

TITLE 5

Public Safety

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Law Enforcement

(Reserved for Future Use)

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Fire Protection

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Sec. 5-2-1 Fire Protection; Fire Department.

(a) **General Authority.**

- (1) The Village Board shall provide for fire protection for the Village of Bristol. Fire protection for the Village may be provided in any manner, including:
 - a. Establishing a Village fire department.
 - b. Joining with another town, village, or city to establish a joint fire department. If the Village Board establishes a joint fire department with a village under Sec. 61.65(2)(1)3, Wis. Stats., the Village Board shall create a joint board of fire commissioners with the other village under Sec. 61.65(2)(b)2, Wis. Stats.
 - c. Contracting with any person.
 - d. Utilizing a fire company organized under Ch. 213, Wis. Stats.
- (2) The Village Board may provide for the equipping, staffing, housing, and maintenance of fire protection services.

- (b) **Funding.** The Village Board may:
 - (1) Appropriate money to pay for fire protection in the Village.
 - (2) Charge property owners a fee for the cost of fire calls made to their property.
 - (3) Levy taxes on the entire Village to pay for fire protection.
 - (4) Levy taxes on property served by a particular source of fire protection, to support the source of protection.
 - (5) Negotiate contracts with other local governments and nations, to be adjusted annually.
 - (6) The Fire Department may also raise monies independently.
- (c) **Appropriations.** The Village Board shall appropriate funds for Fire Department operations and for such apparatus and equipment for the use of the Fire Department(s) as the Board may deem expedient and necessary to maintain efficiency and properly protect life and property from fire.

Sec. 5-2-2 Ambulance Service.

The Village Board shall contract for or operate and maintain ambulance services unless such services are provided by another person. The Village Board may purchase equipment for medical and other emergency calls. The Village may offer financial support to the local rescue service on an annual basis.

Sec. 5-2-3 Impeding Fire Equipment or Firefighting Prohibited.

- (a) No person shall impede the progress of a fire engine, fire truck or other fire apparatus of a Fire Department along the streets or alleys of the Village of Bristol at the time of a fire or when a Fire Department is using such streets or alleys in response to a fire alarm or for practice.
- (b) No person shall obstruct the operations of the Fire Department in connection with extinguishing any fire or actions relative to other emergencies or disobey any lawful command of the fire official in charge of the emergency or any lawful order of a law enforcement officer assisting the Fire Department.

Sec. 5-2-4 Police Power of the Department; Investigation of Fires.

- (a) **Police Authority at Fires.**
 - (1) The Chief and assistants or officers of the Fire Department in command at any fire are hereby vested with full and complete police authority at fires. Any officer of a

Fire 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 firefighters and law enforcement officers and those admitted by order of any officer of the Fire Department, shall be permitted to come. The fire official in charge of an emergency scene shall have the authority to establish fire line barriers to control access in the vicinity of such emergency and to secure any street or alley. No unauthorized person may cross such fire line barriers.
- (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 Fire Department during the progress of a fire.

(b) **Fire Inspection Duties.**

- (1) The Fire Chief shall be the Fire Inspector in the Village of Bristol 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 Wisconsin Department of Commerce, particularly Sec. 101.14, Wis. Stats.
- (2) While acting as Fire Inspector pursuant to Sec. 101.14(2), Wis. Stats., the Fire Chief, or any officers of their Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the Village of Bristol at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code of Ordinances, he/she may deem necessary. Should the Fire Inspector(s) 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 be not complied with, to report such noncompliance to his/her Fire Chief and to the Village Board for further action.
- (3) The Fire Chief 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 in that Department's jurisdictional area shall be made at least once in six (6) months in all of the territory served by the Fire Department.
- (4) Written reports of inspections shall be made and kept on file in the office of Fire Chief in the manner and form required by the Wisconsin Department of Commerce. A copy of such reports shall be filed with the Fire Chief.

- (c) **Fire Inspectors Handbook.** The *Fire Inspectors' Handbook*, *COMM* and "NFPA 1 (current edition)" are hereby adopted and made part of this Code of Ordinances by references.

State Law Reference: Sec. 101.14(2), Wis. Stats.

Sec. 5-2-5 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 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 fifteen (15) 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.

Sec. 5-2-6 Firefighters May Enter Adjacent Property.

- (a) **Entering 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.
- (b) **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.

Sec. 5-2-7 Vehicles to Yield Right-of-Way.

Whenever there shall be a fire or fire alarm involving the Fire Department, operating in an emergency mode, 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.

Sec. 5-2-8 Outdoor Burning.

- (a) **Purpose.** This Section is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Village of Bristol due to the air pollution and fire hazards of open burning, outdoor burning and refuse burning.
- (b) **Applicability.**
 - (1) **Generally.** This Section applies to all outdoor burning and refuse burning within the Village of Bristol.
 - (2) **Outdoor Cooking Grills.** This Section does not apply to grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances.
 - (3) **Indoor Stoves and Appliances.** This Section does not apply to burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation unless the material being burned includes refuse as defined in Subsection (c) below.
 - (4) **Propane and Natural Gas Devices.** This Section does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.
- (c) **Definitions.** The following definitions are applicable in this Section:
 - (1) **Campfire.** A small outdoor fire intended for recreation or cooking not including a fire intended for disposal of waste wood or refuse.
 - (2) **Clean Wood.** Natural wood which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives, and does not contain resins or glues as in plywood or other composite materials.
 - (3) **Confidential Papers.** Printed material containing personal identification or financial information that the owner wishes to destroy.
 - (4) **Fire Chief.** The Fire Chief of the Village of Bristol, or other person authorized by the Fire Chief.
 - (5) **Outdoor Burning.** Open burning or burning in an outdoor wood-fired furnace.
 - (6) **Open Burning.** Kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or chimney.
 - (7) **Outdoor Wood-Fired Furnace.** A wood-fired furnace, stove or boiler that is not located within a building intended for habitation by humans or domestic animals.
 - (8) **Refuse.** Any waste material except clean wood.
- (d) **General Prohibition on Open Burning, Outdoor Burning and Refuse Burning.** Open burning, outdoor burning and refuse burning are prohibited in the Village of Bristol unless the burning activity is specifically permitted by this Section.

- (e) **Materials That Shall Not Be Burned.** Unless specific written approval has been obtained from the Wisconsin Department of Natural Resources, the following materials shall not be burned in an open fire, incinerator, burn barrel, furnace, stove or any other indoor or outdoor incineration or heating device. The Village of Bristol shall not issue a permit for burning any of the following materials without air pollution control devices and a written copy of an approval by the Wisconsin Department of Natural Resources:
- (1) Rubbish or garbage including, but not limited to, food wastes, food wraps, packaging, animal carcasses, animal waste (manure), paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
 - (2) Waste oil or other oily wastes except used oil burned in a heating device for energy recovery, subject to the restrictions of NR 590, Wis. Adm. Code.
 - (3) Asphalt and products containing asphalt.
 - (4) Treated or painted wood including, but not limited to, plywood, composite wood products, or other wood products that are painted, varnished, or treated with preservatives.
 - (5) Any plastic material including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films, and plastic containers.
 - (6) Rubber including tires and synthetic rubber-like products.
 - (7) Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the Village's recycling ordinance except as provided in Subsection (j) below.
- (f) **Open Burning of Leaves, Brush, Clean Wood, and Other Vegetative Debris.** Open burning of leaves, weeds, brush, stumps, clean wood, or other dry vegetative debris is allowed only in accordance with the following provisions:
- (1) **Safety Requirements.** All allowed open burning shall be conducted in a safe, nuisance free manner, when wind and weather conditions are such as to minimize adverse effects and not create a health hazard or a visibility hazard on roadways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.
 - (2) **Burning Ban Periods.** Except for barbecue, gas and charcoal grills, no open burning shall be undertaken during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban applicable to the area. (See Section 3-2-10.)
 - (3) **Burning Parcel Restrictions.** Open burning shall be conducted only on the property on which the materials were generated.
 - (4) **Burning By Commercial Enterprises.** Unless explicitly allowed elsewhere in this Section, a commercial enterprise may open burn only at a facility approved by and in accordance with provisions established by the Fire Chief and the Wisconsin Department of Natural Resources.

- (5) **Burning on Agricultural or Conservancy Lands.** Open burning of weeds or brush on agricultural or conservancy lands is allowed if conducted in accordance with other applicable provisions of this Section.
- (6) **Outdoor Campfires and Small Bonfires.** Outdoor campfires and small bonfires for cooking, ceremonies or recreation are permitted, provided that the fire is confined by a control device or structure such as a barrel, fire ring or fire pit. Bonfires are allowed only if approved by and in accordance with provisions established by the Fire Chief.
- (7) **Burning of Trees and Stumps.** Burning of trees, stumps, limbs, brush or weeds for clearing or maintenance of rights-of-way is allowed if approved by the Fire Chief and if in accordance with other provisions of this Section.
- (8) **Emergency Situations.** In emergency situations such as natural disasters burning that would otherwise be prohibited is allowed if specifically approved by the Wisconsin Department of Natural Resources.
- (9) **Permit Required.** Open burning under this Section shall be conducted only following issuance of and in accordance with a permit issued under Subsection (k) below.
- (10) **Setback From Structures.**
 - a. Open burning shall only be conducted at a location at least twenty-five (25) feet from the nearest building which is not on the same property.
 - b. Open burning shall only be conducted at a location at least twenty-five (25) feet from the nearest building on the same property, except for barbeque, gas and charcoal grills or screened fire pits. Gas or charcoal barbeque grills, or screened fire pits, may not be operated within ten (10) feet from any combustible material, combustible wall or partition, exterior window opening, exit access or exit unless authorized by the Fire Chief.
- (11) **Burning During Daylight Hours Only.** Except for campfires, permitted bonfires or fires in approved fire pits, open burning shall be conducted only during daylight hours.
- (12) **Supervision.** Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.
- (13) **Improper Burning Locations.** No materials may be burned upon any street, curb, culvert, gutter or sidewalk or on the ice of a lake, pond, stream or water body, or in areas identified as having soil with a high peat content.
- (14) **Ozone Action Days.** No open burning may be conducted on days when the Wisconsin Department of Natural Resources has declared an ozone action day applicable to Kenosha County.
- (15) **Flammable Liquid Use To Start Fires.** Flammable liquids shall not be used to start or propagate any open burning regulated by this Section.
- (16) **Prairie or Habitat Management Burning.** Fires set for forest, prairie or wildlife habitat management are allowed with the approval of the Wisconsin Department of Natural Resources.

- (g) **Use of Burn Barrels.** A burn barrel may be used in the Village of Bristol only in accordance with the following provisions:
- (1) **Burning of Prohibited Materials Not Allowed.** The burn barrel shall not be used to burn any of the prohibited materials listed in Subsection (e).
 - (2) **Location.** The burn barrel shall be located at least twenty-five (25) feet from the nearest building.
 - (3) **Ventilation; Screen.** The burn barrel shall have vent holes above the ash line for combustion air and shall be covered with a heavy wire screen.
 - (4) **Commercial Use Prohibited.** The burn barrel shall not serve a commercial enterprise.
 - (5) **Permit Required.** The owner of the burn barrel shall obtain an annual permit from the Fire Chief in accordance with Subsection (k).
- (h) **Outdoor Wood-Fired Furnances.** An outdoor wood-fired or solid-fuel furnace may be installed and used in the Village of Bristol only in accordance with the following requirements:
- (1) **Use Limited to Agricultural-Zoned or Conservancy Zoned Parcels.** The outdoor wood-fired or solid fuel furnace shall be installed and used only in an area zoned for agricultural or conservancy use. (See Section 5-2-11.)
 - (2) **Burning of Prohibited Materials.** The outdoor wood-fired or solid fuel furnace shall not be used to burn any of the prohibited materials listed in Subsection (e).
 - (3) **Location.** The outdoor wood-fired or solid fuel furnace shall be located at least five hundred (500) feet from the nearest building that is not on the same property as the outdoor wood-fired furnace.
 - (4) **Chimney.** The outdoor wood-fired or solid fuel furnace shall have a chimney that extends at least fifteen (15) feet above the ground surface. If there are any residences within five hundred (500) feet, the chimney shall also extend at least high as high above the ground surface as the height of the roofs of all such residences. The Fire Chief may approve a lesser height on a case-by-case basis if necessary to comply with the manufacturer's recommendations and if the smoke from the lower chimney height does not create a nuisance for neighbors.
 - (5) **Annual Permit Not Required.** No annual permit for the use of an outdoor wood-fired furnace is required.
 - (6) **Existing Units.** Existing outdoor wood-fired or solid fuel furnace installations (as of November 1, 2004) will not be subject to the distance limitations listed in this Section until or unless repairs or replacement of existing equipment or facilities would exceed fifty percent (50%) of the cost of a new installation.
- (i) **Fire Department Practice Burns.** Notwithstanding Subsections (d) and (e), the Village of Bristol Fire Department may burn a standing building if necessary for fire fighting practice and if the practice burn complies with the requirements of the Wisconsin Department of Natural Resources.
- (j) **Exemption For Burning Certain Papers.**
- (1) **Use As Starter Material.** Notwithstanding the other provisions of this Section, paper and cardboard products may be used as a starter fuel for a fire that is allowed under this Section.

- (2) ***Destruction of Confidential Personal Papers.*** Small quantities of confidential papers from a residence may be burned if necessary to prevent the theft of financial records, identification or other confidential information.
 - (3) ***Destruction of Confidential Commercial Papers.*** Confidential papers from a commercial enterprise shall be shredded or destroyed in a manner other than burning.
 - (4) ***Other Requirements.*** A fire set for burning of a small quantity of confidential papers shall be subject to and comply with Subsections (f)(1)-(3), (6) and (11)-(16).
- (k) **Burning Permits.**
- (1) ***Permit Requirement.*** No person shall start or maintain any open burning without a burning permit issued by the Fire Chief of his/her designee.
 - (2) ***Property Owner to Obtain; Fees.*** The owner or occupant of the property shall obtain an annual burning permit. The fees for each annual burning permit shall be as established in Section 1-3-1. Annual burning permits expire on December 31 of each year. Prior permit owners who did not have a burning permit for the immediate preceding year shall be assessed a permit fee per Section 1-3-1.
 - (3) ***Suspension of Burning Permits Due to Conditions.*** When weather conditions warrant, the Fire Chief or the Wisconsin Department of Natural Resources may declare a burning moratorium on all open burning and temporarily suspend previously issued burning permits for open burning.
 - (4) ***Conditions of Permit.***
 - a. A burning permit issued under this Section shall require compliance with all applicable provisions of this Section and any additional special restrictions deemed necessary to protect public health and safety.
 - b. Any violation of the conditions of a burning permit shall be deemed a violation of this Section. Any violation of this Section or the burning permit shall void the permit.
- (l) **Liability.** A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.
- (m) **Right of Entry and Inspection.** The Fire Chief or any authorized officer, agent, employee or representative of the Village of Bristol who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this Section. [Note: If the owner or occupant of the premises denies access to the property for this purpose, a special inspection warrant may be obtained pursuant to the Wisconsin Statutes.]
- (n) **Enforcement and Penalties.**
- (1) ***Enforcement.*** The Fire Chief and the officers/members of the Village of Bristol Fire Department are authorized to enforce the provisions of this Section.
 - (2) ***Penalties.***
 - a. The penalty for violation of any portion of this Section shall be a forfeiture and other penalties as prescribed in Section 1-1-6, except that penalties are doubled for second and subsequent offenses.

- b. The Village of Bristol shall charge property owners appropriate fees as established by the Village Board for the costs incurred by the Fire Chief and the officers and members of the Village of Bristol Fire Department for the services they are called upon to provide to their property for fire protection and inspection under this Section.

Sec. 5-2-9 Patio Fireplaces.

Patio fireplaces are permitted in the Village of Bristol as long as they are commercially purchased units that enclose the entire fire area within the patio fireplace. The chimney area and viewable area of the patio fireplace must be screened with a spark reduction device at all times the patio fireplace is in operation. The patio fireplace shall only burn a readily combustible fuel source that consists of wood, charcoal, or manufactured fireplace logs. The burning of trash, leaves, woods with a chemical treatment (railroad tie, fence post, power pole, etc.), or other materials that tend to create a noxious or annoying smoke discharge are not allowed. This Section does not allow for below ground campfires or other device fires not clearly authorized in this Section or Section 5-2-10(c)(2). Upon the complaint of two (2) or more persons to the Fire Department that the patio fireplace is causing annoyance, the person responsible for the patio fireplace shall immediately discontinue the use of the device.

Sec. 5-2-10 Banning and/or Regulating the Use of Fire, Burning Materials and Fireworks During the Existence of Extreme Fire Danger.

- (a) **Declarations of Emergency.** When there occurs a lack of precipitation, there may exist an extreme danger of fire within the Village of Bristol. This extreme danger of fire affects the health, safety, and general welfare of the residents of the Village of Bristol and constitutes a state of emergency. It is hereby found that the regulation of fires, burning materials, and fireworks is necessary and expedient for the health, safety, welfare and good order of the Village of Bristol during said emergency.
- (b) **Period of Emergency.**
 - (1) The periods of emergency for which this Section shall be in effect shall be during such periods that the Village of Bristol and Kenosha County, Wisconsin, are under Wisconsin Department of Natural Resources emergency fire regulations banning outdoor smoking and campfires, or when necessary as determined by the Fire Chief of the Bristol Fire Department.
 - (2) Burning emergencies shall become effective upon the time and date of the Village President declaring a state of emergency and shall remain in effect until the period of

- emergency ceases to exist or until the ratification, alteration, modification, or repeal of the burning state of emergency by the Village Board.
- (3) If a burning emergency is enacted, it will be posted in four (4) public places and published in the official newspaper. The four (4) posting places, plus the Village website and answering machine, will be:
 - a. Bristol and Woodworth Post Offices.
 - b. Rainbow Manor.
 - c. Bristol Municipal Building.
 - d. Benson's Corners Convenience Store.
 - (4) In the event a burning emergency is put into effect, all issued fire permits are void until the ban is lifted.

Sec. 5-2-11 Outdoor Solid Fuel Heating Devices.

- (a) **Definitions.** The following definitions shall be applicable herein:
 - (1) **Solid Fuel-Fired Heating Device.** A device designed for solid fuel combustion so that usable heat is derived for the interior of the building, and includes solid fuel-fired cooking stoves, and combination fuel furnaces or boilers which burn solid fuel including outdoor wood burning units.
 - (2) **Stacks or Chimneys.** Any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a solid fuel-fired heating device; especially that part of such structures extending above a roof.
 - (3) **Person.** An individual, partnership, corporation, company or other association.
 - (4) **Public Nuisance.** Any act or failure to perform a legal duty required by this Section is declared a public nuisance.
- (b) **Requirements.** All outdoor solid fuel heating devices shall comply with the requirements of Section 5-2-8(h).

Cross-Reference: Section 5-2-8(h), Outdoor Wood-Fired Furnaces

Sec. 5-2-12 Fireworks Sales Prohibited.

The use and/or retail sale of fireworks of any type, as defined in Section 7-5-1, is prohibited in the Village of Bristol.

Cross-Reference: Section 7-5-1, Regulation and Licensing of Fireworks

Title 5 ► Chapter 3

Fire Prevention Code; Hazardous Materials

- 5-3-1** Adoption of Fire Prevention Codes
- 5-3-2** Disclosure of Hazardous Material and Infectious Agents;
Reimbursement for Cleanup of Spills
- 5-3-3** Fees for Extraordinary Services; Hazardous Material
Incident Response Reimbursement
- 5-3-4** Smoke Detectors
- 5-3-5** Damage Involving Emergency Vehicles
- 5-3-6** Installation of Key Box System
- 5-3-7** Automatic Fire Sprinkler Systems

Sec. 5-3-1 Adoption of Fire Prevention Codes.

- (a) **State Administrative Codes Adopted.** The following rules and regulations as promulgated within the Wisconsin Administrative Code, together with any future additions, deletions, or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. Provided, however, that where such rules and regulations are less stringent than other provisions found in this Chapter, the provisions of this Chapter shall apply:
- (1) Wis. Adm. Code Ch. COMM 4; Signs for Smoking Areas.
 - (2) Wis. Adm. Code Ch. COMM 7; Explosive Materials.
 - (3) Wis. Adm. Code Ch. COMM 9; Manufacture of Fireworks.
 - (4) Wis. Adm. Code Ch. COMM 10; Flammable and Combustible Liquids.
 - (5) Wis. Adm. Code Ch. COMM 14; Fire Protection.
 - (6) Wis. Adm. Code Ch. COMM 15; Cleaning and Dyeing.
 - (7) Wis. Adm. Code Ch. COMM 16; Electrical.
 - (8) Wis. Adm. Code Ch. COMM 20–25; Uniform Dwelling Code.
 - (9) Wis. Adm. Code Ch. COMM 28; Smoke Detectors.
 - (10) Wis. Adm. Code Ch. COMM 30; Fire Department Safety and Health.
 - (11) Wis. Adm. Code Ch. COMM 43; Anhydrous Ammonia Code.
 - (12) Wis. Adm. Code Chs. COMM 50–64; Building and Heating, Ventilating and Air Conditioning.

- (13) Wis. Adm. Code Ch. COMM 66; Uniform Multifamily Dwelling.
- (14) Wis. Adm. Code Ch. COMM 70; Historic Building.
- (15) Wis. Adm. Code Ch. COMM 75–79; Existing Buildings.
- (16) Wisconsin Electrical Code.
- (b) **Adoption of NFPA Codes.** The following rules and regulations issued by the National Fire Protection Association (NFPA), together with any future additions, deletions or supplements thereto, are herewith adopted and incorporated by reference as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. Provided, however, that where such rules and regulations are less stringent than other provisions found in this Code, the provisions of this Chapter shall apply:
 - (1) Fire Prevention Code, NFPA 1.
 - (2) Safety to Life from Fire in Buildings and Structures, NFPA 101.
 - (3) Water-based Fire Protection Systems, NFPA 54.
 - (4) Spray Applications Using Flammable or Combustible Materials, NFPA 33.
 - (5) National Fuel Gas Code, NFPA 54.
 - (6) Storage and Handling of Liquid Petroleum Gases Code, NFPA 58.
 - (7) Aircraft Fuel Servicing, NFPA 407.
- (c) **Statutory Fireworks Regulations.** Section 167.10 of Wis. Stats., pertaining to Regulation of Fireworks, together with any future additions, deletions, or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. Provided, however, that where such rules and regulations are less stringent than other provisions found in this Chapter, the provisions of this Chapter shall apply. Notwithstanding any provisions of this Chapter to the contrary, no person may sell, possess or use fireworks, as that term is defined by Sec. 167.10(1), Wis. Stats., as may be amended from time to time, within the Village of Bristol; except that the use of fireworks may be allowed by appropriate Permit issued by the Village President.

Sec. 5-3-2 Disclosure of Hazardous Materials and Infectious Agents; Reimbursement for Cleanup of Spills.

- (a) **Application.**
 - (1) All persons, firms or organizations using, researching or producing hazardous materials and/or infectious agents shall notify the Fire Department.
 - (2) The provisions of this Section shall apply to all persons, firms or organizations using, researching, producing or storing hazardous materials and/or infectious agents on and after the effective date of this Section.
- (b) **Definitions.**
 - (1) "Infectious agent" is a bacterial, mycoplasmal, fungal, parasitic or viral agent known to cause illness in humans which is used, researched, produced or stored within or on premises.

- (2) "Hazardous materials" are those materials that can cause death or disabling injury from brief exposure; those materials that could cause a lost-time injury from exposure; and those materials that could cause temporary disability or injury without permanent effects which are used, researched, produced or stored within or on premises except those household consumer products used at the point of consumption and not used for commercial or experimental purposes. This definition of hazardous materials shall include radioactive materials.

(c) **Information Required.**

- (1) Any person, firm or organization using, researching, producing and/or storing any hazardous materials shall provide in writing to the Fire Department the following information:
- a. Address, location of where hazardous materials are used, researched, stored or produced;
 - b. The trade name of the hazardous material;
 - c. The chemical name and any commonly used synonym for the hazardous material and the chemical name and any commonly used synonym for its major components;
 - d. The exact locations on the premises where materials are used, researched, stored and/or produced;
 - e. Amounts of hazardous materials on premises per exact location;
 - f. The boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids and appearance and odor of the hazardous material;
 - g. The flashpoint and flammable limits of the hazardous substance;
 - h. Any permissible exposure level, threshold limit value or other established limit value for exposure to a hazardous material;
 - i. The stability of the hazardous substance;
 - j. Recommended fire extinguishing media, special firefighting procedures and fire and explosion hazard information for the hazardous material;
 - k. Any effect of over-exposure to the hazardous material, emergency and first aid procedures and telephone numbers to call in an emergency;
 - l. Any condition or material which is incompatible with the hazardous material and must be avoided.
 - m. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming into contact with the hazardous materials;
 - n. Procedures for handling or coming into contact with the hazardous materials.
- (2) Any person, firm or organization using, researching, producing and/or storing infectious agent and/or carrier of an infectious agent shall provide in writing to the Fire Department the following:
- a. The name and any commonly used synonym of the infectious agent;
 - b. Address/location where infectious agents are used, researched, stored and/or produced;

- c. The exact locations where infectious agents are used, researched, stored and/or produced;
 - d. Amount of infectious agent on premises per exact locations;
 - e. Any methods of route of transmission of the infectious agents;
 - f. Any symptoms of effect of infection, emergency and first aid procedure and a telephone number to be called in an emergency;
 - g. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming in contact with the infectious agent;
 - h. Procedure for handling, clean-up and disposal of infectious agents leaked or spilled.
- (d) **Reimbursement for Cleanup of Spills.** 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 of Bristol for 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 circumstance.

Sec. 5-3-3 Fees for Extraordinary Services; Hazardous Material Incident Response Reimbursement.

(a) **Purpose; Authority.**

- (1) The Village of Bristol provides fire, public safety, and other response services for the protection of the public health, safety and welfare, the costs of which are funded from the general tax revenue of the Village. Such services may involve property which is not owned by a property taxpayer of the Village such as utility transmission and telephone lines, gas lines, cable television equipment, or hazardous materials, or may involve property owned by a taxpayer of the Village, but which requires extraordinary response services, such as an open burning site or a hazardous substances or hazardous waste handling or storage site. Such response services benefit the owner or person in charge of such property and the public health, safety and welfare; and
- (2) The Village, pursuant to its police powers, may collect the costs of such response services from the owner or person in charge of the property if it is deemed proper and in the best interest of the public health, safety and welfare.

- (b) **Prohibited Discharges.** No person, firm or corporation shall discharge or cause to be discharged, leaked, leached or spilled upon any public or private street, alley, public or private property, or unto the ground, surface waters, subsurface waters, or aquifers, or within the Village of Bristol, except those areas specifically licensed for waste disposal or landfill activities and to receive such materials, any explosive, flammable or combustible

solid liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.

(c) **Definitions.**

- (1) **Hazardous Substances or Hazardous Waste.** As defined in Sec. 289.01(11) and (12), Wis. Stats.
 - (2) **Property.** The personal property or real estate directly involved in the response services, including but not limited to, utility transmission or telephone line, gas line, cable television equipment, open burning site or hazardous substance or hazardous waste handling or storage site.
 - (3) **Village Response Services.** Village of Bristol emergency services, fire, utilities, public works, or other similar response services.
 - (4) **Emergency Services Response.** Includes, but is not limited to: Fire Service, Emergency Medical Service, Law Enforcement. A person, firm, or corporation who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for actual and necessary expenses incurred in carrying out their duties under this Chapter. Actual and necessary expenses may include but not be limited to: replacement of equipment damaged by the hazardous material, cleaning, decontamination and maintenance of the equipment specific to the incident, specific laboratory expenses incurred in the recognition and identification of hazardous substances in the evaluation of response, decontamination, costs incurred in the procurement and use of specialized equipment specific to the incident, clean up and medical surveillance, and incurred costs in future medical surveillance of response personnel as required by the responding agencies medical advisor.
- (d) **Site Access.** Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to emergency government officers and staff and to Fire Department personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.
- (e) **Public Protection.** Should any prohibited discharge occur that threatens the life, safety or health of the public at, near, or around the site of a prohibited discharge, and that the situation is so critical that immediate steps must be taken to protect life and limb, the Village President, his/her assistant, or the senior fire official on the scene of the emergency may order an evacuation of the area or take other appropriate steps for a period of time until the Village Board can take appropriate action.
- (f) **Enforcement.** The Fire Chief and his/her deputies, as well as law enforcement officers, shall have authority to issue citations or complaints under this Section.
- (g) **Civil Liability.** Any person, firm or corporation in violation of this Section shall be liable to the Village for any expenses incurred by the Village or loss or damage sustained by the Village of Bristol by reason of such violation.

(h) **Responsibility for Costs.**

- (1) In the event the Village Board determines the costs incurred for Village response services are extraordinary in amount or the services for which the costs are incurred are extraordinary in type, the Fire Chief shall review and determine whether to seek reimbursement for the extraordinary costs from the owner of the property. The Fire Chief shall consider the amount of the costs involved, the nature of the response services, the impact of the response on other Village services, and such other factors it deems appropriate in making its determination.
- (2) The Fire Chief may direct the Village Clerk to issue an invoice for the costs of labor and materials, or a portion thereof, to the owner or person in charge of the property. The invoice shall include an itemization of the costs and a requirement for payment within thirty (30) days.

Sec. 5-3-4 Smoke Detectors.

- (a) All dwelling rental units, vacant or occupied, shall be provided with working, approved, listed and labeled smoke detectors. Smoke detectors shall be installed in accordance with the appropriate Wisconsin Department of Commerce (COMM) code that governs the dwelling building and in accordance with the manufacturer instructions.
- (b) The owner of the building shall be solely responsible for the installation and maintenance of smoke detectors, to include battery replacement as required.
- (c) The tenant shall be responsible for informing the owner in writing of any smoke detector malfunction, including the need for a new battery.
- (d) The owner shall immediately upon receipt of written notice from the tenant repair/replace the smoke detector or replace the battery as needed.
- (e) Neither the owner nor the tenant shall remove or disconnect the battery from a smoke detector at any time except for battery replacement.
- (f) The owner shall install new batteries in all smoke detectors at the beginning of a new lease or new tenancy and shall install new batteries annually.
- (g) The owner shall furnish to the tenant at the beginning of a new lease or new tenancy, written notice of the responsibilities of the tenant and the obligations of the owner regarding smoke detectors, their batteries and their maintenance.

Sec. 5-3-5 Damage Involving Emergency Vehicles.

- (a) **Damage to Emergency Vehicles.** If any emergency vehicle suffers damage because of insufficient access to any property within the Village of Bristol, the property owner shall be liable for the amount required to remedy or repair any such damage to the emergency vehicle.

- (b) **Damage to Property.** The Village of Bristol shall not be liable to any property owner for any damage to the owner's property caused by an emergency vehicle, when such damage occurred because of insufficient access to the property. "Damage" as used in this Section shall include, without limitation, injury to trees or other vegetation, fences, posts, signs, lights or other structures.
- (c) **Definitions.** The following definitions shall be applicable in this Section:
 - (1) **Insufficient Access.** A driveway or other roadway which provides less than fifteen (15) unobstructed feet in width clearance and less than fourteen (14) unobstructed feet in height clearance.
 - (2) **Emergency Vehicle.** Includes, without limitation, any ambulance or other medical emergency vehicle, fire apparatus or law enforcement vehicle, or any such Village equipment called in to provide assistance to such units.
- (d) **Reimbursement of Village.** Any property owner upon whose property a Village of Bristol emergency vehicle suffers damage because of insufficient access will be notified, in writing, of the damage(s) sustained and the amount required to repair or remedy the damage. Such property owner shall reimburse the Village of Bristol the full amount specified within thirty (30) days of receipt of the written notice.

Sec. 5-3-6 Installation of Key Box System.

- (a) **Purpose.** The Fire Department has adopted a key box system ("Knox Box") requiring the installation of miniature vaults on the exterior of buildings, gateposts, and/or other applicable locations to facilitate entry into such places in a timely manner during an emergency. Contained within these vaults are the keys necessary to gain entry into the facility and/or also keys to gain access to any locked equipment rooms or hazardous locations. Pertinent property information may also be contained in the vaults.
- (b) **Scope.** Key boxes shall be installed on all new public buildings, places of employment, and multi-family residential buildings that contain a fire alarm or a combination of fire alarms as well as any detection and/or fire suppression systems. Key boxes may be required on buildings that do not contain any of the above equipment by order of the Fire Chief or Building Inspector if the type of occupancy has contents or processes that warrant immediate access during an emergency when it would be impractical or unsafe to wait for a key holder. Gated facilities may also be required to install a padlock compatible with the key box system master key. In such cases the padlock could be double locked along with facility's padlock so as not to disrupt their normal operation. Required equipment shall be purchased by the owner/occupant.
- (c) **Retroactivity.** Participation in this key box system for existing occupancies that would be covered under this Section will be voluntary, except that businesses that have a change of occupancy or a change of use will be required to comply with this Section. Any keys

that the Fire Department currently has in its possession will be returned to the rightful owner. The Fire Department will no longer accept or carry loose keys. Occupancies wishing to participate in the key box system master key. In such cases the padlock could be double locked along with the facility's padlock so as not to disrupt their normal operation. Required equipment shall be purchased by the owner/occupant.

- (d) **Special Circumstances/Multiple Residential False Alarms.** The Fire Chief or Building Inspector may require the installation of a key box system on a private dwelling that contains a monitored fire alarm or fire suppression system where multiple false alarms have occurred.
- (e) **Locations and Type.** Depending on the type and size of the occupancy, the Fire Chief or Building Inspector may require one or more key boxes to be placed on the structure. Public buildings that contain multiple occupancies may be required to have separate vaults for each separate occupancy. The key box will typically be placed near the main entrance to the occupancy. The mounting location of the box must be approved. The type and size of the key box to be installed must also be approved. The only acceptable equipment will be from the Knox Company. In most cases a Knox 4400 series box will be required. In certain cases where it may be necessary to keep MSDS, Haz-mat data or building plans in the vault, a larger box may be required. For smaller occupancies and multi-family residential occupancies required storage for less than ten (10) keys, a Knox 3200 series box will be required.
- (f) **Security.** Security will be maintained through the use of Key Secure master key retention systems. All vaults will be keyed alike utilizing a master key that is proprietary to the Bristol Fire Department. The Bristol Fire Department will be the sole agency that has access to the vault. The master key can only be released after entering a PIN code. All activity will be recorded electronically to add to the security of the system. Boxes shall only be accessed for fire or EMS emergencies, during routine fire inspections, or to update contents.
- (g) **Vault Contents.** The vault shall contain keys for the following: the main entrance, all locked points of access in the interior of the building, mechanical rooms, alarm rooms or panels, sprinkler rooms, electrical rooms, elevators and elevator control rooms, and any other locked areas that may be determined by the Fire Chief. Buildings containing hazardous processes and/or hazardous materials may also be required to place information regarding these hazards within the vault. This information shall be, at a minimum, the MSDS for all products, a list of responsible parties and emergency contact numbers, the list of hazards and quantities and their location within the facility, and any other information requested by the Fire Chief.
- (h) **Update of Keys and Information.** The owner or occupant of buildings utilizing the key box system shall ensure that the keys and any other information contained within the vault will be kept up to date. The keys and any other contents will be verified and/or tested at the time of installation and also during regular fire inspections. If at any time the keys or

information contained with the vault become outdated, or items must be added to the vault, arrangements must be made with the Fire Department to gain access to place the updated items in the vault.

- (i) **Vacation Box Program.** The Fire Department shall have a temporary Knox Box available for property owners to use while away on vacation. The temporary box mounts over a standard door with a secure door hanger bracket. Keys for the structure can then be placed inside the box while the property owner is away. The Fire Department would then have immediate access during an emergency, without the delay of trying to locate a key holder during an emergency. Participation is strictly voluntary and is provided as a public service. Boxes will only be accessed for fire or EMS emergencies.

Sec. 5-3-7 Automatic Fire Sprinkler Systems.

(a) Applicability.

- (1) Pursuant to Section 101.14(4m), Wis. Stats, every multi-family residential dwelling serviced by a public water system which is constructed within the Village of Bristol shall be constructed with an automatic fire sprinkler system for fire protection purposes.
- (2) For purposes of this Section, automatic fire sprinkler system has the meaning given in Section 145.01(2), Wis. Stats.

(b) Standards Incorporated By Reference.

- (1) Applicable provisions of the Wisconsin Administrative Code regulating automatic fire sprinkler systems and fire safety are hereby adopted by reference, as may be amended from time to time. Furthermore, to the extent not inconsistent with the Wisconsin Administrative Code, the standards of the National Fire Protection Association regulating automatic fire sprinkler systems are hereby adopted and incorporated herein by reference.
- (2) Any automatic fire sprinkler system which is required by this Section shall be installed and maintained in every building and structure where required by the Wisconsin Administrative Code, if not otherwise required herein, and shall comply with the standards adopted by the Wisconsin Administrative Code and the National Fire Protection Association, in effect at the time of such installation. In the event of a conflict between any regulations adopted herein by reference, the most restrictive of such provisions shall apply.

(c) Certification and Inspection.

- (1) Installers of an automatic fire sprinkler system shall, upon completion, certify to the Fire Chief of the Village of Bristol, or his/her designee, that installation was completed pursuant to the requirements of this Section. Upon receipt thereof, the Fire Chief or his/her designee will inspect the installation and verify compliance or direct such appropriate action as is required to secure compliance.

- (2) No building or structure for which an automatic fire sprinkler system is required shall be occupied or used for its intended purpose until compliance with this Section is verified by the Fire Chief or the Fire Chief's designee. The Building Inspector shall not issue a certificate of occupancy for any building or structure until compliance with this Section, where required, is verified by the Fire Chief or his/her designee.
- (d) **Connection to Water Supply System.** The water service line providing water to the automatic fire sprinkler system may be connected to the general water service lateral, or may be a separate lateral, provided, however, that if connected to the general water service lateral, the line shall be separate and valved before the water meter which measures the domestic water supply. The sizing, location and all other aspects of the required water supply line shall be authorized and approved by representatives of the Water Utility and the owner of the premises which requires the automatic fire sprinkler service will be required to pay for the full cost of installing a new or separate fire service water supply line in addition to all necessary valves, fittings and other costs associated with the provision of such service.
- (e) **Maintenance.**
 - (1) The owner or occupant of a building or structure containing the automatic fire sprinkler system shall maintain the system in an operative condition at all times. The owner or occupant of the building containing such system shall properly notify the Fire Chief, or his/her designee, in case said sprinkler protection system is inoperative due to a mechanical malfunction or otherwise.
 - (2) An automatic fire sprinkler system may not be rendered inoperable without the written permission of the Fire Chief, or his/her designee, and then only for the duration of the time permitted thereby.
 - (3) No such system, once installed for any reason, shall be disconnected or shall cease to be maintained should a building or structure cease to be occupied, in whole or in part, without first obtaining the permit to do so from the Fire Chief or his/her designee.

Title 5 ► Chapter 4

Emergency Government

- 5-4-1** Policy and Purpose
- 5-4-2** Emergency Government Committee; Emergency Government Director
- 5-4-3** Utilization of Existing Services and Facilities

Sec. 5-4-1 Policy and Purpose.

- (a) **Policy and Purpose.** To ensure that the Village of Bristol will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from man-made and natural disasters, an emergency government organization is created to carry out the purposes set out in Chapter 166, Wis. Stats., and to further provide for coordination of such activities with other entities.
- (b) **Definitions.** As used in this Chapter:
 - (1) **Emergency Government.** Includes civil defense, and means all measures undertaken by or on behalf of the State of Wisconsin and its subdivisions:
 - a. To prepare for and minimize the effects of enemy action and natural or manmade disaster upon the civilian population;
 - b. To effectuate emergency repairs to, or the emergency restoration of vital public utilities and facilities destroyed or damaged by such action or disaster.
 - (2) **Civil Defense.** All those activities and measures designed or undertaken:
 - a. To minimize the effects upon the civilian population caused, or which would be caused, by enemy action;
 - b. To deal with the immediate emergency conditions which would be created by such enemy action; and
 - c. To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such enemy action.
 - (3) **Enemy Action.** All other extraordinary misfortunes affecting the county, natural or manmade not included in the term "enemy action".

Sec. 5-4-2 Emergency Government Committee; Emergency Government Director.

- (a) **Emergency Government Committee Established.** There is created an Emergency Government Committee to be composed of the members of the Bristol Village Board, Village Emergency Government Director and such additional members as the Village Board

shall appoint. The Village President shall serve as the chairperson of the Emergency Government Committee and the Director of Emergency Government shall serve as secretary. The term for each committee member shall be for two (2) years and until their successors are appointed and take office.

- (b) **Duties of the Emergency Government Director.** The Director of Emergency Government for the Village of Bristol, in cooperation with the Kenosha County Emergency Government Agency, shall participate in such joint action as shall be necessary, including:
- (1) Direct the Village emergency government organization;
 - (2) Develop, promulgate and integrate emergency government plans for the operating services of the Village of Bristol;
 - (3) Direct participation of the Village in such emergency government training programs and exercises as may be required;
 - (4) Direct the Village emergency government training programs and exercises;
 - (5) Perform all administrative duties necessary for the rendering of reports and procurements of federal matching funds for each Village entity requesting federal matching funds;
 - (6) In case of a state of emergency being proclaimed by the Governor, direct the activities of the Village emergency government organization; and
 - (7) Perform such other duties, relating to emergency government, as may be required by the Village Board.

Sec. 5-4-3 Utilization of Existing Services and Facilities.

- (a) **Policy.** In preparing and executing the emergency government program, the services, equipment, supplies and facilities of the existing departments and agencies of the Village of Bristol shall be utilized to the maximum extent practicable, and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.
- (b) **Cost of Equipment and Services.** The cost of equipment and services which may be procured by the Village of Bristol shall be borne by or shared by the Village of Bristol as required by the Wisconsin Statutes or rules and regulations relating to federal matching funds for such equipment and services.