

## **CHAPTER 33**

## **FIRE PREVENTION**

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# CHAPTER 33 FIRE PREVENTION

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## SECTION 33.01 General Provisions.

- (a) **Intent of Code.** It is the intent of this chapter to prescribe regulations consistent with nationally recognized standards for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life, property and the environment in the use or occupancy of buildings or premises. Compliance with codes and standards of the National Fire Protection Association (NFPA), State of Wisconsin, or other approved nationally recognized safety standards, as later referred to or as specified in this code, shall be deemed to be prima facie evidence of compliance with this intent.
- (b) **Authority of the Fire Chief.** The authority of the Fire Chief shall be granted as allowed under Section 213.095 of the Wisconsin Statutes and as specified within this Chapter.
- (c) **Authority to Enter Premises.**
  - (1) The Fire Chief may, at reasonable hours, request permission of the owner or occupant to enter any building or premises for the purpose of making any inspection or investigation, which, under the provisions of this code, may be deemed necessary.
  - (2) The Fire Chief may obtain a special inspection warrant under Wis. Stat. §66.0119 when necessary for the purpose of making an inspection or investigation of any building or premises where the owner or occupant has refused admission.
  - (3) No person, having been duly informed of the existence of a special inspection warrant to inspect the premises owned or occupied by that person, shall refuse to permit such inspection to be made. If a person refuses to allow the inspection, each day, or part thereof, during which such refusal continues, shall be deemed to be a separate violation, and shall be subject to citation under Section 1.06 and penalty under section 1.09 of this Code of Ordinances.
- (d) **Inspection of Buildings and Premises.** The Fire Chief may inspect all buildings and premises, except the interiors of dwelling units, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, endanger life from fire, explosion, dangerous condition or any violations of the provisions or intent of this code and of any other applicable ordinance. The Fire Chief shall, as a condition of granting a permit, have the right to enter the premises for which said permit was issued, at any reasonable time during and throughout the course of such work and until

final approval has been granted, for the purpose of inspecting said premises and its compliance with code regulations.

(e) **Issuance of Orders.**

(1) If the Fire Chief, Fire Inspector, and/or Building Inspector shall find in any building or upon any premises during any inspection or re-inspection a fire prevention, detection or suppression system which is defective, inoperative, improperly maintained or improperly operated, they shall report the violation(s) to the Building Inspector who may order the following remedies:

- a. If the system includes one or more exit light(s) which have not been illuminated during inspections, an order may be issued that all of the exit lights in such premises be equipped with self-illuminating lights or lights equipped with light emitting diodes (LED).
- b. If the system includes one or more self-closing fire door(s) any of which have been found to have been held open with non-approved hold open devices during inspections, an order may be issued that all of the fire doors in such premises be equipped with a door holder/release device.
- c. If the system includes emergency exit doors which, during hours of occupancy, have been found to be secured or locked with bolts, bars, chains, padlocks or locking devices other than the primary door lock, an order may be issued that all emergency exit doors within the premises be equipped with panic door release hardware.
- d. This subsection shall not be construed as a limitation upon the powers to issue orders for corrections of violations under this code nor shall this subsection be construed as a limitation upon any of the powers under any other applicable provision of the Village of Cross Plains General Ordinances, Wisconsin Administrative Codes or Wisconsin State Statutes.
  1. *Corrective Action.* Whenever the Building Inspector finds or is notified of a violation of this code, Wisconsin State Statutes, or Wisconsin Administrative Codes, he or she may order corrective action to cause the violation to be eliminated.
  2. *Fees for Re-inspections.* Any person that either misses an inspection or requires a re-inspection will pay a fee that shall be established by resolution of the Village Board.
  3. *Authority to Abate Hazard.* The Fire Chief and/or Building Inspector shall have the authority to order the immediate abatement of any hazard deemed to be an imminent hazard to the life, safety and well-being of any

individual.

4. *Authority to Vacate.* The Fire Chief and/or Building Inspector shall have the authority to issue an order to vacate any property deemed to be necessary due to an imminent hazard to the life safety and well-being of the occupants.

(f) **Service of Orders.**

- (1) The service of written orders for the correction of violations of this code shall be made upon the owner, occupant or other person responsible for the conditions, either by delivering a copy of same to any person in charge of the premises, or by mailing such orders to the owner or other responsible person.
- (2) If buildings or other premises are owned by one person and occupied by another the orders issued in connection with the enforcement of this code shall apply to the occupant thereof as well as the owner, except where the rules or orders require the making of additions to or changes in the premises themselves, such as would immediately become fixtures upon real estate and be the property of the owner of the premises, and 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) Mailing of such orders by the owner or occupant is sufficient notice to affect compliance with the order.

(g) **Adoption by Reference.** State and National Codes.

- (1) The most current edition of the Wisconsin Administrative Codes is hereby adopted by reference and any subsequent editions of the referenced codes thereafter.
- (2) The following Wisconsin Administrative Code Chapters:  
SPS 305 - Licenses, Certifications and Registrations SPS 307 - Explosive Materials and Fireworks  
SPS 314 - Fire Prevention  
SPS 316-Electrical  
SPS 318 - Elevators  
SPS 320 - 325—Uniform Dwelling  
SPS 328 - Smoke Detectors and Carbon Monoxide detectors  
SPS 330 - Fire Department Safety and Health  
SPS 332 - Public Employee Safety and Health  
SPS 340 - Gas Systems  
SPS 343 - Anhydrous Ammonia  
SPS 361 - 366- Wisconsin Commercial Building (built on or after July 1, 2002)  
SPS 366 - Multifamily Dwelling (prior to July 1, 2002)  
SPS 375-379 - Buildings Constructed Prior to 1914

## **SECTION 33.02 Definitions.**

- (a) **“Building Inspector”** means the official appointed by the Village Board to fulfill the statutory and state code obligations of the Building Inspector in the Village.
- (b) **“Code”** means Chapter 33 of the Village of Cross Plains Ordinances.
- (c) **“Department”** or **“Fire Department”** means the Cross Plains-Berry Volunteer Fire Department.
- (d) **“District Board”** means the Cross Plains-Berry Fire District Commission.
- (e) **“District Officer”** means any individual appointed to serve as either Deputy Fire Chief or Lieutenant within the Fire Department.
- (f) **“Educational Occupancy”** means an occupancy used for educational purposes through the twelfth grade by six or more persons for 4 or more hours per day or more than 12 hours per week.
- (g) **“Fire Chief”** means the individual represented as Fire Chief by the Cross Plains- Berry Volunteer Fire Department and confirmed for the position by the District Board.
- (h) **“Fire Chiefs Designee”** means any District Officer who has been designated by the Fire Chief to fulfill the roles and responsibilities as adopted in this Code.
- (i) **“Fire Inspector”** means the official appointed by the Fire Chief subject to approval by the Village Board who shall be authorized to perform the duties of administration and enforcement of this code as listed or otherwise required by State Statutes or Administrative Code.
- (j) **“Institutional Occupancy”** means an occupancy in which people are cared for or live in a supervised environment because of limitations due to age or medical treatment, or people detained for penal or corrective purposes.
- (k) **“NFPA”** means the National Fire Protection Association.
- (l) **“Owner”** means every person, firm, partnership or other person having the ownership, control, custody or management of any property.
- (m) **“Permit”** means a Building Permit issued by the Village of Cross Plains.
- (n) **“SPS”** or **“Department of Safety and Professional Services”**.
- (o) **“Village Board”** means the Village of Cross Plains Village Board.

## **SECTION 33.03 Fire Drills in Educational and Institutional Occupancies.**

- (a) Fire drills shall be held at the discretion of the educational and institutional occupancies where such occupancies constitute the major occupancy of a building. During severe weather, fire drills may be postponed. A record of all fire drills shall be kept and persons in charge of such occupancies shall file written reports at least semiannually with the Fire Chief giving the time and date of each drill held.

- (b) In educational occupancies, fire drills shall include complete evacuation of all persons from the building. In institutional occupancies, fire drills shall be conducted to familiarize operating personnel with their assigned positions of emergency duty; complete evacuation of occupants from the building at the time of the fire drill shall be required only where it is practicable and does not involve moving or disturbing persons under medical care.

**SECTION 33.04 Design and Construction Reviews for New Construction.**

(a) **Application.**

- (1) The provisions of this Section shall apply to all public buildings and places of employments.
- (2) The provisions of this Section shall apply equally to new and existing conditions, except that existing conditions not in strict compliance with the terms of this subsection shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property or have been superseded by this Code.
- (3) The provisions of this Section apply to all persons and/or properties within the jurisdiction of the Village.
- (4) The provisions of this Section apply equally to the property owner and/or occupant.

(b) **Design and Construction Review.**

- (1) Any time that a fire protection, fire alarm, fire control, and/or fire suppression system and/or any portion thereof is installed, altered, added on to, or has appliances removed, plans shall be submitted to the Fire Chief for review and filing.
- (2) All plans for fire protection, fire alarm, fire control, and/or fire suppression systems and/or any portion thereof must meet the standards set forth in the Wisconsin Administrative Code, NFPA, and this Code where applicable.
- (3) Plans shall be submitted for review and filing to the Fire Chief prior to a permit being issued.
- (4) The Fire Chief shall respond to the Village within three (3) business days from the receipt of plans with any comments, questions, and/or revisions.
- (5) All comments, questions, and/or revisions made by the Fire Chief to the Village shall be submitted to the building inspector and applicant prior to the issuance of a Building Permit
- (6) The Village shall hold final authority to issue any and all permits provided the plans comply with Wisconsin Administrative Code, NFPA, and this Code.
- (7) All plan reviews are based on information provided. All plan reviews are done for general Code compliance only. Plan reviews do not relieve

or limit the responsibility and/or liability of any contractor, architect, engineer, designer or any other responsible party for the system(s) reviewed. The Village or any of its agents and/or firm or persons hired by the Village to review plans are not responsible for and do not accept any responsibility and/or liability for the system(s) reviewed.

- (c) **Exceptions.** One and two-family dwellings are buildings and uses that are not public buildings or places of employment and are not subject to the provisions of this Section.

### **SECTION 33.05 Regulation of Fire Alarm Systems, False Alarms.**

- (a) **Definitions.** For the purpose of this Section, the following definitions shall apply:

- (1) **“Alarm”** means any sound, signal or message generated by an alarm system, alarm user or other person, to which fire personnel are expected to respond.
- (2) **“Alarm user”** means the person, partnership, corporation or other entity of any kind in control of any building, structure or facility or portion thereof, wherein an alarm system is in operation.
- (3) **“Alarm System”** means any system, device, or mechanism which, when activated, transmits a telephonic, wireless, electronic, video or other form of message to an alarm system monitoring company or some other number or emits an audible or visible signal that can be heard or seen by persons outside the protected premises or transmits a signal beyond the premises in some other fashion, except a medical alert alarm. An alarm system or alarm device may consist of one or more components all reporting to a central alarm station.
- (4) **“Automatic dial device”** means any device that automatically sends over regular telephone lines, by direct connection, a prerecorded voice message or coded signal indicating the existence of some type of emergency to which fire personnel are expected to respond.
- (5) **“Central alarm station”** means a facility having the receiving, recording and transmitting equipment to which remote alarm devices and electrical protection circuits are connected and where operators supervise an alarm panel and upon receipt of emergency signals indicating fires may relay a message to the fire department and may notify an alarm agent for the purpose of responding to the alarm signal.
- (6) **“Control”** means the power or authority to manage, superintend, direct or oversee a building, structure or facility or portion thereof.
- (7) **“False Alarm”** means the reporting of or activation of any monitored or non-monitored alarm system where the Department arrives at the premises and determines that there is no evidence of a fire or emergency on the premises that would warrant a call for fire assistance or

investigation. An alarm shall be presumed to be false if the responding Department does not locate evidence of a fire or emergency on the premises that might have caused the alarm to sound. False alarm includes an alarm caused by a power outage but shall not include alarms activated by unusually severe weather conditions or other causes which are identified by the Fire Chief to be beyond the control of the Alarm User.

- (b) **Alarm Requirements.** It shall be the duty of the alarm user to properly use the alarm system, ensure that all alarm users are instructed in the proper use of the alarm system and are aware of the provisions of this chapter and to maintain the alarm system in proper working order. The alarm user shall maintain at each alarm site a complete set of written operating instructions for each alarm system. Any special codes, combinations, or passwords must not be included in these instructions but must be maintained on site.
- (c) **Misuse of Alarm System.** Use of an alarm system in the absence of an actual emergency situation, which results in the response of fire personnel; or use of an alarm system rather than a telephone to summon fire personnel in any situation where such telephone use would not create an immediate threat to the safety of the caller or other persons and misuse of the alarm system. Misuse of an alarm system is unlawful.
- (d) **False Alarm.** Alarm users shall not have, permit or allow false alarms to occur at any building, structure, facility or portion thereof under their control and where an alarm system is in operation.
- (e) Inspections, testing, maintenance, alteration and repair activities for fire protection systems shall not result in the transmission of a false alarm.
- (f) **Exceptions.** None of the provisions of this ordinance shall apply to any official governmental body or subdivision thereof, which owns, operates and maintains its own alarm equipment.

### **SECTION 33.06 Interference with Firefighting.**

- (a) It shall be unlawful for any person to knowingly obstruct any firefighter in the performance of duties relating to an emergency or rescue.
- (b) It shall be unlawful for any person to give or cause to be given any false request for fire personnel.
- (c) It shall be unlawful to interfere with the proper function of a fire alarm system.
- (d) It shall be unlawful to interfere with the lawful efforts of a firefighter to extinguish a fire.
- (e) No person shall offer any hindrance or resistance to a firefighter in the discharge of the firefighter's duty.
- (f) No person shall drive any vehicle over or across a fire hose.
- (g) No person shall in any manner injure or interfere with any hose, fire engine, or other fire apparatus belonging to the Village, Cross Plains-Berry Fire District,



and/or any other Fire Agency responding via request for mutual aid.

- (h) No person, unless authorized by Incident Command, shall drive or operate any automobile or other vehicle over any portion of any street or alley occupied by the engines, auto trucks or other vehicles or apparatus of the Fire Department when engaged in extinguishing a fire unless precaution is taken so as not to do any injury to any property or apparatus of the Fire Department or interfere with the operation of the same.

### **SECTION 33.07 Liability for Damages.**

This Chapter shall not be construed to hold the Village of Cross Plains responsible for any damage to persons or property by reason of the inspection or re-inspection authorized herein or failure to inspect or re-inspect or the permit issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

### **SECTION 33.08 Combustible Waste.**

- (a) **Accumulation of Combustible Waste.** Combustible waste or refuse shall be properly stored or disposed of at the end of each working day, before vacating a building or premises and whenever necessary to prevent unsafe, uncontained accumulations.

### **SECTION 33.09 Permit Required for Open Burning.**

- (a) Open burning is prohibited without first obtaining a Burning Permit. Strictly burning rubbish, leaves, construction waste, and other similar material as a means of disposal is prohibited.
- (b) Burning Permits may be issued by the Village Clerk subject to notification of the Fire Chief according to the following conditions:
  - (1) Applicant provides their name, address, address where the burning is to be conducted (if different), phone number, date of scheduled bum, approximate time of bum, rainout date of bum, and material to be burned;
  - (2) Burning may only be conducted when wind is calm;
  - (3) Burning shall be controlled and completed safely;
  - (4) Fire shall be monitored by applicant at all time;
  - (5) Burning shall be done at a time and the conditions as to cause the least inconvenience to the people in the area; and
  - (6) No burning may be conducted in curbs and/or in the street.
  - (7) A fee may be established by resolution of the Village Board.
- (c) No person shall kindle a recreational fire upon the land of another without the permission of the owner.

- (d) No Burning is allowed at any time during drought conditions subject to the discretion of the Fire Chief and Village.
- (e) Outdoor fireplaces, pits, and bowls designed for the holding or burning of wood shall be allowed subject to the following conditions:
  - (1) Fireplaces shall include a bowl with supports to ensure clearances to combustibles;
  - (2) Pits shall have an enclosure, heavy screen or spark arrestor to control and contain embers and sparks;
  - (3) Fireplaces or pits shall not be used within fifteen (15) feet of a building or lot line;
  - (4) Fireplaces or pits shall be used on a stable level surface;
  - (5) Fireplaces or pits shall not be used on any combustible deck, porch or patio;
  - (6) Only clean, dry wood is permitted to be burned in fireplaces or pits. No trash, yard waste or construction material shall be burned;
  - (7) If the fireplace is a propane unit, only propane shall be burned;
  - (8) The smoke from the fireplace or pit shall not create a nuisance;
  - (9) A fire extinguisher, garden hose or other method of fire control shall be readily available;
  - (10) The fireplace or pit must be supervised at all times by a responsible adult. The fire must be completely extinguished before the fireplace or pit is left unsupervised;
  - (11) Fireplaces or pits shall not be operated when air quality is other than good or moderate as defined by the Wisconsin Department of Natural Resources (DNR); and
  - (12) Manufactured outdoor fireplaces and pits shall be operated in accordance with the manufacturers assembly, safety and operating instructions.
  - (13) All fireplaces, pits, and bowls constructed permanently within any patio shall require a building permit issued by the Village.

**SECTION 33.10 Open Flames.**

- (a) Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within ten (10) feet of combustible construction.

**SECTION 33.11 Fueled Equipment.**

- (a) It shall be unlawful to keep or store small engine power equipment fueled by flammable or combustible liquid inside of a public building, unless:
  - (1) The equipment is not within a mechanical or electrical room; or
  - (2) In the judgment of the Fire Chief, a hazard is not created.
- (b) All flammable or combustible fuel shall be stored in accordance with NFPA.

### **SECTION 33.12 Fire Service Features.**

- (a) **Multiple Address Buildings.** When buildings or a complex of buildings are protected with a single or common fire protection system, a fire department connection and fire alarm annunciator shall be provided for each address in a location reviewed and recommended by the Fire Chief through Section 33.04. The fire alarm system shall transmit signals for each address to the central alarm station. In addition to the fire protection components, a key box or vault shall be installed for each address in a location recommended by the Fire Chief through Section 33.04. The Fire Chief may waive any requirements of this section when deemed appropriate or a master key is used. Key box or vault will be inspected yearly or when a change of occupancy occurs.
- (b) **Fire Wall Identification:**
  - (1) For the purposes of this section, fire division wall or occupancy separation wall means a wall extending from the lowest floor level to or through the roof and extending the full width or length of the building.
  - (2) All owners shall identify, in accordance with the requirement of this section, the location of a fire division wall or occupancy separation wall at the exterior walls of buildings with a sign. A sign may not be required to identify a fire division wall or occupancy separation wall for the following:
    - a. Abutting exterior walls of two (2) or more buildings along streets in downtown areas;
    - b. With a visible parapet from the street;
    - c. Which extends above roofs and is an exterior wall of another part of a building.

### **SECTION 33.13 Fuel-Fired Appliances.**

Portable unvented fuel-fired heating equipment is prohibited, except during construction or demolition of a building as allowed under the Wisconsin Administrative Code and NFPA.

### **SECTION 33.14 Violations and Penalties.**

Any violation of this chapter shall be subject to a forfeiture and penalties as set forth in sections 1.09(a) and (b) of this Code of Ordinances.

### **SECTION 33.15 Fire Extinguishers.**

- (a) **Substandard Extinguishers Prohibited.** The Fire Chief shall order the removal, repair or testing of any fire extinguisher that has been found to be a danger. It

shall be unlawful to allow any fire extinguisher to remain on the premises for which the Fire Chief has ordered the removal thereof.

- (b) **Recharging of Extinguishers.** All fire extinguishers shall be recharged at periodic intervals so as to be maintained in continuous effective operating condition in accordance with the applicable standard specified in this code.
- (c) **Licensed Contractors Required.** Only qualified persons who have obtained a license for such work shall do the recharging and servicing of fire extinguishers. The Fire Chief shall issue such license after examination of the applicant, to make sure the applicant understands the requirements for recharging.

### **SECTION 33.16 Smoke and Carbon Monoxide Detectors Required in Residential Buildings and Dwellings.**

- (a) **Definitions.** For the purposes of this section, the following terms are defined as follows:
  - (1) **“Residential building”** means any public building located in the Village of Cross Plains used in whole or in part for sleeping or lodging purposes, and includes any apartment house, rooming house, hotel, children’s home, community based residential facility or dormitory, but does not include a hospital or nursing home.
  - (2) **“Dwelling”** means any building that contains one or two dwelling units.
  - (3) **“Dwelling Unit”** means a structure or that part of a structure which is used or intended to be used as a home residence or sleeping place by one person or by two or more persons maintaining a common household to the exclusion of all others.
- (b) **Statutes Adopted.** The provisions of sections 101.145, 101.149, 101.645 and 101.647 of the Wisconsin Statutes, as well as SPS 362.1200 of the Wisconsin Administrative Code, as amended from time to time are hereby incorporated by reference.

### **SECTION 33.17 Hazard Identification Signs.**

- (a) **Hazardous Material Identification.**
  - (1) **Identification Signs Required.** Buildings, storage trailers, stationary tanks, areas and rooms of buildings that contain hazardous materials shall be identified with signs in accordance with this section. Signs shall be maintained at all times and shall be located as directed by the Fire Chief. Signs shall be durable, weather resistant and unobstructed.
  - (2) **Exemptions.** The following are not required to be identified with a sign:
    - a. Buildings used primarily for a retail trade activity that do not store or sell hazardous materials in quantities to present hazard to first responders.

- (3) **Building Identification.** A sign at least two and a half (2½) inches square with no numbers shall be conspicuously placed on or near all of the exterior building exit doors to identify the building to the Fire Department as a labeled building. A sign at least seven and a half (7½) inches square with the required identification numbers indicating the highest number of the most hazardous material for each hazard shall be conspicuously placed on or near the exterior door closest to the hazardous material.
- (4) **Room Identification.** Doors that directly access a room or area that contains a hazardous material shall be identified with a numbered sign at least seven and a half (7½) inches square. In any room or area that has more than one hazardous material, the sign shall list the highest number of the most hazardous material for each hazard. The sign shall be placed on the door or as designated by the Fire Chief.
- (e) **Above Ground Tank Identification.** A sign at least seven and a half (7½) inches square with the required identification numbers shall be placed on each individual tank in such a manner so that the sign is clearly visible on two (2) sides.

### **SECTION 33.18 Recreational Fireworks**

- (a) Recreational Fireworks means the following:
  - (1) A cap containing not more than one-quarter (1/4) grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct body contact with a cap when it is in place for explosion.
  - (2) A toy snake that contains no mercury.
  - (3) A sparkler on a wire or wood stick not exceeding thirty-six (36) inches in length or one quarter (1/4) inch in outside diameter which does not contain magnesium, chlorate or perchlorate.
  - (4) A device designed to spray out paper confetti or streamers and which contains less than one quarter (1/4) grain of explosive mixture.
  - (5) A device designed to produce an audible sound but not explode, spark, move or emit an external flame after ignition and which does not exceed three (3) grams in total weight.
- (b) The retail sales, storage, handling and use of recreational fireworks as specified in this section are permitted.
- (c) Storage and Handling.
  - (1) A person who stores or handles fifty pounds (50 lbs) or more of recreational fireworks shall immediately notify the Fire Chief of the location, description and quantity of the recreational fireworks.
  - (2) No person may store recreational fireworks within one hundred (100) feet of a public assemblage or place where gasoline or volatile liquid is sold in quantities exceeding one gallon.

### **SECTION 33.19 Fireworks Display.**

- (a) It shall be unlawful to possess or display fireworks or pyrotechnic special-effect material unless a license has been obtained.
- (b) Manually ignited firework displays are prohibited.
- (c) Mortars shall be covered to prevent entry of rain and debris and to indicate the shell lifted from the mortar.
- (d) The Fire Chief upon recommendation to the Village Emergency Management Director and Village President may prohibit or terminate the use or display of fireworks or pyrotechnic special-effect material when atmospheric conditions or local circumstance make such use or display a fire hazard or other hazard to public safety. During such prohibition no person may use or display or permit the starting of any use or display of fireworks or pyrotechnic special-effect material anywhere within the Village of Cross Plains.

### **SECTION 33.20 Fire Protection Systems.**

The Village of Cross Plains hereby adopts the provisions of SPS 362.0901 through 362.0904 of the Wisconsin Administrative Code as amended from time to time regarding Fire Protection Systems.

### **SECTION 33.21 Alarm Systems (Fire, Smoke, and Carbon Monoxide Detection).**

- (a) **Scope.** To provide early warning in the event of fire, detection system shall be installed and maintained in operable condition in all occupancies and locations set forth in this section.
- (b) **Where Required.** Smoke, heat and carbon monoxide detection systems shall be installed in all spaces in all buildings regardless of size or construction except for one (1) and two (2) family dwellings. The detection systems shall be in all spaces, including but not limited to hidden spaces (e.g., attics, crawl spaces, truss constructed areas), basements storerooms, closets, occupied and unoccupied areas. All smoke, heat and carbon monoxide detection systems shall be installed and maintained pursuant to the Wisconsin Administrative Code as amended from time to time.
- (c) **Acceptance Test Required.**
  - (1) The acceptance test of a fire and smoke detection system shall be conducted in the presence of the Fire Chief or his/her designee prior to being placed in service.
  - (2) The installer shall give three (3) working days advanced notice to the Fire Department prior to the conduction of any test.
- (d) **Failure to Comply.** Failure to comply with the items listed may result in enforcement action against the installer.

- (e) **System Service Support.**
  - (1) The system installer must be a licensed electrician or a certified installer.
- (f) **Alarm Systems; Test Requirements; Owners Responsibility to Maintain Alarm System.**
  - (1) Maintenance. Fire detection and fire alarm systems shall be tested for efficient service as specified by NFPA requirements.
  - (2) A current test/maintenance record shall be posted at the system control panel.

**SECTIONS 33.22 – 33.29 Reserved.**

**SECTION 33.30 Volunteer Firefighter and Emergency Medical Technician Funds.**

- (a) **Purpose and Authority.** This section is enacted pursuant to the authority of Wis. Stats. §66.0608 for the purpose of authorizing volunteer funds to be held and controlled by the employees and volunteers of the Cross Plains - Berry Fire Department and the Cross Plains Area Emergency Medical Service. This ordinance and its terms shall be interpreted in accordance with Wis. Stats. §66.0608. Unless the context clearly indicates otherwise, all references to persons, offices, bodies or legal entities shall be presumed to relate to the Cross Plains – Berry Fire District and Cross Plains Area EMS District as established by intergovernmental agreement between the Town of Cross Plains, Village of Cross Plains, Town of Springfield and Town of Berry (hereafter “District Municipalities”).
- (b) **Authorization to Deposit Funds.** The Village Board of the Village of Cross Plains hereby authorizes the Fire Chief, on behalf of the volunteers Cross Plains Area Fire Department, and the EMS Chief on behalf of the Cross Plains Area Emergency Medical Service, to deposit volunteer funds in a separate account in the name of the respective department in any public depository designated by the District municipalities under Wis. Stats. § 34.05. Pursuant to Wis. Stats. §66.0608(4), the volunteer funds shall be and remain the property of the District municipalities until such time as the funds are disbursed.
- (c) **Control of Funds.** The Cross Plains - Berry Fire Department, through the Fire Chief, and the Cross Plains Area Emergency Medical Service, through the EMS Chief, shall have exclusive control over the expenditure of the volunteer funds. This authority is granted without limitation as to amount or type of funds but shall be subject to the limitations of subsection (4) below.
- (d) **Limitations and Requirements.** The following limitations and requirements shall apply to the handling and disbursement of all volunteer funds:

- (1) **Expenditures.** Expenditures withdrawn from the accounts may be made only upon majority vote of the volunteers present at a meeting noticed in accordance with Wis. Stats. §19.84. Such withdrawals and expenditures may be made for any purpose that promotes the ability of the Fire Department or Emergency Medical Service, respectively, to provide services for which it is organized.
- (2) **Accounting.** The Fire Chief or EMS Chief, as applicable shall annually provide the applicable District with a financial statement. The statement shall be provided within thirty (30) days after the end of the District's fiscal year. The statement shall include a detailed itemization of all receipts, expenditures, and the balance on hand at the end of the year. The statement shall further state the source of all funds and the identity of the payee and purpose for each disbursement. Funds raised under a general fundraising campaign or event may be identified as a lump sum with reference to the campaign or event. For donations provided on the condition that the donor not be publicly identified, or where the donor cannot be identified, the donor's name need not appear upon the financial statement.
- (3) **Audit.** All accounts holding volunteer funds shall be included in any and all audits of the appropriate Fire or EMS District. In addition, the volunteers may appoint an internal audit committee from its membership after the close of each fiscal year to review all transactions to ensure compliance with this ordinance and any internal policies of the Fire Department, Fire District, EMS Department or EMS District. Any such audit committee shall issue a report of its findings to the membership of the Department and to the District.