CHAPTER 5

FIRE PROTECTION

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5.01 JOINT FIRE DEPARTMENT ESTABLISHED. As authorized in §60.55, Wis. Stats., the Town has contracted with the towns of Dunbar and Pembine to create a joint fire department to be known as the Beecher, Dunbar and Pembine Fire Department.

5.02 JOINT BOARD OF FIRE COMMISSIONERS CREATED. The town boards of Beecher, Dunbar and Pembine shall act as the Joint Board of Fire Commissioners.

5.03 FIRE CHIEF, POWERS AND DUTIES. The Fire Chief of the Fire Department shall direct the operation of the Fire Department at all emergencies, including fires, EMS calls, vehicle accidents and hazardous materials incidents, subject to the rules and regulations which may be adopted by the Joint Board of Fire Commissioners and shall issue and enforce such orders as in the Chief's judgment may be best calculated for the protection of property and the extinguishing of fires; and shall enforce all applicable ordinances and rules and regulations of the Town Board.

5.04 FIRE INSPECTOR. (1) APPOINTMENT. The Fire Chief or his designee shall be the Town Fire Inspector.

(2) POWERS AND DUTIES. The Fire Inspector shall make such inspections as may be necessary to ascertain the compliance of the owners or occupants of private premises with the provisions of the applicable State law and the administrative rules of the Department of Commerce, and this chapter, and he may enter any building or upon any premises at any reasonable hour for the purpose of such inspection. Should an inspector find a fire hazard within the fire district, he may serve a notice in writing on the owner of the property, giving the owner 48 hours in which to remove the hazard. If the fire hazard is not removed within that time, it is deemed a nuisance and the Fire Inspector may have the same removed by the respective towns and the cost of removal shall be recovered by the Town as a special charge pursuant to §66.0627, Wis. Stats.

(3) INVESTIGATION AND RECORD OF FIRES. The Fire Chief or his designated representative shall investigate the cause of all fires occurring within the fire district as soon as possible after their occurrence and shall keep a record thereof, and of the evidence in each case, on file in their offices as public record. The Fire Chief shall notify the Town Treasurer of all property fires, including vehicle fires.

5.05 SAFETY REGULATIONS. The Fire Chief or his designated agents may prescribe certain limits in the vicinity of any fire within the Town within which any persons shall not be permitted. He may cause the removal of any property whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect adjoining property. He may likewise cause the shut-off of electrical and natural gas services where the same creates a dangerous hazard or interferes with the work of the Fire Department during the progress of the fire.

5.06 DUTY OF BYSTANDERS. Every person who may be present at a fire shall be subject to orders of the Chief or other officers in command and every such person shall render assistance as may be ordered by the officer in charge. Any person who shall refuse to obey such order after the official status of the officer in charge shall be made known to him shall be subject to a penalty as provided in sec. 5.20 of this chapter.

5.07 DAMAGE TO EQUIPMENT AND INTERFERENCE. No person shall willfully hinder a firefighter in the discharge of his duties, nor shall any person willfully injure in any manner any hose, fire engine or other fire apparatus belonging to the Fire Company.

5.08 DRIVING OVER FIRE HOSE PROHIBITED. No road vehicle shall be driven over any fire hose unless otherwise directed by a Fire Chief.

5.09 COMBUSTIBLE MATERIALS PROHIBITED. No person shall permit on premises he controls any empty boxes, waste paper, excelsior, rags or other combustible materials in such quantities or manner as to create a fire hazard.

5.10 CARELESS SMOKING PROHIBITED. (1) No person shall, by careless or willful smoking or use of lighters or matches in smoking, whether intentional or unintentional, set fire to personal property or any building.

(2) The Fire Chief shall post or cause to be posted "No Smoking" signs on any premises or in any building or any section of such premises or building within the Town where, by the presence of highly combustible materials, in his opinion, the act of smoking presents a fire hazard.

5.11 HAZARDOUS MATERIAL SPILLS. See ch. 9 of this Code.

5.12 OPEN BURNING REGULATIONS. See ch. 9 of this Code.

5.13 TOWN FIRE PREVENTION CODE; ADOPTION OF CODES The following chapters of the Wisconsin Administrative Code, Rules of Department of Commerce, are hereby adopted by reference and made a part of this Code.

(1)	COMM 10	Flammable and Combustible Liquids Code
(2)	COMM 11	Liquefied Petroleum Gas Code (Gold)
(3)	COMM 12	Liquefied Petroleum Gas Handbook (Blue)
(4)	COMM 14	Fire Prevention Code
(5)	COMM 16	Wisconsin State Electrical Code
(6)	COMM 20-25	Uniform Dwelling Code
(6a)	COMM 28	Detection and Alarm Systems
(7)	COMM 30	Fire Department Health and Safety Standards
(8)	COMM 50-64	Building and Heating Ventilating and Air Conditioning Code
(9)	COMM 70	Historic Building Code
(10)	NFPA 10	Portable Fire Extinguishers
(11)	NFPA 13	Installation of Sprinkler Systems
(12)	NFPA 30	Flammable and Combustible Liquids Code
(13)	NFPA 30A	Auto and Marine Service Station Code
(14)	NFPA 58	Storage and Handling of Liquefied Petroleum Gases
(15)	NFPA 70	National Electric Code
(16)	NFPA 80	Fire Doors and Windows
(17)	NFPA 101	Safety to Life From Fire in Buildings and Structures
(18)	NEPA 10lM	Alternative Approaches to Life Safety
(19)	NFPA 211	Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances
(20)	NFPA 385	Tank Vehicles For Flammable and Combustible Liquids
(21)	NFPA 395	Standard For the Storage of Flammable and Combustible Liquids on Farms and Isolated Construction Projects
(22)	NFPA 1031	Fire Inspector Professional Qualifications
(23)		Wisconsin Fire Chiefs Guide Book

Copies of the above codes are on file in the office of the Fire Chief.

5.14 HAZARDOUS MATERIALS FIRES. (1) Every person using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses or other hazardous materials shall comply with the requirements of Wisconsin Administrative Code as the same is now in force and may hereafter from time to time be amended.

(2) Every person using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gasses or other hazardous materials shall be liable to the Town for the actual cost of labor and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar materials or equipment employed to extinguish, confine, neutralize, contain or clean up any such hazardous material which is involved in any fire or accidental spill or in the threat of any fire or accidental spill.

5.15 EMERGENCY MEDICAL SERVICES. Emergency medical services shall be provided by contract by the Beecher, Dunbar and Pembine Rescue Squad, Inc.

5.16 FIRE PROTECTION COSTS REIMBURSEMENT. (1) LIABILITY FOR FIRE PROTECTION COSTS. The property owners of real estate within the Towns of Beecher, Dunbar, and Pembine, for which fire protection is provided, shall be responsible for the cost of the fire calls made by the Beecher, Dunbar, and Pembine Fire Department, to their property. Any property owner requesting fire protection directly from any fire department other than The Beecher, Dunbar and Pembine Fire Department shall be responsible for up to $500 per call billed to the respective Town for the fire call from any authorized fire department. This section shall not apply to the cost of any other department responding at the request of an authorized department under mutual aid.

(2) REIMBURSEMENT FOR FIRE CALLS ON HIGHWAYS. As authorized by §60.557(1), Wis. Stats., if the Beecher, Dunbar, and Pembine Fire Department incurs cost for a fire call by responding to a vehicle fire on a county trunk highway, the county maintaining that portion of the highway where the vehicle was located at the time of the fire shall reimburse the Town for up to $200 for the cost if the Town submits written proof that the Town has made a reasonable effort to collect the costs from the insurer of the person to whom the fire call was provided or from the person to whom the fire call was provided, except that the Town may attempt to collect the costs from the person only if the Town is unsuccessful in its efforts to collect from the person's insurer, or if the person has no insurer. If the Town collects the costs from any insurer or such person after the reimburses the Town, the Town shall return the amount collected to the County.

(3) STATE HIGHWAYS. Pursuant to §60.557(2), Wis. Stats., if the Beecher, Dunbar, and Pembine Fire Department incurs costs for a fire call on a State trunk highway, or any highway that is a part of the national system of interstate highways and maintained by the Department of Transportation, the Department of Transportation shall reimburse the Beecher, Dunbar, and Pembine Fire Department for up to $500 for the costs, even if the fire equipment is not actually used, if the Town submits written proof that the Town has made a reasonable effort to collect the costs from the insurer of the person to whom the fire call was provided, or from the person to whom the fire call was provided, except that the Town may attempt to collect the costs from the person only if the Town is unsuccessful in its efforts to collect from the person's insurer, or if the person has no insurer. If the Town collects the costs from an insurer or such person after the Department reimburses the Town, the Town shall return the amount collected to the Department.

(4) LIABILITY FOR FIRE CALLS FROM FIRE DEPARTMENTS OTHER THAN AUTHORIZED FIRE DEPARTMENTS. As set forth in sub. (1) above. Any property owner requesting fire protection directly from any fire department other than the Beecher, Dunbar and Pembine Fire Department shall be responsible for the full cost billed to either the Town of Beecher, Dunbar, or Pembine for the fire call from any authorized fire department. This section shall not apply to the cost of any other department responding at the request of an authorized department under mutual aid.

(5) DEFECTIVE FIRE ALARM SYSTEM OR APPARATUS. In the event that the Beecher, Dunbar, and Pembine Fire Department shall respond to a fire alarm, even if said alarm or apparatus is defective and sets off a false alarm, the property owners to which the Beecher, Dunbar, Pembine Fire Department responds shall be liable for the full cost and charges of said fire call.

(6) BILLING AND PAYMENT PROCEDURE. The cost of fire calls, as outlined above, shall be billed by the town clerk to the property owner within the town that the fire call was made and paid to that town treasurer within 60 days of the date of the bill. Failure to pay the bill within 60 days shall result in interest being charged at the rate of 1.5% per month from the date of the bill. Those bills remaining outstanding, including interest, for more than 90 days as of November 1st of any year shall become a lien upon the real estate from which fire protection was provided and shall be placed on the tax roll as a delinquent special charge pursuant to §66.0703, Wis. Stats.

5.17 FIRE NUMBER FEE. The Town Board hereby establishes a fee for new fire numbers. See the Town Fee Schedule on file in the office of the Town Clerk.

5.20 PENALTY. Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder, and any fireman who shall neglect or refuse to perform any duty required hereunder shall be subject to a penalty as prescribed in sec. 20.04 of this Code.