditions of employment in the department. The

Village Board, and the Public Safety Committee, where applicable, may revise such rules, as per their authority.

3.12 REGULATION OF POLICE EMERGENCY ALARM SYSTEMS.

A. PURPOSE.

This section is intended to reduce false alarms, and control unauthorized systems by regulating non-fire alarm systems in order to promote public peace and good order in the Village of Jackson.

B. DEFINITIONS.

1. “Alarm” shall mean any device which when actuated by a criminal act or other emergency requiring police response, transmits a signal to a central alarm system, directly to the sheriff’s department, or produces an audible and/or visible signal.
2. “Automatic Dialer” means any telephone or electronic device or attachment that uses a pre-recorded message to report a criminal act or other emergency over a public phone line.
3. “False Alarm” means a signal from an alarm, telephone or other contact resulting in response by the police department when an emergency, in fact, does not exist. This includes, without limitation, the activation of an alarm through negligence of the alarm owner or lessee or his or her agent or employee, or through mechanical failure or malfunction.
4. “Local Alarm” means an alarm that actuates an audible and/or visual signal without transmitting a signal to any other location.

C. REGULATIONS.

1. The Washington County Sheriff’s Department is designated as the dispatch center for all non-local alarms located in the Village. No alarm system, automatic dialer, or central station shall contact the police department directly.
2. All non-local alarms used in the village shall conform to the regulations of County Ordinance 14.17, with the exception of any provisions regarding the billing for false alarm response. (#04-07)

D. INTENTIONAL FALSE ALARMS.

No person shall intentionally cause the activation of an alarm knowing that no crime or other emergency exists.

E. FALSE ALARMS.

1. False alarms are prohibited and are deemed to be public nuisances. The police department shall bill alarm users for its response to false alarms according to the following schedule, except that no alarm user shall be assessed in excess of \$200.00 for false alarms that occur at the same premises in any twenty-four (24) hour period:
 - a. First two false alarms in one calendar year: No charge
 - b. Third through fifth false alarms in one calendar year: \$50 each
 - c. Sixth and subsequent false alarms in one calendar year: \$75 each
2. An alarm user who fails to pay said bill shall be issued municipal citations for each violation, plus restitution for the false alarm responses.
3. A period of 30 days will be allowed for debugging a newly installed alarm system during which false alarms will not be counted.
4. The Police Chief shall notify the Sheriff's Department after the tenth (10th) false alarm response to a non-local alarm. The Sheriff's Department will proceed with disconnection in accordance with county ordinance.
5. The Police Chief will notify the Building Inspection Department after the tenth (10th) false alarm response to a local alarm. The Building Inspection Department will abate the nuisance per ordinance 8.04. (#03-11)

3.13 – 3.20 (open)

3.21 FIRE DEPARTMENT.

A. INTENT.

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

B. DEFINITIONS.

Unless otherwise expressly stated, the following terms shall, for the purpose of this code, have meanings indicated in this Chapter.

A.S.T. "A.S.T." means Aboveground Storage Tanks.

Annunciator Panel. "Annunciator Panel" means control box for alarm system, which aids in the location of an activated pull station or detection device.

Approved. “Approved” means listed or approved by Underwriters Laboratories Inc. Factory Manual, the National Bureau of Standards, the American Gas Association Laboratories, or other nationally recognized testing authorities, and the accepted by the Fire Chief as a result of his/her investigation and experience.

Area. (Net) The occupied or usable floor area in a building but not including space occupied by columns, walls, partitions, stairways, mechanical shafts or ducts.

Automatic Fire Warning System. “Automatic Fire Warning System” means a supervised system, which automatically detects a fire condition, actuates a fire alarm signal device and indicates the location from which the signal originates.

Central Alarm System. “Central Alarm System” means any system operated by a business that owns or leases fire alarm devices, which are controlled by operators who receive, record and validate alarm signals and relay information about validated signals to the Washington County Sheriff’s Department.

Class A Fires. “Class A Fires” means fires involving ordinary combustible materials, such as wood, cloth, paper, rubber and many plastics.

Class B Fires. “Class B Fires” means fires involving flammable liquids, greases and gases.

Class C Fires. “Class C Fires” means fires involving energized electrical equipment.

Class D Fires. “Class D Fires” means fires involving combustible metals, such as magnesium, sodium and potassium.

Combustible Liquid. “Combustible Liquid” means a liquid having a flash point at or above one hundred (100) degrees Fahrenheit.

CPR. “CPR” means cardio-pulmonary resuscitation.

Department of Commerce. Stands for Wisconsin Department of Commerce and its applicable enforcement chapters that apply to fire department inspections and operations, particularly in fire and building safety.

Dwelling Unit. “Dwelling Unit” means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EMT. “EMT” means Emergency Medical Technician.

Explosive. “Explosive” means any chemical compound, mixture, or device the primary or common purpose of which is to function by explosion. The term includes, but is not limited to, dynamite, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, ignition cord, igniters and display fireworks.

Fire District. The Fire District will consist of the Village of Jackson and areas contracted for service by the Jackson Fire Department for fire and rescue service.

Firefighter. “Firefighters” means any person performing the powers and duties of a fire department, whether or not that person is engaged in emergency operations. “Firefighter” includes full-time, part-time and paid-on-call personnel.

Flammable Liquid. “Flammable Liquid” means a liquid having a flash point below 100 degrees Fahrenheit.

Hazardous Materials. “Hazardous Materials” means any substance that, by reason of being explosive, flammable, poisonous, corrosive, oxidizing, irritating or otherwise harmful, is likely to cause injury or death whether the materials are in usable or waste condition.

Honorary Members. “Honorary Members” means any firefighter who achieves ten years of service and reaches the age of fifty-five (55) shall be an honorary member, upon honorable retirement.

I.C. “Incident Commander” means the first Fire Department unit or officer to arrive at the scene of multiple unit responses shall assume the role of Incident Commander and remain in command until command is transferred to a higher ranking officer or until the incident is terminated.

ICC Container. “ICC Container” means any container approved by the Interstate Commerce Commission for shipping any liquid, gaseous or solid material of a flammable, toxic or other hazardous nature.

Institutional Building. “Institutional Building” means the use of a building or structure, or apportion thereof, in which people having physical limitations because of health or age are harbored for medical treatment or other care or treatment, or in which people are detained for penal or correctional purposes or in which the liberty of the occupants is restricted.

I.S.O. “I.S.O.” means Insurance Service Organization.

Local Alarm System. “Local Alarm System” means any alarm or alarm system within one or more buildings, which produces an audible or visible signal designed to notify persons within buildings or building or a fire emergency.

Multi-Family Dwelling. “Multi-Family Dwelling” means an apartment building, row houses, town house, condominium or manufactured building that does not exceed 60 feet in height or 6 stories and consists of three (3) or more attached dwelling units.

NFPA. “NFPA” means National Fire Protection Association.

Person. “Person” means an individual, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

Public Building. “Public Building” means any structure, including exterior parts of such building, such as a porch, exterior platform or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by three (3) or more tenants.

Residence Building. “Residence Building” means except when classed as an institutional building, means a building in which sleeping accommodations are provided.

Smoking. “Smoking” means and includes the carrying of lighted pipe, cigar, cigarette or tobacco in any form.

Standpipe. “Standpipe” means the riser portion of the piping system that delivers the hose stream water supply vertically from floor to floor.

U.L. “U.L.” means Underwriters Laboratory.

U.S.T. “U.S.T.” means Underground Storage Tanks.

3.22 ORGANIZATION AND STRUCTURE.

A. RECOGNIZED.

The Jackson Fire Department is officially recognized to be the existing Fire Department of the Village of Jackson, and the members of such fire organization are officially recognized as the Fire Department of the Village of Jackson, and the duty of firefighting, prevention of fires and the operating of a Rescue Squad for the Village of Jackson are delegated to such Department. These services shall be made available to other governmental units and other fire or rescue units. Its organization and internal regulation shall be governed by the provisions of this section and by such guidelines adopted by the Department and approved by the Police & Fire Commission, except as otherwise provided by law and ordinance. (#12-09)

B. ORGANIZATION AND STRUCTURE.

1. Appointment. The Fire Chief shall be appointed by the Police & Fire Commission for an indefinite term, subject to removal pursuant to the provisions of Wisconsin Statutes. The Fire Chief shall appoint all other members of the department with confirmation of the Police & Fire Commission. No elected Village official may serve as a member of the Jackson Fire Department after May 1, 2000 unless both positions are served without interruption.
2. Composition. Upon appointment, firefighters and EMT's shall live or be regularly employed within the Jackson Fire Department fire service district. Firefighters and EMT's shall be appointed by the Fire Chief and shall be approved by the Police & Fire Commission. At no time shall the department consist of less than twenty-two (22) active members nor more than sixty (60) active members. If a member moves from the fire district, the Fire Chief may grant them a waiver. The Fire Chief will consider the activity, availability and response record of the individual, plus the needs of the department, in granting any such waiver. The number of individuals who may be granted the aforementioned waiver is limited to three (3). The number of non-fire trained individuals (only interested in rescue) on the department will be at the discretion of the Fire Chief. (#08-08)(12-09)
3. Members.
 - a. Application. Any person of at least eighteen (18) years of age desiring to be a member of the Jackson Fire Department may file with the Fire Chief an application in such form as the Village may require. Prior to permanent appointment each applicant shall also file a certificate of physical fitness from such physicians as the Fire Chief may designate. The applicant shall be presented to the Police & Fire Commission for confirmation. (12-09)
 - b. Personnel Policies of the Village. All members of the Fire Department are subject to the provisions of the adopted personnel policies of the Village as applicable.
 - c. Discipline/Removal. All disciplinary actions may be appealed to the Police & Fire Commission. The Police & Fire Commission shall have the right to remove any member of the Jackson Fire Department for cause. (12-09)
 - d. Powers and Duties of Fire Chief.
 - (1.) The Fire Chief may suspend any officer or member of the Fire Department for neglect or refusal to perform his/her departmental duties. In the event an officer or firefighter

violates the Standard Operating Guidelines, the Fire Chief may suspend the offending officer or member of the department, or recommend demotion or expulsion of the offending officer or member of the Department to the Police & Fire Commission for action. (12-09)

- (2.) The Fire Chief shall enforce all fire prevention ordinances of the Village of Jackson, State laws, and regulations pertaining to fire prevention and suppression and shall keep the citizens informed on fire prevention methods and on the activities of the Department. (12-09)

C. POLICE POWER.

1. Exercise of. The Officers in command at any fire are vested with full and complete police authority at fires. Any officer of the department may cause the arrest of any person failing to give right-of-way to the Fire Department responding to a fire.
2. Use to Prevent Spread of Fire or Injury. The Fire Chief or their designee may prescribe certain limits in the vicinity of any fire in which no persons, excepting firefighters or police officers and those admitted by order of the Department shall be permitted to enter. The Fire Chief or their designee shall have the power to 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, he/she shall have the power to order the removal or destruction of any property necessary to prevent the further progression of fire, including 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 department during the progress of a fire.
3. Firefighters May Enter Adjacent Property. Any firefighter, while acting under the direction of the Fire Chief or their designee may enter the premises adjacent to any building or other property for the purpose of extinguishing a fire. Any person hindering, resisting or obstructing any firefighter in the discharge of his/her duty as is herein before provided, shall be deemed guilty of resisting a firefighter in the discharge of his/her duty.
4. 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 their designee and may be required to render assistance in fighting the fire or in removing or guarding property. The Fire Chief or their designee shall have the power to cause the arrest of any persons refusing to obey said orders.
5. Investigation of Fires. The Fire Chief shall cause to investigate the cause, origin and circumstances of every fire occurring the Fire District,

which is of a suspicious nature or which involves loss of life or injury to persons or by which property has been destroyed or substantially damaged. Such investigations shall begin immediately upon the occurrence of such a fire by the Fire Chief or their designee and, if it appears that such a fire is of suspicious origin, the Fire Chief or their designee shall 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.

6. Damage to Equipment at Fire. No person shall willfully injure, in any manner, any hose, and hydrant or fire apparatus belonging to the Village of Jackson or of any Municipal Aid Department while assisting the Jackson Fire Department. No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, private driveway or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

3.23 RESCUE SQUAD.

- A. Fire Chief. The Fire Chief shall have command and supervision over the personnel, apparatus and operations of the Emergency Medical Squad.
- B. Squad Members. The Fire Chief shall base membership on the Rescue Squad upon appointment.
- C. Employment of Personnel. The Fire Chief is authorized to employ temporary or part-time paid personnel for the Rescue Squad. The Village Board shall establish the rate of pay for temporary or part-time employees. Rescue Squad personnel are subject to the personnel policies adopted by the Village as applicable.

3.24 GENERAL.

- A. ADOPTION OF CODES.
 1. It is the purpose of this chapter to prescribe regulations consistent with nationally recognized good practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire, explosion arising from the storage, handling and the use of hazardous substances, materials and devices and from conditions hazardous to life and property in the use or occupancy of buildings within the fire district and the Village of Jackson. Compliance with standards of the national Fire Protection Association, or other nationally recognized safety standard, shall be deemed to be the prima facie evidence of compliance with this intent.

2. State Codes Adopted. In addition to the regulations, standards and procedures hereinafter set forth, compliance shall be made with the provisions of the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce, so far as applicable are adopted by reference. Where the requirements of the state code and the provisions of the code conflict, the stricter requirements shall govern.
 3. NFPA Codes Adopted. All current, as far as applicable current adopted NFPA Documents are adopted by reference. Whenever the requirements of the NFPA standards and the aforementioned codes conflict, the State Building Code shall govern.
 4. Copies of the Incorporated to be Filed. At least one copy each of all codes and standards incorporated in this Chapter shall be kept on file and open for public inspection during normal business hours in the office of the Jackson Fire Department.
- B. APPLICATION TO NEW AND EXISTING CONDITIONS. The provisions of this code shall apply equally to new and existing conditions except the existing conditions not in strict compliance with the terms of this code shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property.
- C. EXCEPTIONS. Nothing contained in this code shall be constructed as applying to the transportation of any article or thing shipped in conformity with the regulations prescribed by the Interstate Commerce Commission, or as applying to the military of the United States.
- D. MODIFICATIONS. The Fire Chief or authorized agent, shall have the power to modify provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or a duly appointed 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 modifications when granted or allowed and the decision of the Fire Chief thereon shall be entered upon the records and a signed copy shall be furnished to the applicant.
- E. APPEALS. Whenever the Fire Chief or their designee shall disapprove or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Chief or their designee to the Village Board within ten (10) days from the date of the decision of the Fire Chief or their designee. In the event of such an appeal, the Village Board shall set a time and place for hearing hereof and give the appellant at least ten (10) days notice by mail or personally delivered.
- F. NEW MATERIALS, PROCESSES OR OCCUPANCIES, WHICH MAY REQUIRE PERMITS. The Fire Chief or their designee shall determine and

specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those enumerated in this code. The Fire Chief or their designee shall post such a list in a conspicuous place at the Fire Station and the Village Hall, and may distribute copies thereof to interested persons.

G. REIMBURSEMENT AND RECOVERY OF COSTS FOR THE CLEANUP OF SPILLS AND EXTINGUISHING AND CLEANUP OF FIRES INVOLVING HAZARDOUS MATERIALS AND OR INFECTIOUS AGENTS.

1. Any person who possesses or controls a hazardous material or infectious agent which was discharged or caused the discharge of a hazardous material or infectious agent shall reimburse the Village for the actual and necessary expenses incurred by the Village or its agent to contain, remove or dispose of the hazardous substance or infectious agent or take any other appropriate action which is deemed appropriate under the circumstances.
2. Every person, firm or corporation using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gases, hazardous materials or infectious agents shall be liable to the Village for the actual cost of labor, personal protective equipment and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar material or equipment employed to extinguish, confine or clean up any such hazardous material which is involved in any accidental spill or in the threat of any fire or accidental spill.
3. Every person, firm or corporation using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gases, hazardous materials or infectious agents shall comply with the current adopted requirements of the Department of Commerce, Wisconsin Administrative Code.

H. REIMBURSEMENT AND RECOVERY OF COSTS FOR THE EXTINGUISHING OF FIRES, CONTAINING OF SPILLS, EXTRICATION EQUIPMENT USE AND FIRE RESPONSE ON WISCONSIN STATE HIGHWAYS.

1. Every person, firm or corporation that causes fire apparatus of the Village to respond to a scene upon a state highway for the purpose of extinguishing a fire, containing a hazardous product, to standby or perform extrication activities, will be liable for payment of such services. If payment is not received, a claim may be made to the State of Wisconsin for such services by the Fire Chief or designee, so authorized by Wisconsin Statutes.

- I. OBSTRUCTION OF FIRE HYDRANTS. No person, firm or corporation may obstruct any fire hydrant on public or private property by placing any snow, earth, construction materials or other objects within a ten (10) foot circle of the hydrant impeding firefighting operations. Exception is granted to police, fire and public works vehicles/personnel engaged in their normal operations.

- J. ORNAMENTAL FIRE HYDRANT PLACEMENT ON PRIVATE PROPERTY.
 - 1. May not be placed within the public right of way.
 - 2. May not be placed within twenty (20) feet of any public street or driveway.
 - 3. May not be painted the same colors (namely red or yellow) as any municipal fire hydrant in Washington County.

- K. OCCUPANCY PERMIT. A final inspection of a building will be made by the Fire Chief or authorized agent, after notification by the Building Inspector. The Fire Chief or authorized agent before issuance must approve the Occupancy Permit required under Chapter 10 of the Village Code.

3.25 FIRE INSPECTIONS OF BUILDINGS AND PREMISES.

- A. FIRE INSPECTION COMPLIANCE. It shall be the duty of the Fire Chief or authorized agent, to inspect, or cause to be inspected, all buildings and premises, except the interiors of private dwellings, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire or any violations of the provisions or intent of this code, and of any other Ordinance affecting the fire hazard, and to insure compliance in all places of assembly with all laws, regulations and orders dealing with overcrowding, use of decorative materials, maintenance of exit ways, and maintenance of fire alarm and fire detecting systems, and fire extinguishing systems and appliances.

- B. AUTHORITY TO ENTER PREMISES. The Fire Chief, or authorized agent may, at all reasonable hours, enter any building or premises within the fire district for the purpose of making an inspection, or investigation, which, under the provisions of this code, is deemed necessary to be made. Private dwellings shall not be entered without the consent or permission of an adult occupant.

- C. AUTHORIZATION BY WRITTEN COMPLAINT OR REFERRAL. The Fire Chief, or authorized agent, upon receipt of a written complaint from any person, referral from another public agency, or, whenever it is deemed necessary, shall inspect any buildings and premises within the fire district.

3.26 FIRE HYDRANTS / SYSTEMS REQUIREMENTS ON PRIVATE PROPERTY.

The intent of this section is to insure adequate water supply for firefighting purposes to existing or new structures, buildings, tank farms, lumber yards, commercial or industrial complexes located at extended distances from Village water hydrants on private property.

A. WHERE REQUIRED.

1. Any high hazard occupancy shall provide, at the owner's expense, an approved water hydrant located no more than 350 feet from a Village water hydrant.
2. Placement of the hydrant shall be determined by the Village Fire Department and the Jackson Water Utility.
3. The number of on-site hydrants will be determined by the size and accessibility of the proposed or existing structure.
4. Water main sizing will be determined by the amount of maximum projected fire flow required.

B. FIRE HYDRANTS, STANDPIPES AND SPRINKLER SYSTEMS ON PRIVATE PROPERTY.

1. The Fire Chief or their authorized representative, must approve all fire hydrants, stand pipes and sprinkler systems for commercial, industrial or institutional buildings or properties.
2. A permit must be issued before such equipment may be installed.
3. Hydrants to be used on such properties shall be of the type approved by the Jackson Water Utility and be consistent with the type universally used in the Village of Jackson. All hydrants shall be painted bright red to match the color of the hydrants of the Jackson Water Utility.
4. The fire department connection for the sprinkler system shall be a 30-degree, five (5) inch storz; the connection point shall be between three feet and four feet above the finished property grade. (Ordinance #06-03)
5. A horn/strobe combination alarm-signaling device shall be located above the fire department connection inside and outside of the building. This device shall be used as the water flow alarm apparatus.
6. The hose connection for the Class 1 standpipe system shall be a two and one-half inch diameter. The connection point shall be between three feet and four feet above the finished property grade.

7. A maintenance and inspection program approved by the Village of Jackson Water Utility shall be used. Records of the program shall be kept and shall be available for review by the Water Utility. (Ordinance #06-03)

3.27 FIRE HYDRANT REQUIREMENTS ON PUBLIC STREETS.

A. WHERE REQUIRED.

1. Hydrants on single-family zoned residential streets shall be spaced no more than 500 feet apart.
2. Hydrants on multi-family, business, commercial and industrial zoned streets shall be spaced no more than 250 feet apart.
3. Hydrants spacing on streets zoned PUD shall be determined by the Fire Chief or authorized representative using the spacing requirements as described in sections 3.27(A)(1)(2).

3.28 FIRE LANE REQUIREMENTS.

A. GENERAL PROVISIONS.

1. Unobstructed fire lanes that are accessible from a public road shall be provided for every facility, building or portion of a building in accordance with the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce.
2. All proposed fire lanes, shall be approved by the Fire Chief or authorized representative.
3. Fire lanes shall be identified by a four-inch wide line and block letters two feet high, painted in the lane, at fifty-foot intervals stating "FIRE LANE-NO PARKING" in a bright yellow color, or by the posting signs stating "FIRE LANE-NO PARKING". The Fire Chief or designee may require the repainting or the replacing of the fire lane marking as needed.
4. Fire lanes "SIGNS" shall be posted on or immediately next to the curb line, or on the building. Signs shall be 12" x 18" and shall have letters and background of contrasting colors, readily readable from at least a fifty foot distance. Signs shall be spaced not further than fifty feet apart. Signs shall be mounting a minimum of four feet and a maximum of six feet from the pavement to the bottom edge of the sign.

B. FIRE LANES AS PART OF DRIVEWAYS AND/OR PARKING AREAS.

The Fire Chief or designee may require that areas specified for use as driveways or private thoroughfares shall not be used for parking. These

areas, when specified, shall be marked or identified by one of the two means detailed in (A)(3) above.

- C. EXISTING BUILDINGS. When the Fire Chief or designee determines that hazard due to fire apparatus inaccessibility, fire lanes may be ordered to be constructed and maintained as detailed in section (A) above.
- D. PROHIBITIONS. Parking of motor vehicles or otherwise obstructing fire lanes shall be prohibited at all times.

3.29 FIRE SUPPRESSION.

- A. 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 life hazard to life or property and an excessive burden upon the fire extinguishing capabilities of the Fire Department.
- B. GENERAL.
 1. Approved automatic fire sprinkler systems shall be installed where required by the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce.
 2. All sprinkler systems shall be maintained and tested in accordance with the current adopted Wisconsin Administrative Codes and Regulations and with the current adopted National Fire Protection Association Codes and Standards. A copy of the maintenance inspection shall be forwarded for filing to the office of the Jackson Fire Department.
 3. The Fire Chief or their authorized representative may deem by reason of construction or highly combustible occupancy, that if an existing building constitutes a severe fire hazard for its occupants or to adjoining property, the provisions of this section will apply.
 4. Any additional square footage added to a sprinkler structure will require the installation of a horn/strobe combination alarm signaling device, the device shall be located above the fire department connection inside and outside of the building. This device shall be used in place of the water flow alarm apparatus. A 30-degree, five (5) storz connection shall be installed as the fire department connection. The connection point shall be between three feet and four feet above the finished property grade. (Ordinance #06-03)
 5. The installer shall provide 48 hours advanced notice to the Fire Chief or designee prior to any test being conducted. Work shall not be covered or concealed prior to the required inspection.

6. A final inspection by the Fire Chief or designee shall be conducted prior to placing the sprinkler system in service.
7. Permit fees for plan approval and subsequent inspections shall be set forth by resolution.
8. The Fire Department connection shall be located within 150 feet of a hydrant. (#02-14)

C. APPROVAL OF PLANS.

1. Prior to the installation of a sprinkler system, or the alteration of an existing sprinkler system, plans shall be submitted to the fire department, a consultant designated by the fire department, (#08-08) or to the Department of Commerce for approval. All sprinkler systems shall meet the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce.
2. Three (3) copies of the plans and specifications shall be submitted for review. Approved plans shall be stamped by the fire department, a consultant designated by the fire department, (#08-08) or by the Department of Commerce representative granting approval. Two (2) copies shall be returned to the owner/representative, and the fire department will keep one (1) copy on file. (Ordinance #06-03)
3. The Jackson Fire Department's, the consultant designated by the fire department or the Department of Commerce's (#08-08) approval of the sprinkler plans does not affirm the accuracy of any calculations performed by the contractor. Full responsibility for the accuracy of these calculations is the responsibility of the contractor.
4. No work may begin on the installation of a sprinkler system or alteration of a sprinkler system until the plans are approved by the fire department, the consultant designated by the fire department (#08-08) or the Department of Commerce.

D. FIRE EXTINGUISHING EQUIPMENT. The Fire Chief or designee is hereby empowered to designate the number, type, and location of fire extinguishers in addition to those now required by the current adopted Wisconsin Administrative Code and Regulations and with the current adopted National Fire Protection Association Codes and Standards.

3.30 FIRE ALARM AND DETECTION SYSTEMS.

A. GENERAL.

1. Approved Fire Alarm and Detection Systems shall be installed where required by the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce.

2. All Fire Alarm and Detection Systems shall be maintained and tested in accordance with the current adopted Wisconsin Administrative Codes and Regulations and with the current adopted National Fire Protection Association Codes and Standards.
3. The Fire Chief or authorized representative shall determine the type of coverage needed (complete, partial or selective) by the use and occupancy classification of the building. The Jackson Fire Department requires at a minimum, a fire alarm notification system consisting of pull stations and horn/strobe notification devices. This is to include buildings with any type of suppression system(s). The number of pull stations and notification devices shall be determined by the Jackson Fire Department per the use and occupancy classification of the building. All fire alarm/detection systems shall be installed per NFPA Codes. (Ordinance #06-03)
4. The requirements for this section shall be effective for all new buildings and shall follow the requirements of the current adopted Wisconsin Administrative Codes and Regulations and with the current adopted National Fire Protection Association Codes and Standards.
5. Any additional square footage added to an existing structure will require the installation of a Fire Alarm and Detection System.
6. The Fire Chief or their authorized representative may deem by reason of construction or highly combustible occupancy, that if an existing building constitutes a severe fire hazard to its occupants or to the adjoining property, the provisions of this section will apply.
7. The installer shall provide 48 hours advanced notice to the Fire Chief or designee prior to any test being conducted. Work shall not be covered or concealed prior to the required inspection.
8. Before requesting final approval of the installation, the installing contractor shall furnish a written statement to the Fire Chief or designee to the effect that the Fire Alarm and Detection System has been installed in accordance with approved plans and tested in accordance with the manufacturer's specifications.
9. A final inspection by the Fire Chief or designee shall be conducted prior to placing the Fire Alarm and Detection System in service.
10. Permit Fees for approval and subsequent inspections shall be set forth by Resolution.

C. APPROVAL OF PLANS.

1. Prior to the installation of a Fire Alarm and Detection System, or the alteration of an existing Fire Alarm and Detection System, plans shall be submitted to the fire department or to the Department of Commerce for approval. All Fire Alarm and Detection Systems shall meet the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce and the current adopted National Fire Protection Association Codes and Standards.
2. Three (3) copies of the plans and specifications shall be submitted for review. The approved plans shall be stamped by the fire department or the Department of Commerce representative granting approval. Two (2) copies shall be returned to the owner/representative and the Fire Department will keep at least one (1) copy on file.
3. The Jackson Fire Department's approval of Fire Alarm and Detection Systems plans does not affirm the accuracy of any calculations performed by the contractor. Full responsibility for the accuracy of any calculations is the responsibility of the contractor.
4. No work may begin on the installation of a Fire Alarm and Detection System or alteration of a Fire Alarm and Detection System until the plans are approved by the Fire Department or the Department of Commerce.

D. FUNCTIONING.

1. The system shall function as follows when any detector operates.
2. A horn/strobe combination alarm-signaling device shall be installed on the outside of the structure, if the owner/representative elects not to have the Fire Alarm and Detection System monitored by a Central Alarm System.
3. The Fire Chief or designee shall approve the location of the annunciation panel; the proper zone and fire indication will appear on the annunciation panel.
4. The main and remote alarm devices, including the public alarm system, will sound, inside and outside of the building. A visual type signal will be shown outside of the building.

3.31 KEY VAULT REQUIREMENTS.

- A. GENERAL. The key vault shall be the type approved by the Jackson fire department.

B. WHERE REQUIRED.

1. All new multi-family, business, commercial, educational, industrial and institutional shall install in an accessible location as approved by the Fire Chief or designee.
2. Any additional square footage added to a structure shall require the installation of a key vault.

C. KEY REQUIREMENTS.

1. Properly identified and up-to-date keys to gain access to the building and all keyed doors within the building are required to be placed in the key vault.
2. Properly identified and up-to-date keys for the annunciation panel and for the sprinkler system are required to be placed in the key vault.
3. When a change of locks made on or within the building is necessary, the Fire Chief or designee shall be notified and new keys shall be placed in the key vault.
4. Removal of any key from the key vault, by other than Jackson fire department personnel shall be in violation of this section.

3.32 CONTROLLING OPEN FLAME AND COMBUSTIBLE MATERIALS.

A. OPEN AIR BURNING.

1. All trash burning is prohibited, no person shall kindle or cause to be kindled any trash fire in or upon any street, alley, public way, park or any public or private ground within the Village.
2. Trash is defined as rubbish, grass, leaves, branches, construction waste, paper products, industrial waste or any other type of debris.
3. Burning is permitted however for prairie and meadow landscapes using the Conditional Use or Planned Unit Development process, and shall not be defined as trash and may be burned as needed for proper maintenance, upon obtaining a permit from the Fire Chief or designee.
4. Outdoor cooking such as portable broilers, grills and similar appliances used for the preparation of food may be used in any location which is not hazardous to life and property, except in close proximity to any portion of a structure that is made of combustible materials unless such area is approved by the Fire Chief or designee.
5. Open Air Wood Burning Requirements.

- a. Wood being burned shall be in a fully enclosed manufactured device and being used as recommended by the manufacture.
- b. Shall be under the constant supervision of competent person with the proper extinguishing agents available.
- c. The heat and or smoke created by the burning at no time shall be an annoyance or discomfort to the neighborhood, traveling public, or may because of the location likely cause or aid in the spread of fire.
- d. No burning shall be allowed within 15 feet of any building or within 10 feet of any side or rear lot line. No burning shall be allowed in the front setback of any property.
- e. Burning of wood at special events (special events shall include ceremonial bonfires, and the preparation of food for a special event). Special event burning shall be allowed after the Fire Chief or designee has granted written permission. The Fire Chief or designee may revoke the written permission at any time they may feel that conditions warrant.
- f. Permission for special event burning will be granted after it is shown that it shall be supervised by a competent person, have readily available fire extinguishing equipment, the correct amount of people to safely extinguish the fire, shall not be located within area of structures or combustible materials, and shall be immediately extinguished after the event.

B. USE OF TORCHES OR FLAME PRODUCING DEVICES. Any person using a torch or other flame producing device shall provide one approved fire extinguisher or water hose connected to the water supply on the premises where such burning is done.

C. COMBUSTIBLE MATERIALS.

1. Accumulations of Waste Materials. Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when it endangers property, or is liable to be ignited, shall be cut down and removed by the owner or occupant of the property it is on.
2. Storage of Readily Combustible Materials. Storage in buildings shall be orderly, shall not be within two (2) feet of the ceiling, and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty (20) feet in height, shall be so located, with

respect to adjacent buildings, as not constitute a hazard, and shall be compact and orderly.

3. Handling Readily Combustible Materials. No person making, using, storing or having in charge or under their control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail at the close of each day to cause all such materials which are not compactly based on and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal lined, covered, receptacles or bins.
4. Flammable Decorative Materials in Stores. Cotton batting, straw, dry vines, leaves, trees or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of commercial or public buildings unless flame-proofed, provided, however, that nothing in this section shall be held to prohibit the display of saleable goods permitted and offered for sale. Electric light bulbs shall not be decorated with paper or other combustible materials unless such materials shall first have been rendered flame-proofed.

E. STORAGE OF PETROLEUM PRODUCTS WITH FLASH POINTS OF LESS THAN 100 DEGREES FAHRENHEIT.

1. Delivery, Etc. Restrictions. No person, firm or corporation shall deliver, place, receive or store in excess of ten gallons, any gasoline (or like product of petroleum which has a flash point of less than 100 degrees Fahrenheit) upon any premises located in any district of the Village zoned as a Multiple Family Residence District.
2. Device for Drawing Restrictions. No person, firm or corporation shall maintain, use or place any device for drawing, from an underground storage container, gasoline (or any like product of petroleum which has a flash point of less than 100 degrees Fahrenheit) upon any premises located in any district of the Village as a Multiple Family Residence District.

F. TENTS.

1. Tent Permit Required. No tent exceeding 1,500 square feet in area shall be erected, maintained, or used without permission of the Fire Chief or designee.
2. Fire Watchers to be Employed. One or more qualified persons to serve as firewatchers shall be employed by all circuses, carnivals, or other exhibitions where large crowds assemble. They shall familiarize themselves with all fire protection facilities and fire prevention features and with the conditions of exits, and shall patrol the entire tent area during the time of occupancy. They shall see that the aisles and exit ways are kept open and that "NO SMOKING" rules are enforced.

3. Tents for Assembly to Conform to Recognized Safe Practices. The design, construction, flameproofing, location, maintenance and use of tents for assembly shall be in accordance with recognized safe practices. Compliance with current adopted Wisconsin Administrative Codes and Regulations and with current adopted National Fire Protection Association Codes and Standards.

G. SMOKING PROHIBITED CONDITIONS.

1. “No Smoking” Signs. “No Smoking” signs required in accordance with this section shall read “By Order of the Jackson Fire Department”.
2. Smoking and Removal of No Smoking Signs Prohibited. No person shall remove any legally required “No Smoking” sign or smoke in any place where such signs are posted.
3. Who may designate Areas Where Smoking Shall Be Prohibited. Where conditions are such as to make smoking a hazard as defined and regulated by Village, State or Federal Statutes or in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the Fire Chief or designee is empowered and authorized to order the owner or occupant, in writing, to post “No Smoking” signs in each building, structure, room or place in which smoking shall be prohibited. The Fire Chief or designee shall designate specific safe locations, if necessary, in any building, structure or place in which smoking may be permitted.

H. FIRE HAZARDS.

1. Orders to Eliminate. Whenever any of the officers or inspectors of the fire department, as mentioned in Section 3.25, shall find in any building or upon any premises dangerous conditions as follows, they shall order such dangerous conditions or materials to be removed or remedied in such manner, but not limited to the following examples:
 - a. Dangerous or unlawful amounts of combustible or explosive matter.
 - b. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive matter.
 - c. Dangerous accumulations of rubbish, waste paper, boxes, shavings or other highly flammable materials.
 - d. Accumulations of dust or waste materials in air conditioning systems or of grease in kitchen exhaust ducts.

- e. Obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the fire department or egress of occupants in case of fire.

2. Service of Orders.

- a. The service orders, as mentioned in this Chapter may be made upon the owners, occupant or other person responsible for the conditions, either by delivering a copy of same personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such and order upon the owner of premises with such order may be served by either delivering to and leaving with the person a copy of the order, or, if such power is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known post office address.
- b. If buildings or other premises are owned by one person and occupied by another under lease or otherwise, the orders issued in connection with the enforcing of this code shall apply to the occupant thereof, except where the rules or orders require the making of additions to or changes in the premises themselves, such as would immediately become real estate and be the property of the owner of the premises; in such cases, the rules or orders shall affect the owner and not the occupant unless it is otherwise agreed between the owner and the occupant.

3.33 REMOVAL AND INSTALLATION OF ABOVE GROUND AND UNDER GROUND STORAGE TANKS.

A. PERMIT REQUIRED.

- 1. Prior to the installation or removal of a UST or AST plans shall be submitted to the fire department or to the Department of Commerce for approval. All installations or removals shall meet the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce and the current adopted National Fire Protection Association Codes and Standards.
- 2. Four (4) copies of the plans and specifications shall be submitted for review, approved plans shall be stamped by the fire department or the Department of Commerce representative granting approval. Two (2) copies shall be returned to the owner/representative and the fire department will keep at least one (1) copy on file.

3. The Jackson Fire Departments approval of the installation or removal plans does not confirm the accuracy of any calculations performed by the contractor. Full responsibility for the accuracy of these calculations is the responsibility of the contractor.
4. No work may begin on the installation or removal until the plans are approved by the Fire Department or the Department of Commerce.
5. Permit fees for plan approval and subsequent inspections are set forth by resolution.

3.34 EMERGENCY LIGHTING REQUIRED.

- A. EMERGENCY LIGHTING IN PUBLIC AREAS AND LOCATIONS. The installation and placement of emergency lighting shall meet the current adopted Wisconsin Administrative Code and Regulations of the Department of Commerce and the current adopted National Fire Protection Association Codes and Standards.

3.35 ENFORCEMENT.

- A. The Fire Prevention Code shall be enforced by the Fire Chief of the Village of Jackson or an authorized agent. The Village Building, Plumbing and Electrical Inspectors and Health officer shall cooperate with the Fire Department in enforcing this code.

3.36 PENALTY.

- A. Any person who shall violate any of the provisions of this Chapter or fail to comply therewith or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate or order as affirmed or modified by the Fire Chief or the Village Board or by the Court of Competent Jurisdiction within the time fixed herein, shall be subject to the penalties provided in the Village Code and set forth by Resolution.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

3.37 SEVERABILITY.

- A. The provisions of this ordinance are severable. If a section, subsection, paragraph, sentence, clause or phrase shall be adjudged by a Court of Competent Jurisdiction to be invalid, the decision shall not affect the validity of this Code. (#02-05)

3.38 PUBLIC SAFETY RADIO COVERAGE IN BUILDINGS and STRUCTURES. (#08-08)

A. GENERAL.

Except as otherwise provided, no person organization or government shall maintain, own, erect, or construct any building or structure which is used for commercial, governmental, institutional or multi-family use or any part thereof or cause the same to be done which fails to support adequate radio coverage to public safety service workers, including but not limited to firefighters and law enforcement officers. For purposes of this ordinance, adequate radio coverage shall include all of the following:

1. A minimum performance level as defined in A.4 available in 95% of the area of each floor of the building when transmitted from the Washington County Communications System.
2. A minimum performance level as defined in A.4 received at the Washington County System when transmitted from 95% of the area of each floor of the building, via a portable radio, worn at the waist on a belt, using a public safety lapel microphone.
3. Channel Performance Criterion (CPC): CPC the minimum performance level in a faded channel, per TSB-88, clause 4.2. TSB-88 is a “Telecommunications Systems Bulletin” published by the TIA, Telecommunications Industry Association. The performance level is rating using “Delivered Audio Quality”. Industry standard definitions are shown in Table 1.
4. DAQ level of 3.4 is the minimum performance level which shall be attainable by public safety radio systems in 95% of the area of each floor of a building subject to this ordinance.
5. Table 1. – Delivered Audio Quality Definitions

DAQ	Subjective Performance Description
1	Unusable, speech present but unreadable
2	Understandable with considerable effort. Frequent repetition due to Noise/Distortion
3	Speech understandable with slight effort. Occasional repetition required due to Noise/Distortion
3.4	Speech understandable with repetition only rarely required. Some Noise/Distortion
4	Speech easily understood. Occasional Noise /Distortion
4.5	Speech easily understood. Infrequent Noise /Distortion
5	Speech easily understood

6. The frequency range which must be supported shall be 150.000 to 160.000 MHz for the Washington County Communications System.

7. Washington County may alter necessary frequencies or signal strengths due to changes in technical specification for the Communications Systems.

B. TESTING PROCEDURES.

1. Initial Tests. The Washington County Sheriff, or his/her designee, and a representative from Law Enforcement and Fire Service in the appropriate jurisdiction shall perform the initial test. A Certificate of Occupancy shall not be issued to any new structure if the structure fails to comply with this section.
2. Annual Tests. The Washington County Sheriff, or his/her designee and a representative from Law Enforcement and Fire Service in the appropriate jurisdiction shall perform annual test as deemed necessary.

C. AMPLIFICATION SYSTEMS ALLOWED.

Buildings and structures which cannot independently support the required level of radio coverage shall be equipped with any of the following in order to achieve the required adequate radio coverage: a radiating cable system or an internal multiple antenna system with or without FCC type-accepted signal booster amplifiers as needed. The installation of the amplification equipment cannot be detrimental to the operation of the Washington County Communications System. Amplification equipment shall be kept in a water resistant enclosure.

The radiating cable system, coaxial cable system or other types of cabling used in support of the in-building communications system must be installed in protected areas to provide extended survivability in the event of fire. The installation shall follow the applicable sections of the NFPA and NEC codes that have been adopted by Washington County and the local municipal.

In the event the public safety communications system within the building or structure is diminished, interfered with or disrupted by other radio signal distributed by others operating within the building or structure, the building owner shall be responsible to have the non-public system disabled until such time as the interaction with the public safety is acceptable to Washington County.

If any part of the installed system(s) contains electrically powered components, the system shall be capable of operating on an independent battery or generator system for a period of at least twelve (12) hours without external power. Any battery system shall automatically recharge with an external power source.

D. FIELD TESTING.

The Washington County Sheriff or his/her designee, in conjunction with representatives from the jurisdictional Fire and Law Enforcement Agencies, after providing reasonable written notice to the owner or representative, shall have the right to enter the property to conduct field tests to determine if the required level of radio performance is present.

E. EXEMPTIONS.

1. This ordinance shall not apply to single-family and two-family dwellings not put to commercial or institutional use. For purposes of this ordinance, basements and other areas below grade, parking garages, stairwells, and utility tunnels are included in definition of "each floor" but elevators may be excluded. The parking structures adjacent or separate from the buildings will be considered as standalone structures and will be tested accordingly.
2. The owner of any building in existence prior to the Effective Date of this Ordinance, if confronted with a financial hardship, which makes it impractical or impossible to bring the facility into compliance, may apply to the Washington County Radio System Administrator for an exemption to this ordinance. Applications shall be made in writing and shall be accompanied with written documentation to prove the hardship.

F. ENFORCEMENT.

1. Violation of this Ordinance shall be subject to the general penalties provided in the Village Code and set forth by Resolution.
2. In addition to the forfeitures described above, the County/Village Attorney may seek injunctive relief if appropriate to bring structures into compliance.

G. EFFECTIVE DATE.

1. As to new construction, this ordinance shall be effective on and after its date of publication.

As to Structures in existence, or structures for which building permits issued prior to the published date of the ordinance, the owner or representative of the structures found to be noncompliant through the testing procedure, will be notified in writing of the deficiency by the Washington County Sheriff. Written notice of the deficiency shall be hand delivered or sent certified mail. The owner or representative of such structure shall have no longer than two years from the time of notification to install an approved system which meets the requirements of this ordinance. (#08-08)

3.39 – 3.40 (open)

3.41 REGULATION OF EMERGENCY ALARM SYSTEMS.

A. PURPOSE.

Unregulated alarm systems adversely affect law enforcement and fire protection agencies in the discharge of their duties due to a high incidence of false and malfunction alarms, which reduce the credibility of alarms as detection devices and increase the cost of protective services. This Code is intended to reduce false alarms and control unauthorized systems by

regulating alarm systems in order to promote public peace and good order within the Village of Jackson.

B. DEFINITIONS.

- a. “Alarm” as used in this section shall mean any device which when actuated by a criminal act or other emergency requiring police or fire response, transmits a signal to a central alarm system or directly to the Washington County Sheriff’s Department or produces an audible or visible signal designed to notify persons within the audible or visual range of the signal. Except where inconsistent, the term “alarm” shall include automatic dialers and on or off premises audible alarms.
- b. “Automatic Dialer” as used in this section shall mean any telephone or electronic device or attachment which automatically selects a public primary telephone trunk of the Washington County Sheriff’s Department or Jackson Fire or Police Department and produces any pre-recorded message to report a criminal act, a fire or other emergency. No automatic dialer may be installed onto telephone lines of the Village of Jackson.
- c. “Control Station Alarms” as used in this section mean any alarm monitored by a private central monitoring station and relayed to the Washington County Sheriff’s Department and any alarm connected directly to and monitored by the Washington County Sheriff’s Department.
- d. “On or Off Premise Local Alarm” as used in this section means any alarm installed in any business, commercial, industrial form or residential structure located within the Village of Jackson or its fire response district, which is designed to emit a visual or audible on or off premise alarm that may be responded to by the Jackson Police or Fire Department. In this section “off” premise is defined as giving a visual or audible alarm to the adjacent area of the premise.
 1. “False or Malfunction Alarm” as used in this section means a signal from an alarm, telephone or other contact with the Washington County Sheriff’s Department or Jackson Police or Fire Department resulting in response by the department when an emergency does not exist, including without limitation, the activation of an alarm through negligence of the alarm owner or lessee of their agent or employee, or through mechanical failure.

C. RESPONSIBILITY OF SYSTEMS.

1. The Washington County Sheriff’s Department will assume the responsibility to control the regulation, central alarm station, intentional false and malfunction alarms, registration of:

- a. Control Station Alarm Systems
 - b. Automatic Alarm Dialer Systems
2. In accordance with Washington County existing laws and ordinances the Village of Jackson will assume the responsibility to control the regulation, response to all alarms, intentional false and malfunction alarms, registration of On or Off Premise Local Alarm Systems. In accordance with Village of Jackson existing laws, ordinances and existing contracts.

D. ALARMS REGULATED BY THE VILLAGE OF JACKSON.

1. No person shall cause any alarm to be installed in the Village of Jackson or its fire response area unless such connection receives prior written approval of the Jackson Police and Fire chief and is in conformance with this ordinance.
2. No person shall sell, use or cause to be used any alarm except in conformance with this ordinance.
3. Alarms shall be registered with the Jackson Police and/or Fire Department, which registration shall be made on forms prepared by the Police and Fire Chief. The form provided should include:
 - a. Name and address.
 - b. Type of protection (business, commercial, industrial, farm or residential).
 - c. Key holder (two minimum).
 - d. Type of alarm (fire, intrusion or health).
 - e. Name, address and telephone of installer.
 - f. Name, and address of service person.
4. Alarms, which directly or indirectly notify the general public or law enforcement and fire or EMS personnel, are required to be registered.
5. False and malfunction alarms are prohibited.
6. International False and Malfunctions of Alarms.
 - a. No person shall intentionally cause the activation of an alarm knowing that no crime, fire or other emergency exists.

- b. The above applies to all alarms installed within the Village of Jackson and its fire response district.
 - c. Alarms covered under this section do not include those registered and terminating at the Washington County Sheriff's Department Central Alarm System. It does include on-premise alarms that emit audible and visual signals from the premises that alert the fire and police department of a criminal or emergency exit.
 - d. For various reasons false and malfunction alarms for alarm systems frequently occur. Such false and malfunction alarms constitute a public nuisance and must be abated. Persons with alarms under this ordinance shall pay annually to the Village of Jackson a charge for false and malfunction alarms responded to by the Jackson Police or Fire Department according to the schedule for each calendar year as adopted by the Jackson Village Board. Such bills will be sent after March 31 of the year previously computed.
 - e. A period of 30 days will be allowed for debugging a newly installed alarm system during which false and malfunction alarms will not be considered a violation.
 - f. Failure to pay the billed, annual alarm charges in the specified time will result in the costs of these charges being special assessed and added to the property's tax bill as allowed by Wisconsin Statutes.
7. Alarm System Standards.
- a. All persons who apply for installation of an alarm system shall comply with stated minimum standards and charged the fees as established by the Village Board.
 - b. Any person that applies for installation of an on or off premise alarm shall relieve the Village of Jackson and its police and fire departments of all liability as a result of any action arising from the installation of, operation of a response to any alarm, and further shall relieve the Village of Jackson and the above departments of any liability resulting from the disconnection of any alarm.
8. Registration Fee.
- a. The initial registration fee for a Village of Jackson alarm installation shall be for the first year or any part of the year, and renewal thereafter as established by the Jackson Village Board.

- b. Each permit shall be valid for the calendar year in which issued and shall be renewed by January 31 of each subsequent year.
- 9. Exemptions.
 - a. The provisions of this ordinance shall not apply to audible alarms affixed to motor vehicles or boats.
- 10. Penalties. Any person, firm or corporation convicted of a violation of this Code shall forfeit not less than \$50 nor more than \$500 plus the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until such forfeiture and costs are paid, such imprisonment not to exceed 90 days. (#02-05)