

CHAPTER 2
CITY OF CEDARBURG
FIRE PREVENTION CODE (Ord. 91-02)

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ARTICLE A

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SEC. 5-2-1 FIRE PREVENTION CODE: GENERAL REQUIREMENTS.

Title. This Chapter shall be known as the City of Cedarburg Fire Prevention Code. This Code adopts NFPA 1 - Fire Prevention Code of the National Fire Protection Association, as the same may from time to time be amended, and its incorporated standards and codes as published in the National Fire Codes of the National Fire Protection Association, the State of Wisconsin Department of Industry, Labor and Human Relations and listed in Appendix A of the NFPA Fire Prevention Code, except those portions which are amended by Section 5-2-8 of this Chapter. At least one (1) current copy of NFPA 1 - Fire Prevention Code. of the National Fire Protection Association, and the provisions of the National Fire Codes shall be filed in the Office of the Fire Prevention Bureau.

SEC. 5-2-2 SCOPE.

The provisions of this Fire Prevention Code shall apply equally to both public and private property and shall apply to all locations, except as otherwise specified. This Chapter shall be deemed an exercise of the police powers of the City for the preservation and protection of public health, peace, safety and welfare and all provisions of this Fire Prevention Code shall be liberally construed for that purpose.

SEC. 5-2-3 ENFORCEMENT OFFICIALS.

- (a) The Fire Chief shall be responsible for the enforcement of the Fire Prevention Code. The Fire Chief may appoint inspectors or delegate authority to other Department members from time to time as necessary.
- (b) It shall be the duty of the Fire Chief or his designee to enforce all laws and ordinances of the Fire Code for the City of Cedarburg to include the following:
 - (1) The prevention of fires;
 - (2) The storage, sale and use of combustible, flammable or explosive materials;
 - (3) The installation and maintenance of automatic suppression, fire alarm and other fire extinguishing equipment;
 - (4) The means and adequacy of exits in case of fire from factories, schools, hotels, lodging houses, multiple-family dwellings, hospital, churches, halls, theaters, amphitheaters and all other places in which persons work, live, or congregate, from time to time, for any purpose;
 - (5) The investigation of the origin, cause and circumstances of fires;
 - (6) The maintenance of fire cause and loss records.

SEC. 5-2-4 INSPECTIONS. (Ord. 2003-28)

- (a) The Fire Chief or his designee shall have authority to inspect all premises on a periodic basis pursuant to Sec. 101.14, Wis. Stats. and shall enforce the applicable laws and ordinances.
- (b) The Chief of the Fire Department shall be responsible for having all public buildings and places of employment inspected for the purposes of ascertaining any conditions liable to cause fire, or any violations of any law or ordinance relating to fire hazards or the prevention of fires. The Fire Chief or designee may enter any building or premises within the jurisdiction for the purpose of making any inspection, or investigation which, under the provisions of this code, he or they may deem necessary to be made. Private dwellings shall not be entered without the consent or permission of an adult occupant.
- (c) Whenever any inspector finds any condition as described above, the inspector shall order the remedy of any of these conditions. Any such condition shall be considered a public nuisance and the owner or occupant shall be subject to the terms, penalty and abatement provisions of the City's nuisance ordinance (Chapter 11).
- (d) Before permits may be issued under this Chapter, the Fire Chief or his designee shall inspect and approve all locations, equipment and fixtures for such uses.
- (e) The Fire Chief or his designee shall keep a record of all inspections with all facts concerning the same.
- (f) Fire Inspection Fees.
 - (1) An annual Fire Prevention Inspection Fee shall be charged to the property owner for the required inspection of each building, structure and premises in the city. The fee for the required semi-annual fire inspection shall be as follows:

Building Type	Fee per year
(a) Residential, Multi-Family, Motel, Hotel: 4 or more units	\$5.00 per unit
(b) Commercial & Institutional:	
Under 1,000 square feet	\$ 10 per year
1,001 – 5,000 sq. ft.	\$ 25/yr.
5,001 – 25,000 sq. ft.	\$ 45/yr.
25,001 – 100,000 sq. ft.	\$ 90/yr.
100,001 – 250,000 sq. ft.	\$175/yr.
250,001 – 500,000 sq. ft.	\$265/yr.
500,001 – 1,000,000 sq. ft.	\$440/yr.
Over 1,000,000 sq. ft.	\$670/yr.
(c) Industrial:	
Under 5,000 square feet	\$ 45 per year
5,001 – 25,000 sq. ft.	\$ 80/yr.
25,001 – 100,000 sq. ft.	\$ 125/yr.
100,001 – 175,000 sq. ft.	\$ 210/yr.

175,001 – 350,000 sq. ft.	\$ 400/yr.
350,001 – 1,000,000 sq. ft.	\$ 600/yr.
Over 1,000,000 sq. ft.	\$1,000/yr.

- (d) Hospitals, schools, churches, nursing homes, community-based residential facilities, assisted living and day care facilities shall be assessed per Section (b) Commercial & Institutional
 - (e) All municipal buildings shall be exempt from this fire prevention inspection fee.
- (2) Fire prevention inspection fees shall constitute a special charge against the property under §66.60(16), Wis. Stats., and shall be invoiced to property owners in July of each year. Any fees remaining unpaid as of November 1 of each year shall be placed on the annual tax roll for collection as a special charge together with an administrative charge of \$15 per parcel. All proceedings related to the collection of real estate taxes shall apply.

SEC. 5-2-5 PLAN REVIEWS AND APPROVALS.

- (a) **Plan Review Requirements.** For any building construction or alterations, three (3) copies of complete plans and specifications, including site plans, shall be submitted to the Cedarburg Fire Department for review and approval. Plans will be conditionally approved and stamped, indicating the person reviewing the plans with the approval date. One copy shall be returned to the owner or contractor, one copy to the Building Inspection Office, and one to be retained by the Cedarburg Fire Department.
- (b) No automatic sprinkler, smoke/heat detection, alarm system or other fire equipment required by this Chapter or other provisions of applicable local or State codes shall be installed, altered, or relocated until plans have been reviewed and approved by the Cedarburg Fire Department.
 - (1) Plans. Plans shall contain all required equipment locations, floor plan, key vault location, sprinkler riser diagram, and complete electric schematic.
 - (2) Calculations. Calculations for all required equipment and sprinkler piping is needed. Also required is the method of calculation for flows, pipe sizing, area of coverage, equipment capabilities, and placement. These calculations shall be signed and sealed by the engineer, designer, or plumber responsible for the plans and calculations.
 - (3) The Fire Chief may require further information or calculations as necessary for approval.

SEC. 5-2-6 INVESTIGATION OF FIRE INCIDENTS.

- (a) The Fire Chief or his designee shall immediately investigate, or cause to be investigated, the origin, cause and circumstances of every fire incident occurring in the City of Cedarburg.

In this Section, "fire incident" is defined as any occurrence of destruction or uncontrolled burning, including an explosion of combustible solids, liquids or gases, which results in visible or measurable damage. Fire incidents do not include the following except where they cause a fire incident or occur as a consequence of a fire incident:

- (1) Lightning
 - (2) Explosion of steam boilers, hot water tanks or other pressure vessels due to internal pressure and not internal combustion
 - (3) Accidents involving aircrafts, motor vehicles or other vehicles
- (b) When the Fire Department has not responded or been summoned to a fire incident, the fire incident shall be reported by the property owner in writing to the Fire Chief or his designee within twenty-four (24) hours of its occurrence. Such written report shall be submitted as prescribed by the Fire Chief or his designee and shall contain a statement of all facts relating to the origin, cause and circumstances of such fire incident, the extent of damage and such other information as may be required by the Fire Chief or his designee.
 - (c) The Fire Chief or his designee shall keep a record of all fires with all facts concerning the same.

SEC. 5-2-7 CODES ADOPTED.

- (a) **National Codes Adopted.** The appendices of the NFPA 1 - Fire Prevention Code of National Fire Protection Association, as the same may be from time to time amended, are hereby included as a part of the City of Cedarburg Fire Prevention Code except those portions which are deleted, modified or amended by this Chapter. The same are hereby adopted and incorporated as fully as if set out in length. Each of the following codes and standards published by the National Fire Protection Association are adopted in their entirety as a supplement and addition to the text of this Fire Prevention Code:

<u>STANDARD</u>	<u>GENERAL SUBJECT</u>	<u>LATEST NFPA</u>
NFPA 1	Fire Prevention Code	1987
NFPA 10	Portable Fire Extinguishers	1988
NFPA 13	Installation of Sprinkler Systems	1989
NFPA 13A	Inspection, Testing, and Maintenance of Sprinkler Systems	1987
NFPA 13D	Installation of Sprinkler Systems in One- and Two- Family Dwellings and Mobile Homes	1989
NFPA 13R	Installation of Sprinkler Systems in Residential Occupancies up to Four Stories in Height	1989

NFPA 14	Standpipes and Hose Systems	1990	
NFPA 20	Installation of Centrifugal Fire Pumps	1990	
NFPA 22	Water Tanks for Private Fire Protection	1990	
NFPA 24	Installation of Private Fire Service Mains	1987	
NFPA 31	Installation of Oil Burning Equipment	1987	
NFPA 54	National Fuel Gas Code	1988	
NFPA 71	Installation, Maintenance, and Use of Signaling Systems for Central Station Service		1989
NFPA 72	Installation, Maintenance and Use of Local Protective Signaling Systems	1990	
NFPA 72E	Automatic Fire Detectors	1987	
NFPA 72G	Installation, Maintenance, and Use of Notification Appliances for Protective Signaling Systems		1989
NFPA 72H	Testing Procedures for Local, Auxiliary, Remote Station, and Proprietary Protective Signaling Systems	1988	
NFPA 74	Household Fire Warning Equipment	1989	
NFPA 90A	Installation of Air Conditioning and Ventilating Systems	1989	
NFPA 211	Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances	1988	
NFPA 231	General Storage	1990	
NFPA 231C	Rack Storage of Materials	1986	

(b) **State Codes Adopted.**

- (1) The current issues of the following orders and codes of the Wisconsin Administrative Code, Rules of the Department of Industry, Labor and Human Relations, are hereby adopted by reference and made a part of the City of Cedarburg Fire Prevention Code:
 - a. Chapter ILHR 1 -- Safety (Wis.)
 - b. Chapter ILHR 5 -- Explosives and Blasting Agents (Wis.)
 - c. Chapter ILHR 7 -- Cleaning and Dyeing (Wis.)
 - d. Chapter ILHR 8 -- Flammable and Combustible Liquids (Wis.)
 - e. Chapter ILHR 9 -- Liquefied Petroleum Gases (Wis.)
 - f. Chapter ILHR 14 -- Fire Prevention Code (Wis.)
 - g. Chapter ILHR 16 -- Wisconsin State Electrical Code, Volumes 1 and 2.
 - h. Chapter ILHR 21 -- Spray Coating (Wis.)
 - i. Chapter ILHR 50-64 -- Building Code (including Heating Ventilating and Air Conditioning (Wis.))
 - j. Chapter ILHR 70 -- Wisconsin Historic Building Code.
- (2) Whenever the provisions of the aforementioned codes conflict, the stricter interpretation shall apply.

- (3) Copies of each of said codes shall be maintained on file in the office of the Fire Prevention Bureau of the Fire Department of the City of Cedarburg and shall remain so filed and be, at all reasonable times, open to inspection by any interested person.

SEC. 5-2-8 NOT REQUIRED.

The following permits required under NFPA 1 - Fire Prevention Code, shall be deleted from this Code:

- Combustible Dust - Producing Operations
- Compressed and Liquefied Gases
- Flammable and Combustible Liquids
- Flammable Finishing
- Pyroxylin Plastics
- Welding Cutting and Other Hot Work

SEC. 5-2-9 ENFORCEMENT AND PENALTIES.

It shall be unlawful for any person to violate the requirements set forth in this Chapter. Any person in violation of this Chapter are subject to the penalties as outlined in Section 1-1-7 and Section 1-2-1 of the Municipal Code.

SEC. 5-2-10 APPEALS.

- (a) The Board of Appeals of the City of Cedarburg is authorized to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination concerning the Fire Prevention Code and its enforcement as set forth in subsection (c).
- (b) Alleged violations of and issues pertaining to the State Building and Fire Prevention Code ILHR 50 - 64 shall be appealed to the State of Wisconsin Building and Safety Division.
- (c) The following decisions of the Fire Chief, his designee or the Fire Prevention Bureau may be appealed to the Board of Appeals:
 - (1) The rejection of an application for any required permit, certificate or approval.
 - (2) The revocation of any permit or certificate previously issued.
 - (3) Conditions for the approval of plans for construction or for the issuance of an occupancy permit.
 - (4) Any lawful order from the Fire Inspector.
- (d) The Board of Appeals may determine issues as to whether this Code has been correctly interpreted and applied. In those appeals in which the Board determines that this Code has not been correctly interpreted and applied, the matter shall be remanded to the Fire Prevention Bureau for reconsideration.

ARTICLE B

Automatic Fire Sprinkler Systems

SEC. 5-2-11 SCOPE.

The provisions set forth in this Article shall apply to all sprinkler systems, new and existing, within the City of Cedarburg. These requirements are in addition to the State and NFPA standards. The intent of this section is to provide a means for the automatic extinguishment of fires in buildings or parts of buildings which because of their size, construction or occupancy or lack of suitable protective equipment constitute a special fire hazard to life or property and an excessive burden upon the fire extinguishing facilities of the Fire Department.

SEC. 5-2-12 GENERAL REQUIREMENTS.

Automatic sprinkler systems shall be installed and maintained in operable condition set forth in this Article. The State Building Code ILHR 50 - 64 shall apply to all new buildings and existing buildings within the City of Cedarburg as it pertains to automatic fire sprinkler systems.

- (a) **Installation.** The installation of any automatic fire sprinkler systems shall be completed in accordance with NFPA 13 - Installation of Sprinkler Systems, as the same may be amended from time to time, and ILHR 51.23.
- (b) **Maintenance and Testing.** All sprinkler systems shall be maintained and tested in accordance with NFPA 13A and 13 Standard for the Care and Maintenance of Sprinkler Systems.
 - (1) Annual Test Requirements/Inspection. A licensed sprinkler technician shall test and inspect the automatic sprinkler system at least annually. A copy of the inspection report shall be forwarded to the office of the Fire Prevention Bureau to be kept on file. The provisions of NFPA 13A, Chapters 1-7, shall be used as the inspection criteria.

When existing sprinkler systems are to be tested or are temporarily taken out of service for repairs, the contractor or owner shall notify the Fire Department Dispatch Office and the Central Dispatch Monitoring Service prior to the sprinkler being taken out of service.

- (2) New Test Requirements. All new sprinkler systems shall be tested and inspected prior to the building being occupied. Testing and inspection shall conform to the requirements below:
 - a. The sprinkler system shall have a hydrostatic test performed in the presence of a Fire Department inspector.
 - b. The sprinkler system shall be tested by flows of the main drain and inspector's test valve. The acceptance test shall be conducted by the installer in the presence of a Fire Department inspector.

- c. The installer shall provide 48 hours advanced notice to the Fire Department prior to any test being conducted. Work shall not be covered or concealed prior to the required inspection.
 - d. A final inspection by the Fire Department shall be conducted prior to placing the system in service.
- (3) Inspections. The Fire Department shall be given 48 hours notice for all sprinkler system installation inspections.

SEC. 5-2-13 INSTALLATION REQUIREMENTS FOR AUTOMATIC SPRINKLER SYSTEMS.

Requirements. Automatic sprinkler systems shall meet all the requirements of ILHR 51.23 and in addition:

- (a) System drain: The automatic sprinkler system shall have a drain piped to the outside of the building or to a drain suitable to handle the required flows.
- (b) Inspector's test valve: The system shall have an inspector's test valve piped so as to discharge to the outside of the building.
- (c) Alarm bells or horns: Alarm bells or horns shall be installed on all systems. One (1) bell or horn shall be installed on the inside of the building and a second bell or horn installed on the outside of the building. The sprinkler alarm shall be connected to the building alarm system.

SEC. 5-2-14 FIRE DEPARTMENT ACCESS.

Buildings equipped with an automatic sprinkler system shall be provided with a standard key vault of a type approved by the Fire Department as further outlined in Section 5-2-77 of this Ordinance. Building owners shall provide keys for the key vault for all areas of the building, with the exception of security vaults.

SEC. 5-2-15 OCCUPANCY PERMIT.

A final inspection will be made by the Fire Prevention Bureau Inspector after notification by the Building Inspector. Any Occupancy Permit required under the Municipal Code of the City of Cedarburg must be approved by the Fire Prevention Bureau before issuance.

SEC. 5-2-16 THROUGH SEC. 5-2-29 RESERVED FOR FUTURE USE.

ARTICLE C

Standpipe and Hose Systems

SEC. 5-2-30 SCOPE.

Standpipe and hose systems shall be installed and maintained in operable condition in all occupancies and locations set forth in this Chapter.

SEC. 5-2-31 GENERAL REQUIREMENTS.

- (a) Standpipe and hose systems shall be installed in accordance with Wisconsin Administrative Code ILHR 51.21 and NFPA 14 - Standards for Installation of Standpipe and Hose Systems.
- (b) **Maintenance and Testing.** All standpipe and hose systems shall be maintained in accordance with NFPA 14 - Standards for Installation of Standpipe and Hose Systems.
 - (1) Annual Test Requirements/Inspections. A licensed sprinkler technician shall test and inspect the standpipe and hose system at least annually. A copy of the inspection report shall be forwarded to the Office of the Fire Prevention Bureau to be kept on file. Existing standpipe and hose systems that are under test or are taken out of service for repairs shall have the sprinkler tester/ installer notify the Fire Department prior to the standpipe or hose system being temporarily taken out of service.
 - (2) New Standpipe and Hose System Test Requirements. All new standpipe and hose systems shall be tested and inspected prior to the building being occupied. Testing and inspection shall conform to the requirements below:
 - a. The standpipe and hose system shall have a hydrostatic test performed in the presence of a Fire Department inspector.
 - b. The standpipe and hose system shall be tested in accordance with NFPA 14. The acceptance test shall be conducted by the installer in the presence of a Fire Department inspector.
 - c. The installer shall provide 48 hours advanced notice to the Fire Department prior to any test being conducted. Work shall not be covered or concealed prior to the required inspection.
 - d. A final inspection by the Fire Department shall be conducted prior to placing the system in service.

SEC. 5-2-32 THROUGH SEC. 5-2-39 RESERVED FOR FUTURE USE.

ARTICLE D

Automatic Fire Detection and Alarm Systems

SEC. 5-2-40 SCOPE.

To provide early warning in the event of fire, automatic fire detection systems shall be installed and maintained in operable condition in all occupancies and locations within the City of Cedarburg as set forth in this Article. These requirements are in addition to the minimum standards of the adopted Wisconsin State Building Codes and NFPA standards for their proper installation and use.

SEC. 5-2-41 RESIDENTIAL OCCUPANCIES.

Smoke detectors shall be UL listed for residential applications and be installed in accordance with NFPA 74, Standard for the Installation, Maintenance, and Use of Household Fire Warning Equipment, most current edition. Installation practices shall conform to all local and State of Wisconsin codes and to the National Electrical Code.

- (a) All new and existing one and two family dwelling units shall have smoke detectors installed per ILHR 21.09 or ILHR 28 and in accordance with the manufacturer's recommendations and specifications.
- (b) In new multi-family residential construction, smoke detectors shall be AC powered from a non-switched circuit, or from a battery operated source continuously charged from an unswitched AC circuit. A non-switched circuit is one which has no intervening switches between the circuit breaker panel or fuse box and the smoke detector.
- (c) Prior to a certificate of compliance being issued by the office of the Building Inspector, an inspection must be completed of the installation of a smoke detector in accordance with this Section. The Building Inspector or his designee shall assist the Fire Prevention Bureau in obtaining compliance in all one and two family dwellings.
- (d) For all existing dwelling units, the provisions of this Article shall be retroactive.

SEC. 5-2-42 GENERAL REQUIREMENTS FOR ALL OTHER OCCUPANCIES.

- (a) **NFPA Standards Compliance.** For all occupancies other than residential dwelling units, the term "Fire Alarm System" shall mean a Protective Signaling System installed in accordance with NFPA 72, Standard for the Installation, Maintenance, and Use of Protective Signaling Systems. The Fire Alarm System shall include Automatic Fire Detectors (smoke and heat detectors) installed in accordance with NFPA 72E, Standard on Automatic Fire Detectors. These detectors shall protect either selected areas or be installed throughout the building as specified in this Code.
- (b) **Requirements for Annunciator Panels.** In all new and existing buildings over 10,000 square feet or having more than one story, the fire alarm system shall be separated into zones with a minimum of one zone for each floor, the attic, the basement and a separate zone for all pullstations. Exemptions would be multi-family residential, Section 5-2-43(3)(a).

- (c) **Central Station Monitoring Service Compliance.** A central monitoring service shall comply with NFPA 71, Standard for Installation, Maintenance, and Use of Signaling Systems for Central Station Service. The central monitoring service is subject to prior approval by the Fire Prevention Bureau.
- (d) **Agency Listings.** All equipment shall bear the UL marking or other recognized listing and testing agency and shall be clearly marked on the equipment. All detectors shall be listed for commercial applications.
- (e) **Exception for Buildings with Sprinklers.** Any building in this classification (except hotels, motels, and bed and breakfast inns) which have a sprinkler system installed throughout in accordance with NFPA 13 shall be exempt from the requirements for a Fire Alarm System, unless required by State of Wisconsin Commercial Building Code ILHR 50 - 64.

In partially sprinklered buildings, any area not sprinklered in accordance with NFPA 13 shall have a Fire Alarm System installed in accordance with this Article.

SEC. 5-2-43 WHERE FIRE ALARM SYSTEMS ARE REQUIRED.

The requirements for this Section shall be retroactive for all buildings (**except** hotels, motels, bed and breakfast inns, child day care facilities, schools and residential units of three (3) or more which shall follow the requirements of the Wisconsin Commercial Building Code 50-64) with an effective date for compliance of June 1, 1993.

- (a) **Multi-Family Buildings of Three or More Dwellings.** This includes row houses, hotels, motels, bed and breakfast inns and any other places of residence with three or more units.
 - (1) Three to Four Units per Building. All new and existing buildings shall have a Fire Alarm System installed in all common areas on all floor levels including the basement. Heat detectors are required throughout the attic.
 - (2) Building of Five to Seven Units per Building, Including all Hotels and Motels.
 - a. All new and existing buildings shall have the same requirements as set forth in Section 5-2-43(a)(1).
 - b. In addition, for all new construction, heat detectors conforming to NFPA 72E shall be installed within the individual units and connected to the Fire Alarm System. Heat detectors are required in the following locations within each unit:
 - 1. At least one heat detector protecting each major room. Closets, hallways, bathrooms, storage areas and stairways do not require heat detectors unless required by subparagraph 5-2-43(a)(2)b immediately below.
 - 2. One heat detector protecting the area in which every furnace, boiler, gas-fired hot water heater, clothes dryer, and cooking range are located within the unit.
 - (3) Buildings of Eight Units or More, Including all Hotels and Motels.

- a. All new and existing buildings shall have the same requirements as set forth in Section 5-2-43(a)(2).
- b. The Fire Alarm System shall be separated into zones and each zone identified in the alarm panel. Separate zones are required for smoke detectors on each floor level, attic, basement and all pull stations. The minimum number of zones shall be reviewed and approved by the Fire Prevention Bureau.
- c. Pull Stations shall be required in accordance with IIHR 57.16 and ILHR 51.24.
- d. The Fire Alarm System shall be monitored twenty-four hours a day by a central monitoring service.

(b) **Office, Factory, and Mercantile Buildings.**

(1) New Construction.

- a. All new buildings over 2,500 square feet shall have a Fire Alarm System with smoke or heat detectors in hallways, stairways, exit paths, and in all hazardous locations as defined by ILHR 54.14 of the State Building Code.
- b. All new buildings over 5,000 square feet shall have a Fire Alarm System installed throughout.

(2) Existing Buildings.

- a. Existing buildings over 5,000 square feet total area shall have a Fire Alarm System with smoke and heat detectors in hallways, stairwells, exit paths, and hazardous locations as defined by Wisconsin Statute ILHR 54.14.
- b. If there are 20 or more persons regularly occupying or working above or below the exit floor, the building shall have a Fire Alarm System installed throughout.
- c. Existing buildings 10,000 square feet or more area shall have a Fire Alarm System installed throughout.
- d. For existing buildings, the effective date for compliance shall be June 1, 1993.

(c) **Schools.**

(1) New construction. All new schools regardless of size shall have a Fire Alarm System installed throughout.

(2) Existing construction. The requirements for existing construction shall follow ILHR 56 or its amendments as they apply to schools and places of instruction.

(d) **Theaters and Assembly Halls, including Churches.**

(1) New construction. All buildings, regardless of size, shall have a Fire Alarm System installed throughout.

(2) Existing construction. All buildings, regardless of size, shall have a Fire Alarm System installed throughout.

(3) Exemptions. Sanctuary and nave area of church buildings and similar places of worship shall be exempt.

(4) The effective date for existing buildings to be brought into compliance with this Section shall be June 1, 1993.

- (e) **Health Care Facilities.** Health Care facilities shall conform to the requirements of the Commercial Building Code, ILHR 58. In addition, smoke detectors shall be located in all sleeping rooms and corridors.
- (f) **Child Day Care Facilities.** Child Day Care facilities shall conform to the requirements of the Commercial Building Code, ILHR 60, and more specifically, a smoke detection system shall be installed.
- (g) **Hazard occupancy.** Any new high hazard occupancy determined to be a severe life or property hazard by the Fire Prevention Bureau shall have a Fire Alarm System installed with detectors located as specified by the Fire Prevention Bureau. Connection to a central monitoring service may also be required.

SEC. 5-2-44 INSTALLATION REQUIREMENTS.

- (a) **General Installation Requirements.** The entire alarm system installation shall conform to the applicable National Fire Protection Association (NFPA) Standards 71, 72, 72E, 72G, and 74, and to State of Wisconsin ILHR 57.16, 57.165, or 21.09 or ILHR 28. Electrical installations shall conform to all local and State of Wisconsin codes, ILHR 16 and to the National Electrical Code.
- (b) **Smoke and Heat Detector Locations.**
 - (1) Smoke and heat detectors shall be chosen and located in accordance with NFPA 72E, either throughout the building or in specific areas of the building as specified in this Code.
 - (2) For hazardous locations, the term "smoke and heat detectors" shall include flame detectors. Flame or heat detectors may be required at hazardous locations both inside and outside the building, including loading docks and other hazardous areas.

SEC. 5-2-45 MAINTENANCE AND TESTING.

- (a) **Installation Inspection.** An Acceptance Test conforming to NFPA 72 and 72H shall be performed before acceptance of the Fire Alarm System by the Fire Prevention Bureau. Arrangements shall be made with the Fire Prevention Bureau with at least 48 hours notice given.
- (b) **Periodic Testing.** Periodic testing of the Fire Alarm System and detectors is required with the frequency, procedures, and test methods specified in NFPA 72H, Guide for Testing Procedures for Local, Auxiliary, Remote Station, and Proprietary Protective Signaling Systems. Monthly tests are required for the Fire Alarm Control Panel.
- (c) **On-site Record of Testing.** The owner of each building which requires a fire alarm system shall post a record of periodic testing showing the date and person performing the test. This record shall be located at the fire alarm panel or other location approved by the Fire Prevention Bureau.
- (d) **Corrective Maintenance Requirements.** No Fire Alarm System may be allowed to remain in a non-functioning condition. Nonfunctioning panels, circuits, devices, or trouble

conditions indicated by the supervisory monitoring function of the fire alarm control panel shall be corrected immediately.

- (e) All existing and new one and two family dwellings shall have smoke detectors installed and inspected as further outlined under 5-2-41(c).

SEC. 5-2-46 FALSE ALARMS

Further regulation on private alarm systems in addition to this Chapter is detailed in Title 5, Chapter 4 of the City of Cedarburg Code of Ordinances.

SEC. 5-2-47 THROUGH SEC. 5-2-49 RESERVED FOR FUTURE USE.

ARTICLE E

Required Access for Fire Apparatus

SEC. 5-2-50 SCOPE.

This article shall apply to all access or fire lanes on public or private property within the City of Cedarburg. Additional requirements may be further outlined in the City of Cedarburg Zoning Ordinance, Subdivision Ordinance, or the State Building Code. When required by the Fire Prevention Bureau, hardsurfaced driving lanes shall be provided around facilities which, by their size, location, design or contents warrant access which exceeds that normally provided by the proximity of city streets.

SEC. 5-2-51 ACCESS FOR FIRE APPARATUS.

- (a) **Suitable Access.** All premises, public or private, which the Fire Department may be called upon to protect in case of fire and which are not readily accessible from public roads shall be provided with suitable gates, access roads and fire lanes so that all buildings on the premises are accessible to fire apparatus. The Fire Prevention Bureau may require that areas specified for use as driveways or private thoroughfares shall not be used for parking. These areas, when specified, shall be marked or identified by one of the two means detailed in 52-72(a).
- (b) **Fire Lanes.** Fire lanes shall be provided on public or private property devoted to public use and for all buildings used for human habitation or occupancy. Fire lanes may also be designated on those private roadways where it is found by the Fire Prevention Bureau that such access is necessary for fire apparatus.
- (c) **Surface.** Fire lanes shall be either asphalt or reinforced concrete, 4 inches thick, minimum, or when specifically authorized by the Fire Prevention Bureau, compacted crushed rock may be used. Where fire lanes connect to city streets or parking lots, adequate clearances and turning radii shall be provided.
- (d) **Width.** Lanes shall provide a minimum, unobstructed continuous width and height of 12 feet.
- (e) **Dead-end Road.** Any dead-end road more than three hundred (300) feet long shall be provided a turn-around at the closed end of the roadway. Turn-arounds can be T-type or hammerhead, cul-de-sac or curved driveway.
- (f) **Turning Radius.** Curves and turn-arounds shall be designated for a minimum of a forty (40) foot turning radius.

SEC. 5-2-52 DESIGNATED FIRE LANES.

- (a) Lanes shall be identified by a 4-inch-wide line and block letters 2 feet high, painted in the lane, at 50-foot intervals stating "FIRE LANE - NO PARKING". Signs shall be posted on or immediately next to the curb line, or on the building. Signs shall be a minimum of 12" by 18" and shall have letters and background of contrasting colors, readily readable from at

least a 50-foot distance. Signs shall be spaced not further than 50 feet apart. Signs shall be mounted a minimum of 4 feet and a maximum of 6-1/2 feet from the pavement to the bottom edge of the sign.

- (b) Proposed fire lane designations intended to satisfy the requirements of this Article must be approved by the Fire Department and the Plan Commission.
- (c) It shall be unlawful for any person(s) or firm(s) to post a fire lane sign without the approval of the Fire Department or the Plan Commission.

SEC. 5-2-53 UNAPPROVED FIRE LANES.

Fire lane signs posted without the approval of the Fire Department shall be removed or the fire lane shall be formally established and posted as required by this Chapter.

SEC. 5-2-54 FIRE LANE PARKING REGULATED.

- (a) **Fire Lane Parking.** Any vehicle that is parked within a fire lane designated and marked in accordance with Section 5-2-62 may be removed at the vehicle owner's expense. Vehicles will be towed away under the following circumstances:
 - (1) When a vehicle repeatedly violates the fire lane regulations by habitually parking in a fire lane.
 - (2) When a vehicle blocks the ingress/egress of a business, theater, night club, apartment complex, gymnasium or a place of public assembly.
 - (3) When a vehicle's presence threatens the safety of the public by impeding the ability of fire apparatus and/or emergency medical equipment to respond to an emergency.
 - (4) Removal of a vehicle under such circumstances may be authorized by the person in lawful possession of the property or by the Fire Chief or their representative. The Police Department may order the towing of a vehicle at any time that the above circumstances exist.
- (b) **Stopping in Lane.** Vehicles will be permitted to stop in a fire lane for a reasonable period of time as determined by the Fire or Police officials while actively loading or unloading provided the driver is present.
- (c) **Obstructions Other Than Vehicles.** An inspection report with warning notice shall be issued to the property owner, occupant or responsible party requiring that if an obstruction in a fire lane is not removed within a specified time period, the Department may cause the removal of the obstruction with the cost of removal billed to the person(s) responsible for the obstruction.
- (d) **When It Becomes Necessary to Obstruct a Fire Lane, i.e. Construction Remodeling or Repair.** Written approval shall be required and permission obtained from the Fire Department in any circumstance in which it is necessary to temporarily obstruct a fire lane. A copy of the authorization shall be posted at the site.
- (e) **Enforcement.** Vehicles parked in fire lanes shall be cited with a notice of violation on a standard Wisconsin Citation or Cedarburg Parking Citation enforceable under 10-1-61 of the

Cedarburg Code of Ordinances.

SEC. 5-2-55 THROUGH SEC. 5-2-59 RESERVED FOR FUTURE USE.

ARTICLE F

Fire Hydrants Required

SEC. 5-2-60 SCOPE.

The requirements of this article shall apply to all required fire hydrants installed on private property. These requirements apply to all buildings constructed or altered after the effective date of this revision of the Cedarburg Fire Prevention Code.

SEC. 5-2-61 FIRE HYDRANTS.

- (a) Where the municipal water system is available, any portion of a commercial, residential, or industrial building more than three hundred (300) feet from the municipal fire hydrants, the owner shall install at his expense approved hydrants. The setback distance shall be determined by measuring the travel distance from a municipal hydrant, along the centerline of a municipal street, private road or parking area suitable for travel by fire apparatus.
- (b) Hydrants determined to be necessary in accordance with Subsection (a) shall be freestanding and shall be installed not more than fifty (50) feet or less than twenty-five (25) feet from the building. One (1) hydrant shall be located at the main entryway to such building or complex. Additional hydrants shall be provided around the perimeter of the building or complex so no hydrant is more than four hundred (400) feet from any other approved hydrant as described in Subsection (a).
- (c) For new construction, hydrants required by this Chapter shall be installed and made operable prior to permitting construction to progress beyond the footing and foundation stages.
- (d) All private water lines between the municipal water main and approved hydrants shall be no less than six (6) inches inside diameter.
- (e) All water mains, hydrants and their location shall be approved by the Fire Department and Cedarburg Light and Water Commission. The hydrants shall be installed in such a manner and location so as to be accessible at all times to the Fire Department.
- (f) All water mains and hydrants shall be installed, inspected and tested in compliance with the standards of the City of Cedarburg and Cedarburg Light and Water Commission.

SEC. 5-2-62 BLOCKING OF FIRE HYDRANTS PROHIBITED.

- (a) No person shall park any motor vehicle within ten (10) feet of any fire hydrant or otherwise interfere with the accessibility of any fire hydrant by piling, dumping or placing any other obstructive material or object within ten (10) feet of a fire hydrant without first obtaining written permission from the Fire Department. Every day during which such interference continues shall constitute a separate offense.
- (b) Any vehicle that is blocking a fire hydrant in accordance with Section 5-2-61 may be

removed at the vehicle owner's expense. Vehicles will be towed away under the following circumstances:

- (1) When a vehicle repeatedly violates the fire hydrant regulations by habitually blocking a fire hydrant.
 - (2) When a vehicle blocks the ingress/egress of a business, theater, night club, apartment complex, gymnasium or a place of public assembly.
 - (3) When a vehicle's presence threatens the safety of the public by impeding the ability of fire apparatus and/or emergency medical equipment to respond to an emergency.
- (c) Removal of a vehicle under such circumstances may be authorized by the person in lawful possession of the property or by the Fire Chief or their representative. The Police Department may order the towing of a vehicle at any time that the above circumstances exist.

SEC. 5-2-63 THROUGH SEC. 5-2-69 RESERVED FOR FUTURE USE.

ARTICLE G

Hazards to Life and Property

SEC. 5-2-70 SCOPE.

It is the intent of this Article to prescribe regulations consistent with recognized standard practice for the safe-guarding to a responsible 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 and property in the use or occupancy of buildings or premises.

SEC. 5-2-71 STORAGE OF JUNK, ETC. PROHIBITED.

The storage of junk shall be regulated per Sec. 11-3-5 of the Cedarburg Code of Ordinances.

SEC. 5-2-72 REGULATION OF FIREWORKS.

The sale, use, storage and discharge of fireworks shall be regulated through the licensing provisions of Title 7, Chapter 8, of this Code of Ordinances. See Sec. 7-8-1 for further regulations.

SEC. 5-2-73 CHRISTMAS TREES; PUBLIC DISPLAYS.

The following are the minimum requirements for the public display of live or cut natural Christmas trees. These requirements are applicable to all places of assembly, institutions, public lobbies, malls and other occupancies where the public is admitted or invited:

- (a) **General.**
 - (1) Trees are to be located clear of exits or aisles and in an area separated from ordinary combustibles by a distance at least equal to the tree height.
 - (2) The base of all natural-cut trees shall be installed and maintained in a receptacle containing water or wet sand.
 - (3) All decorations used on the tree must be noncombustible or fire retardant.
 - (4) No candles or open flame devices shall be attached to or placed near the tree.
 - (5) Only approved lights or wiring, bearing the appropriate Underwriter's Laboratories (UL) or other approved testing label may be used.
 - (6) Fire extinguishers shall be readily available.
- (b) **Flameproofing.** Cut natural trees shall be properly flameproofed and tagged according to the following:
 - (1) Only approved flameproofing materials shall be used.
 - (2) The application method and the amount of flameproofing material used shall be in accordance with the instructions of the manufacturer.
 - (3) Flocking materials shall not be applied until the tree has been properly flameproofed.
 - (4) All cut natural trees required to be flameproofed must have attached thereto, near the base, a tag containing the following information:

- a. Date of application.
 - b. The amount and type of material used.
 - c. The business name, address and phone number of the applicator.
 - d. The signature of the applicator.
- (c) **Testing.**
- (1) The Fire Department may, at any time, field fire test any cut natural or live Christmas tree to determine if it is properly flameproofed or hazardous. Whenever trees are found to be hazardous or in unapproved locations, they shall be ordered to be removed immediately.
 - (2) The field fire test consists of taking one (1) or more six (6) inch to eight (8) inch branches off the tree, removing any flocking and attempting to ignite the branch with a match. The branch must self-extinguish when the flame is removed.
- (d) **Artificial Trees.**
- (1) Manufactured trees which are constructed of metallic, noncombustible or fire-resistive materials may be used. Artificial Christmas trees are subject to field fire test procedures to determine fire resistance.
 - (2) Lighting of the metallic or otherwise electrically conductive trees shall be from a remote area. All lighting used for illumination of trees shall be UL or FM listed.

SEC. 5-2-74 OPEN FLAME.

- (a) **Lights and Devices.** No person shall take an open flame or light into any building, barn, vessel, boat or any other place where highly flammable, combustible or explosive material is kept, unless such light or flame shall be well secured in a glass globe, wire mesh cage or similar approved device.
- (b) **Places of Assembly.** No open flame, candles or other open flame fixture, whether equipped with a guard or not, shall be used in any place of assembly, except within duly constituted places of worship or fraternal buildings. Such open flame candles or other flame fixtures, whether equipped with a guard or not, shall not be used in auditoriums or places of worship or fraternal buildings, except when such candles or fixtures are actually held by persons seated, standing or in procession in such auditorium. Such candles or fixtures need not be held by persons in the auditorium if they are securely supported on noncombustible bases, the flame is at least seven (7) feet above the floor, are so located as to avoid danger of ignition of combustible material, are under constant observation and supervision by a responsible person designated for each aisle, are kept lighted only when necessary during the ceremony or ritual, and are extinguished before the occupants leave the auditorium.
- (c) **Stages.** Open flame devices may be used on stages or church alters where a necessary part of the theatrical or religious performance requires, provided adequate precautions, satisfactory to the Chief of the Fire Department or his designee, are taken to prevent ignition of any combustible materials.
- (d) **Restaurants.** Open flame devices used for the warming of food may be used in restaurants and dining areas, provided such devices and their location are approved by the Chief of the

Fire Department or his designee.

- (e) **Exceptions.** The use of other open flame light and devices not herein regulated may be permitted by the Chief of the Fire Department or his designee under such restrictions as, in his judgment, are necessary to avoid danger of ignition of combustible material or injury to persons.

SEC. 5-2-75 EMERGENCY LIGHTING REQUIRED.

- (a) **Emergency Lighting in Public Areas.** Emergency lights shall be installed in the following occupancies:
- (1) Factories -- Within any factory over two (2) interior stories or ten thousand (10,000) square feet in gross internal area.
 - (2) Offices -- Within any office over two (2) interior stories or ten thousand (10,000) square feet in gross interior area.
 - (3) Mercantile Building -- Within any mercantile building over two (2) interior stories or seven thousand (7,000) square feet in gross interior area.
 - (4) Places of Public Assembly -- Within any place of public assembly (buildings with an occupancy load of one hundred (100) people or more) regardless of size.
 - (5) Residential Occupancies -- Residential buildings with common areas and containing ten (10) or more bedrooms (efficiency units shall be considered as bedrooms).
 - (6) Taverns -- Within any tavern regardless of size.
 - (7) Schools and Places of Instruction (Including Day Care Centers) -- Within any school or place of instruction housing more than twenty (20) students.
 - (8) Health Care Facility -- Within any health care facility regardless of size.
 - (9) Place of Detention -- Within any place of detention regardless of size.
- (b) **Emergency Lighting Locations.** Emergency lighting shall be located in hallways, stairwells, open meeting areas and basements.

SEC. 5-2-76 BUILDINGS DAMAGED BY FIRE.

- (a) If the Fire Chief finds any building and its contents are damaged by fire to a point in which the structure and contents present a health or life safety hazard to the public, orders shall be issued to the owner to abate such hazard through repair or removal of the building and/or its contents. Such orders shall include a time period to complete abatement of such hazard to extend no more than sixty (60) days.
- (b) After sixty (60) days, the Fire Chief can order the building and contents removed to an appropriate landfill site. The owner of the property will be held responsible for any expenses incurred.
- (c) Written request for extension of the time permitted to complete ordered repairs or removal shall be submitted to the Fire Chief within forty-five (45) days after the fire. The written request must contain the following information:
- (1) The reason compliance cannot be completed within the sixty (60) day limit.

- (2) The projected date the repairs are to start, type of repairs to be conducted and projected date repairs are to be completed.

SEC. 5-2-77 KEY VAULT REQUIRED.

- (a) When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for lifesaving or firefighting purposes, the Fire Chief may require that a key vault is installed in an accessible location. The key vault shall be a type approved by the Fire Department and shall contain those keys found to be necessary to provide emergency access.
- (b) Properly identified and up-to-date keys to gain access to the building and the building automatic sprinkler or alarm system shall be maintained in the key vault. When a change of locks within the building is necessary, the Fire Department shall be notified and new keys placed in the key vault.
- (c) Buildings equipped with an alarm system shall be provided with a standard key vault of a type approved by the Fire Department.
- (d) The key vault shall be located in a place approved by the Fire Department.
- (e) Removal of any key by other than Fire Department personnel shall be in violation of this Section.

SEC. 5-2-78 OPEN BURNING.

- (a) **All Trash Burning Prohibited.** No person shall kindle or cause to be kindled any trash fire in or upon any street, alley, public way, park or any public or private ground within the City of Cedarburg.
- (b) **Trash Defined.** Trash is defined as rubbish, grass, leaves, branches, plastic, construction waste, paper products, industrial waste or any other type of debris.
- (c) **Open Burning is prohibited.** Outdoor fires within the corporate limits of the City of Cedarburg are prohibited except as set forth in below.
 - (1) No grills or devices used for outdoor fires for cooking are authorized to be used above the first story of any building on a balcony, raised porch or platform, etc., except for properly maintained liquid petroleum or liquid natural gas outdoor cooking appliances that have tanks no greater than 2.7 lb. water capacity or 1.02 lb. LP gas capacity.
 - (2) Recreational Fires.
 - (a) No recreational fires may be started or allowed to continue burning unless such recreational fire is fully contained within an approved fire pit or outdoor appliance.
 - (1) An approved fire pit is any below ground dug pit not greater than 36 inches inside diameter (inside edge of the pit to inside edge); lined with non-combustible material, soil, metal or stone; a minimum of 6 inches deep; and ringed on the outer diameter with

stone, brick or concrete.

- (2) An outdoor appliance is any commercially available appliance designed to contain a wood fire when operated according to manufacturer's instructions with all lids, screens and spark arresting devices in place; or permanent structure built entirely of non-combustible materials designed with spark arrestors and screens to contain a wood fire.
- (b) No fire pit shall be closer than 25 feet from any dwelling, building structure, shed or garage or closer than 10 feet from any wooden fence, deck or combustible material. Commercially available outdoor appliances shall not be within 10 feet of any structure or combustibles; all recreational fires are to be set back a minimum of 6 feet from adjoining property lines.
- (c) No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed will cause embers or other burning material to be carried onto any building or combustible material; nor any time that wind direction will carry smoke into the open windows of any building. Smoke from any recreational fire shall not create a nuisance for neighboring properties and fires shall be completely extinguished when police or fire department investigation determines a nuisance is present.
- (d) Fuel for outdoor recreational fires shall consist of natural wood or manufactured fire log material only and may not include leaves, rubbish, garbage, trash, construction materials, any materials made of or coated with rubber or plastic, leather or petroleum based materials. Flammable or combustible liquids may not be used to aid in starting any outdoor fire. Flammable or common/standard dry kindling materials may be used to aid in starting any outdoor fire.
- (e) Recreational fires shall be constantly attended and supervised by a competent person at least 18 years of age until the fire has been completely extinguished. The means for extinguishing any fire (as deemed necessary by the Fire Chief) must be kept immediately available at all times when a recreational fire is burning. Proper fire extinguishing equipment includes: a garden hose, shovels, water buckets or an ABC rated Fire Extinguisher at least 10 lbs. capacity.
- (f) Any party who starts or maintains a recreational fire that is allowed to burn out-of-control shall be held responsible for paying any costs associated with fire control efforts to extinguish the fire.
- (g) Recreational fires shall be permitted only from 11 a.m. to 11 p.m. (Ord. 2011-06)

SEC. 5-2-79 COMBUSTIBLE MATERIALS.

- (a) **Hot Ashes and Other Dangerous Materials.** No person shall deposit hot ashes or cinders, or smoldering coals, or greasy or oil substances liable to spontaneous ignition, into any

wooden receptacle or place the same within ten (10) feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case must be kept at least two (2) feet away from any combustible wall or partition.

- (b) **Accumulations of Waste Materials.** Accumulations of wastepaper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kinds shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space. All weeds, grass, vines or other growth, when the same endangers property or is liable to be fired, shall be cut down and removed by the owner or occupancy of the property it is on.
- (c) **Readily Combustible Materials.** No person making, using, storing or having in charge or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or combustible waste materials shall fail or neglect at the close of each day to cause all such materials which are not compactly based on and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered, receptacles or bins.
- (d) **Storage of Readily Combustible Materials.** Storage in buildings shall be orderly, shall not be within two (2) feet of the ceiling and not so located as to endanger exit from the building. Storage in the open shall not be more than twenty (20) feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard and shall be compact and orderly.
- (e) **Flammable Decorative Materials in Stores.** Cotton batting, straw, dry vines, leaves, trees or other highly flammable materials shall not be used for decorative purposes in show windows or other parts of commercial or public buildings unless flameproofed, provided, however, that nothing in this Section shall be held to prohibit the display of saleable goods permitted and offered for sale. Electric light bulbs shall not be decorated with paper or other combustible materials unless such materials shall first have been rendered flameproofed.

SEC. 5-2-80 TENTS.

- (a) **Tent Permit Required.** No tent exceeding one thousand five hundred (1,500) square feet in area shall be erected, maintained, operated or used without a permit.
- (b) **Fire Watchers to be Employed.** One (1) or more qualified persons to service as fire watchers shall be employed by all circuses, carnivals or other exhibitions where large crowds assemble. They shall familiarize themselves with all fire protection facilities and fire prevention features and with the condition of exits and shall patrol the entire tent area during the time of occupancy. They shall see that aisles and exitways are kept open and that "No Smoking" rules are enforced.
- (c) **Tents for Assembly to Conform to Recognized Safe Practices.** The design, construction, flameproofing, location, maintenance and use of tents for assembly shall be in accordance with recognized safe practices. Compliance with the American Standard of Outdoor Assembly, Grandstands and Tents, as adopted by the National Fire Protection Association,

shall be considered as prima facie evidence of compliance with such recognized safe practices.

SEC. 5-2-81 SMOKING PROHIBITED CONDITIONS.

The Fire Prevention Bureau may designate no smoking areas as further outlined in Sec. 8-1-8 of the City of Cedarburg Code of Ordinances.

ARTICLE H

Definitions

- (a) Unless otherwise expressly stated, the following terms shall, for the purpose of this Code, have the meanings indicated in this Chapter. The definitions listed below are in addition to the definitions of ILHR 51.01 of the Commercial Building Code, ILHR 20.7 of the UDC One (1) and Two (2) Family Uniform Dwelling Code and the definitions of the NFPA Standards.
- (1) Altered. For "altered", see definition of "remodeling" in the State Commercial Building Code ILHR 51.01.
 - (2) Approved. "Approved" means listed or approved by Underwriters Laboratories Inc., Factory Mutual Research Corp., the National Bureau of Standards, The American Gas Association Laboratories, or other nationally recognized testing authorities, and accepted by the Chief of the Fire Prevention Bureau as a result of his investigation and experience.
 - (3) Area. "Area" means the maximum horizontal projected area on a floor including all floors of building or structures using the exterior walls or between approved fire walls including fire walls. This excludes attics and basements.
 - (4) Automatic Fire Alarm System. "Automatic fire alarm system" means a supervised system which automatically detects a fire condition, actuates a fire alarm signal device and indicates the location from which the signal originates.
 - (5) Automatic Sprinkler Equipment. A system of water supply pipes and orifice to apply water to a fire when activated by an automatic, manual or remote control device.
 - (6) Dwelling. "Dwelling" means any building or portion thereof designed or used exclusively as the living and/or sleeping place of one or more persons, and including:
 - a. Single Family Dwelling: A detached building designed for only one family and containing only one dwelling unit.
 - b. Two Family Dwelling: A detached building containing not more than two individual dwelling units which are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or common basement.
 - c. Multi-Family Dwelling: An apartment house or a building designed for occupancy by three (3) or more families living independently of each other and containing three (3) or more dwelling units. Includes row houses, garden or elevator apartments, rooming houses.
 - (7) Dwelling Structures. "Dwelling structures" means any structure containing one or more rooms providing sleeping and sanitary facilities, but not including a hotel, hospital, nursing home, dormitory, fraternity or sorority house.
 - (8) Dwelling Unit. "Dwelling units" means one or more rooms which may include a kitchen or kitchenette, sleeping areas, dining areas, and sanitary facilities, designated

as a unit for occupancy by not more than one family.

- (9) Fire Resistive. "Fire resistive" means that type construction in which the structural members including walls, partitions, columns, floor and roof constructions are of noncombustible materials with fire resistant ratings not less than those specified in ILHR 51.03 (1) and (2), and Table ILHR 51.03A of the Wisconsin Administrative Code.
- (10) Person. "Person" means any individual, partnership, corporation (including a government corporation), trust, association, firm, joint stock company, organization, commission, the City or Federal government or other entity.
- (11) Remodeling. Refer to Wisconsin Commercial Building Code ILHR 50.
- (12) UL Listing. This shall refer to Underwriters Laboratories as a recognized listing and testing agency.