

TOWN OF RICE LAKE – ORDINANCE #20-101
FIRE PREVENTION ORDINANCE

STATE OF WISCONSIN
Town of Rice Lake
Barron County

SECTION 1: Recognized; duties and responsibilities.

The Rice Lake Fire Department is officially recognized as the fire department serving the Town of Rice Lake, and the duties of firefighting and fire prevention in the Town of Rice Lake are delegated to such department. The fire department shall be responsible for the program of fire defense for the citizens and property within the Town.

SECTION 2: Appropriations.

The Town of Rice Lake shall contribute funds for the operations of the Rice Lake Fire Department per the Fire Protection Agreement as adopted by the City of Rice Lake Common Council and the Town of Rice Lake Board of Supervisors. Said funds shall be used to provide for operation of the Rice Lake Fire Department and for such apparatus and equipment for the use of the fire department as it may deem expedient and necessary to maintain efficiency and properly protect life and property from fire.

SECTION 3: Impeding fire equipment prohibited.

No person shall impede the progress of a fire engine, fire truck or other fire apparatus of the Rice Lake Fire Department along any town road, or state or county highway, within the Town of Rice Lake at the time of a fire or when the Rice Lake Fire Department is using such roads or highways in response to a fire alarm or for practice.

SECTION 4: Police power of Fire Department; fire inspections.

A. Police authority at fires.

1. 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 a fire.
2. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting fire fighters and police officers and those admitted by order of any officer of the Department, shall be permitted to come.
3. The Chief 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 cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Department during the progress of a fire.

B. Fire inspection duties.

1. The Fire Chief, or the Chief's designee, shall be the Fire Inspector of the Town of Rice Lake and shall have the power to appoint one or more Deputy Fire Inspectors and shall perform all duties required of the Fire Inspectors by the laws of the state and rules of the Department of Safety and Professional Services, particularly § 101.14, Wis. Stats.
2. While acting as Fire Inspector pursuant to § 101.14(2), Wis. Stats., the Fire Chief, or any officer of the Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the Town of Rice Lake at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code, he/she may deem necessary. Should the Fire Inspector find that any provisions of this Code relating to fire hazards and prevention of fires are being violated, or that a fire hazard exists which should be eliminated, it shall be his/her duty to give such directions for the abatement of such conditions as he/she shall deem necessary and, if such directions are not complied with, is authorized by

the Town of Rice Lake Board of Supervisor to impose fees and penalties in accordance with the City of Rice Lake's fee schedule. Said fees and penalties shall be retained by the City of Rice Lake.

3. The Chief of the Fire Department is required, by himself/herself or by officers or members of the Fire Department designated by him/her as fire inspectors, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspections shall be made at least once per calendar year in all of the Town of Rice Lake territory served by the Rice Lake Fire Department.
4. Written reports of inspections shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form required by the Department of Safety and Professional Services.
- C. Fire Inspectors' Handbook. The Fire Inspectors' Handbook, Department of Safety and Professional Services, is hereby adopted and made part of this Code of Ordinances by reference.

SECTION 5: Damaging fire hose prohibited; parking by hydrants; blocking fire lanes.

- A. Driving over fire hose. No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the Rice Lake Fire Department, and no vehicle shall be driven over any unprotected hose of the 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.
- B. Parking vehicles near hydrants. It shall be unlawful for any person to park any vehicle or leave any object within 10 feet of any fire hydrant at any time.
- C. No parking near fire. It shall be unlawful for any person, in case of fire, to drive or park any vehicle within one block from the place of fire without the consent and authority of the Fire Chief or any law enforcement officer.

SECTION 6: Firefighters may enter adjacent property.

It shall be lawful for any firefighter while acting under the direction of the Fire Chief or any other officer in command to enter upon the premises adjacent to or in the vicinity of a building or other property then on fire for the purpose of extinguishing such fire and in case any person shall hinder, resist or obstruct any firefighter in the discharge of his/her duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firefighters in the discharge of their duty.

SECTION 7: Destruction of property to prevent the spread of fire.

During the progress of any fire, the Fire Chief or his/her assistant shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire, provided that it is inevitable that, unless such property is removed, other property is in danger of being destroyed by fire.

SECTION 8: Duty 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 shall have the power to cause the arrest of any person or persons refusing to obey said orders.

SECTION 9: Impeding fire equipment prohibited.

No person shall impede the progress of a fire engine, fire truck or other fire apparatus of the city fire department along the streets or alleys of such city at the time of a fire or when the fire department of the city is using such streets or alleys in response to a fire alarm or for practice.

SECTION 10: Vehicles to yield right-of-way.

Whenever there shall be a fire or fire alarm or the Fire Department shall be out for practice, every person driving or riding in a motorized or other vehicle shall move and remain to the side of the street until the fire engine and fire truck and other fire apparatus shall have passed.

SECTION 11: Interference with use of hydrants prohibited.

No person shall occupy any portion of such streets or alleys with a motorized or other vehicle between such fire engine or fire truck or other fire apparatus and any hydrant to which a fire hose may be, or may be about to be, attached.

SECTION 12: Adoption of state codes.

The following orders, rules and regulations of the Wisconsin Department of Safety and Professional Services, all of which are set forth in the Wisconsin Administrative Code as from time to amended, are incorporated herein by reference and adopted as part of this chapter:

Ch. SPS 307, Explosives and Fireworks
Ch. SPS 310, Flammable, Combustible and Hazardous Liquids
Ch. SPS 314, Fire Prevention
Ch. SPS 316, Electrical
Chs. SPS 320 to 325, Uniform Dwelling Code
Ch. SPS 328, Smoke Detectors and Carbon Monoxide Detectors
Ch. SPS 330, Fire Department Safety and Health
Ch. SPS 343, Anhydrous Ammonia
Chs. SPS 361 to 366, Wisconsin Commercial Building Code
Chs. SPS 375 to 379, Buildings Constructed Prior to 1914
Wisconsin Electrical Code

SECTION 13: Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 14: Effective Date.

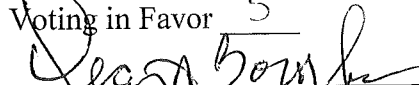
This ordinance is effective on publication or posting.

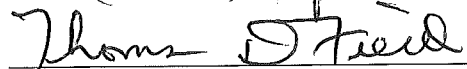
The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

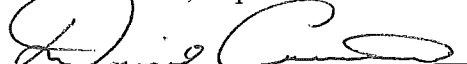
Adopted this 9th day of March, 2020.

Voting in Favor 5 Voting Opposed 0

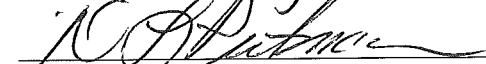
Abstaining (if determined) 0


Dean A. Borofka, Town Chairman


Thomas Field, Supervisor I


David Crotteau, Supervisor III

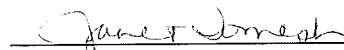

Peter Gallagher, Supervisor II


Donald Putnam, Supervisor IV

CERTIFICATION

The undersigned, Town Clerk/Treasurer for the Town of Rice Lake, does hereby certify that the foregoing Resolution was duly adopted by the Town Board of the Town of Rice Lake at a meeting held on March 10, 2020, which meeting was properly noticed and conducted in the manner provided for by law, and at which a quorum of members of the Town Board were present.

Dated this 9th day of March, 2020.


Janet Tomesh, Town Clerk/treasurer
Posted: 03/10/20 Published: 03/18/20