

## CHAPTER 6

## FIRE DEPARTMENT AND FIRE PREVENTION

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#### **6.01 Fire Department.**

(1) **Personnel.** The Fire Department of the City of Manitowoc shall be a paid department, consisting of the following officers and members: One Chief, two Deputy Chiefs, three Battalion Chiefs, and as many Deputies, Captains, Lieutenants, Motor Pump Operators, Firefighters, Engine Companies, and Truck Companies as the Common Council may from time to time authorize and establish.

(2) **Chief of Fire Department. Appointment. Tenure.** The Board of Police and Fire Commissioners shall appoint the Chief of the Fire Department, who shall hold that office during good behavior, subject to suspension or removal by said Board for cause.

(3) **Sick Leaves and Vacations.** All sick leaves, vacations and holidays shall be according to union contract as on file with the City Clerk.

#### **6.02 Fire Chief. Duties. Firemen. Residence. Hours. Platoons.**

(1) **Fire Chief. Duties. Report. Records.** It shall be the duty of the Chief of the Fire Department to appoint subordinates subject to approval by said Board. Such appointments shall be made by promotion when this can be done with advantage, otherwise from an eligible list provided by examination and approval by said Board and kept on file with the Clerk. It shall be the duty of the Chief of the Fire Department to direct the operation of the Department at fires, subject to the rules and regulations which may be adopted by the Common Council or the Board of Police and Fire Commissioners, and state laws; the Fire Chief shall issue and enforce such orders as in the Chief's judgment may be best calculated for the protection of life, property and the extinguishment of fires; to enforce all ordinances, rules and regulations of the Common Council governing the Fire Department; he shall report annually to the Common Council all fires occurring in the City, the origin thereof if possible, together with the amount and value of property destroyed and the amount of insurance, if any, also a statement of the condition of the Department at the end of each year, and he shall make further reports when ordered to do so by a resolution of the Common Council, or required to do so by the rules and regulations of the Board of Police and Fire Commissioners; he shall report promptly to the Board of Police and Fire Commissioners any member of the department who may have disobeyed his orders or violated any of the laws or rules governing the department; he shall also keep a record and report to the Board of Police and Fire Commissioners the absence of any member of the Department from fires, together with any dereliction of duty or violation of any of the rules and regulations of the Department; in the absence or disability of the Chief or the Fire Department the Deputy shall perform his duties.

(2) Repealed 2/3/93.

(3) **Platoons. Hours. When to Take Effect.** The Fire Department shall be divided into three platoons. The normal work period for members of the Fire Department excluding the Chief and Deputy Chiefs shall be a consecutive 27 day span. The normal work week shall consist of an average of 56 hours of duty and shall be on the following schedule: One day on duty, one day off duty, one day on duty, one day off duty, one day on duty, four days off duty for a total of nine days. There shall be three nine day segments of the 27 day work period span. A "day" shall be defined as a 24 hour period beginning at 7 a.m. and ending at 7 a.m. the following day.

**6.03 Authority in Emergency. Assistance to Other Cities. Charges.** The Chief of the Fire Department of the City of Manitowoc or the Chief's Deputies are authorized in the case of serious conflagrations, to summon assistance from or give assistance to, without the consent of the Council, to the cities in the vicinity of Manitowoc, that have agreed upon the following mutual plan for the better protection of life and property in the said cities, to-wit:

(1) Whenever any city in the above named group shall call for assistance, the Fire Department of the City will respond if in the opinion of the Chief of the Fire Department said assistance can be rendered at the time with safety to the city called upon.

(2) Whenever any city or group of cities respond with two pumpers, the nearest cities to the city responding will, when requested, send one pumper to the city placing such request.

(3) Each city shall assume its own liability for injuries and damage to men employed by it on such trips.

(4) The city calling for assistance shall furnish gasoline, oil and emergency repairs to equipment necessary to operate while at fire and return home and said city shall also furnish necessary food and lodging for men while answering such call.

(5) No charge will be made by cities responding to such calls except as above set out.

**6.04 Fire Inspector. Duties.** The Chief of the Fire Department shall hold the office of Fire Inspector as a duly authorized agent of the Wisconsin Department of Commerce under Wis. Stat. §101.14(2)(a). The Chief has the power to appoint a Deputy Fire Inspector, who shall perform the same duties and have the same powers as the Fire Inspector.

Whenever and wherever in the City of Manitowoc any inspection by the Fire Chief or the Deputy reveals a fire hazard, the said Fire Chief or the Deputy is hereby invested with authority to serve a notice, in writing, upon the owner of the property giving said owner a specified time in which to remove said hazard. In the event that said fire hazard is not removed within the specified time, it shall be deemed a nuisance and the Fire Chief or the Deputy is authorized to have the same removed by the City and the cost of said removal shall be recovered in an action by the City against the owner of the property.

**6.05 Duties of Fire Inspector.**

(1) (a) **Inspections. Remove, Abate Causes, Correct Conditions.** It shall be the duty of the Fire Inspector of the City of Manitowoc, in person or by officers or members of the fire

department designated by for that purpose, to inspect at a minimum once yearly all buildings, premises and public thoroughfares, except the interiors of private dwellings within the City Limits, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire or any violations of any law or ordinance relating to the fire hazard or to the prevention of fires and to remove and abate any cause from which immediate danger of fire may be

apprehended, and to cause all buildings, chimneys, stove pipes, hearths, ovens, boilers, ash houses and apparatus used in every building which shall be found in an unsafe condition to be immediately and at the expense of the owner thereof put in such condition as not to be dangerous in causing or promoting fires.

**(b) Inspection Costs.** The Manitowoc Fire Department shall charge the following for the cost of an inspection:

1 <sup>st</sup> Inspection	No Charge
1 <sup>st</sup> Re-Inspection	No Charge
2 <sup>nd</sup> Re-Inspection	\$50.00
3 <sup>rd</sup> Re-Inspection and Subsequent	\$100.00 Each

**(c) Failure to Abate Violations.** For any business that has outstanding fire safety violations or fines, the Manitowoc Fire Department shall provide in writing to the City Clerk the information derived from an inspection, accompanied by a recommendation to withhold, suspend or revoke, as allowed by law, any license issued by the City of Manitowoc to a business failing to correct the violations within the time specified by the Manitowoc Fire Department.

**(2) Inspectors.** The Chief of the Fire Department shall designate a sufficient number of persons as inspectors to carry out the provisions of this section.

**(3) Reports.** Written reports of inspection shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form as required by the Wisconsin Department of Commerce.

**(4) Inspections.** Such inspections shall be subject to the supervision and direction of the Wisconsin Department of Commerce, which shall upon examination certify to the Commissioner of Insurance after the expiration of each calendar year such city where the inspections for such year have been made, and records thereof have been made and kept on file as required by law.

**(5) Complaint.** It is hereby made the duty of the Fire Inspector to make complaint of any violation of this chapter.

**(6) Explosives. Inflammable Liquids.** It is hereby also made the duty of the Fire Inspector to investigate explosives and inflammable liquids, as to their handling and storage.

**6.051 Knox Box.** Any new public building shall be required to purchase and install a Knox Box approved by the Fire Department. Any public building that undergoes a change in ownership, use or occupancy shall be required to purchase and install a Knox Box approved by the Fire Department. Failure to obtain the Knox Box shall result in penalties as stated under 6.06 of this Chapter. Each day of the violation shall be a separate offense.

**6.06 Penalty for Failure to Obey Orders of Fire Inspector.** If any person shall obstruct or hinder the Fire Inspector, his/her deputy or any designated Fire Department member in the performance of his/her duty, or refuse to observe any lawful direction given by the Inspector, such person shall, upon conviction, be punished by

a fine of not more than One Hundred Dollars, for the first offense, not more than Five Hundred Dollars for the second offense, and not more than One Thousand Dollars for the third and subsequent offenses.

**6.07 Regulation of Fireworks.** Except for Wis. Stat. 167.10(9), Wis. Stats. 167.10 is hereby adopted and incorporated by reference, including any future amendments to Wis. Stat. 167.10.

Application to possess or use fireworks shall be made on a permit application form prepared by the Fire Department. A \$25 permit fee shall accompany any application. The Fire Department shall make a recommendation to the Mayor with regard to any application received. If an application is denied, the permit fee shall be refunded to the applicant.

**6.08 Explosives. Penalty.**

**(1) Definition.** The term "explosive" or "explosives" whenever used in this Section shall be held to mean and include any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportion, quantities or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

**(a) Exceptions: Small Arms Ammunition or Signal Rockets.**

Nothing in this Section shall be held to mean and include any small arms ammunition or signal rockets, or devices or compositions used to obtain visible or audible pyrotechnic effects.

**(2) Manufacture of Explosives.** No person shall manufacture any explosives, except that any explosives may be manufactured in the laboratories of colleges and similar institutions for the purpose of investigation and instruction.

**(a) Prohibited Explosives.** No person shall keep, store, sell, offer for sale, give away, use, transport, or manufacture any of the following explosives in any quantity: liquid nitroglycerine; high explosives containing over 60 percent of nitroglycerine (except gelatin dynamite); high explosives having an unsatisfactory absorbent or one that permits leakage of nitroglycerine under any conditions liable to exist during transportation or storage; nitrocellulose in a dry condition, in quantity greater than ten pounds in one exterior package; fulminate of mercury in bulk, in a dry condition, and fulminate of all other metals in any condition, except as a component of manufactured articles not hereinafter forbidden; or explosives containing an ammonium salt and a chlorate.

**(3) Transportation of Explosives.**

**(a) Permit Required.** No person shall have, keep, use, store or transport any explosives, except under permit therefor issued by the Public, Property and Safety Committee and approved by the Fire Chief.

**(b) Time Limitations.** The permit for transporting explosives shall designate the time when, and may designate the route whereon the same may be transported.

**(c) Carrying of Explosives in Public Conveyance: Prohibited.** No person shall transport or carry any explosives in or upon any public conveyance which is carrying passengers for hire.

**(d) Warning Signs on Vehicles.** Every vehicle while carrying explosives shall have painted on its front, sides and back, in easily legible white letters at least six inches high, the words, "EXPLOSIVE - DANGEROUS," or in lieu thereof shall display upon an erect pole on the front end of such vehicle and at such height that it shall be visible from all directions, a red flag with the word "DANGER" printed, stamped or sewn thereon in white letters. Such flag shall be at least eighteen inches by thirty inches in size, and the letters thereof shall be at least six inches high.

**(e) Driving While Intoxicated or Smoking: Prohibited:** No person in charge of a vehicle containing any of such aforesaid explosives shall smoke in or on such vehicle, drive the vehicle while intoxicated, drive the vehicle or conduct themselves in a careless manner, or load or unload such vehicle in a careless manner or while smoking or intoxicated.

**(f) Placing or Carrying of Metal in Vehicles: Prohibited:** No person shall place or carry or cause to be placed or carried in the bed or body of any vehicle containing such explosives, any metal tool or other piece of metal.

**(g) Placing or Carrying of Detonators, Blast Caps, Etc: Prohibited.** No person shall place or carry or cause to be placed or carried, in the bed or body of any vehicle containing explosives, any exploders, detonators, blasting caps or other similar explosive material, or carry in or upon any such vehicle any matches.

#### **(4) Storage of Explosives.**

**(a)** All explosives must be stored, used and transported in compliance with the requirements of this section, and an accurate record showing the disposition of each container or package of explosives stored, transported or used, shall be kept; such record to be subject to inspection by the Fire Chief.

**(b)** All magazines in which explosives are had, kept or stored, must be located outside the City Limits.

**(c)** Blasting caps or detonators of any kind shall not be kept in the same magazine with other explosives.

**(d)** All magazines must be kept locked except when being inspected or when explosives are being placed therein or being removed therefrom.

**(e)** All magazines or places where explosives are stored must be kept clean and free from grit, rubbish and empty packages.

**(f)** Portable magazines shall be made of fireproof material or wood covered with sheet iron and shall be conspicuously marked, "Magazine Explosives."

**(5) Penalty.** Any person violating any of the provisions of this Section shall upon conviction thereof, be punished by a fine of not more than Five Hundred Dollars.

#### **6.09 Blasting. Penalty.**

**(1) Permit, Bond Required.** No person shall blast or carry on any blasting operations without first having obtained a permit from the Fire Chief. The applicant for such permit must file a bond deemed adequate in each case by the Board of Public Works, which bond shall become available in the payment of any damage arising from the neglect of the contractor or the contractor's agent or employees.

(2) **Penalty.** Any person violating any of the provisions of this Section shall, upon conviction thereof, be punished by a fine of not more than Five Hundred Dollars.

**6.10 False Alarm. Penalty.** It will be unlawful for any person to give or cause to be given a false alarm with intent to deceive, or pull the lever of any signal box, except in case of fire, or to tamper, meddle or interfere in any way with such boxes or any part thereof or to cut, break, injure, deface or remove any of said boxes or any of the wires or supports thereof connected with any part of said system; or to make any connection or communication therewith so as to interrupt or to interfere with the proper working of said system, or break, injure or destroy any machinery or fixtures connected with or a part of said system. Any person guilty of a violation of any of the provisions of this Section shall, upon conviction thereof, be punished by a fine of not more than Five Hundred Dollars.

**6.11 Combustible Waste Materials. Penalty.**

(1) **Where Not Permitted.** No person or persons shall allow to remain longer than thirty-six hours, or over night, in any alley, or on any sidewalk or premises, within thirty feet of any building, empty boxes, barrels, rubbish, trash, waste paper, excelsior or other like combustible materials.

(2) **Ashes.** No person or persons shall be allowed to place ashes within any building in any box, barrel or other wooden container or upon any wooden container or floor.

(3) **Oily Waste or Oily Rags.** No person shall keep, or permit to be kept, on the premises any oily waste or oily rags, unless at all times when not actually in use such oily waste and oily rags be kept in a metal can with self-closing cover and riveted joints, standing on metal legs which raise the bottom of the container at least five inches above the floor.

(4) **Inspection by Fire Chief.** All owners or occupants of buildings are required to permit the Chief of the Fire Department or the Chief's deputies to inspect their buildings to see if Subsections (1), (2), and (3) are complied with, and it is hereby made the duty of the Chief of the Fire Department to make such inspection whenever the Chief may suspect a violation of said subsections.

(5) **Penalty.** Any person found guilty of any violation of this Section shall be fined not more than One Hundred Dollars, for each offense, each twenty-four hours of maintenance of prohibited conditions to constitute a separate offense.

**6.12 Lighting Fires. (1) Definition, Penalty. Exceptions.**

(a) **Patron.** The word "patron" as used herein shall mean any person, firm or corporation producing any type of waste material covered by this ordinance. In case of a firm or corporation, the word "patron" will be construed to mean the principal agent, officer or employee responsible for said firm or corporation.

(b) **Combustible Refuse.** "combustible refuse" shall be taken to mean discarded, relative dry, miscellaneous materials comprising chiefly to wood, paper, rags, excelsior, straw, leather, rubber, boxes and similar discarded articles of combustible nature.

(2) **Bonfires.** It shall be unlawful for any patron or person to light and burn trash, lumber, leaves, straw, or any other

combustible refuse outdoors at any time within the city limits. Before any acreage grass is to be burned permission must first be received from the Fire Department and the fire must be attended at all times and must not be closer than thirty feet to any buildings.

**(3) Exceptions. (a)** This ordinance shall not restrict the use of electric, charcoal, wood or gas portable or permanent cooking grills sized for normal residential use, or campfire pits or portable firepit appliances, with the following conditions:

1. Fire pits or portable fire pit appliances shall be located at least 30 feet from any living quarters and 20 feet from any combustible building.

2. Fires in fire pits or appliances must be no larger than three feet in diameter and extend no more than two feet above the pit or appliance.

3. Smoke from cooking grills, appliances, or fire pits shall not create a nuisance for neighboring property owners.

4. Open fires shall be constantly attended by a competent person until such fire is extinguished. In the case of fire pits or open portable fire pit appliances, the person shall have a garden hose connected to a water supply or other fire extinguishing equipment readily available for use.

5. In the case of multiple family dwelling premises (3 or more), premises used for commercial or industrial purposes, or premises used for commercial or industrial purposes with apartments in the structure:

a. No charcoal burners shall be kindled or maintained on combustible balconies or within 10 feet of combustible patios on ground floors, or within 15 feet of any combustible wall, partition, exterior window, or exit.

b. LP gas containers having water capacities greater than 2.5 lb. [nominal 1 lb. LP-Gas capacity] shall not be located on balconies above the first floor when living units are located one above the other, except when such balconies are served by outside stairways and only those outside stairways are used to transport the container.

6. The Fire Chief may prohibit any or all open fires when atmospheric conditions or local circumstances make such fires hazardous. The Fire Chief may also permit cooking grills or fire pits or appliances which do not comply with the specific requirements set forth upon individual application, provided that adequate safeguards are maintained. The Chief can revoke said permission at any time.

**(b)** At any civic event held under the supervision of the Fire Department, all burning shall be under the supervision of an adult in attendance.

(c) Commercial burning may be had in the "I-2" Heavy Industry Zone if the area is approved by the Common Council and a permit is granted by the Common Council of the City of Manitowoc when same is done in a structure approved by the Director of Building Inspection according to Section 16.32 of the Municipal Code of the City of Manitowoc, on Wednesday and Thursday of each week unless such days shall fall on a legal holiday or such days as approved by the Fire Department, and in no event shall any burning be had on Monday, Saturday or Sunday of any week. All said burning shall be done between the hours of 1:00 P.M. to 9:00 P.M. Not more than two automobiles shall be burned at one time and all tires and fuel tanks must be removed before such burning.

(d) Industrial Burning may be had in the "I-2" Heavy Industry Zone of the City of Manitowoc when the same is done in a substantial burner built of brick or of boiler iron not less than one quarter of one inch in thickness and when the same is well covered or screened to prevent the escape of sparks and burning embers. No industrial fire, however, shall be built within fifteen (15) feet of any building, lumber, wood piles or wooden fence, nor within any side yard or rear yard requirement of the building code.

(e) **Incinerators.** All outdoor residential incinerators now in existence and which are approved by the Fire Department, may be retained until such time as the City of Manitowoc shall install a municipal incinerator. All such incinerators shall be a substantial burner built of boiler iron not less than one quarter of one inch thick or of brick or a solid metal container not to exceed 10 gallon capacity well covered or screened to prevent the escape of sparks and burning embers, and shall be placed not nearer than fifteen (15) feet to any building nor within the side yard or rear yard requirements of the Zoning Code. Section 6.12 (1) (d), Industrial Burning of this ordinance shall apply to this section.

(4) **Penalty.** Any person found guilty of the violation of any of the provisions of this section shall be fined not less than Ten Dollars nor more than One Hundred Dollars.

**6.13 Flammable Liquids. (1) State Code Provisions Adopted.** Wisconsin Department of Commerce Administrative Code Chapter 10, entitled "Flammable and Combustible Liquids" or any successor to this Chapter of the Administrative Code is hereby adopted by reference.

(2) **Inspection Fees.** In the event the City of Manitowoc enters into an agreement with the State of Wisconsin authorizing the Manitowoc Fire Department to perform tank inspections, the State of Wisconsin Inspection Fee Schedule currently contained in COMM 2 of the Wisconsin Administrative Code is hereby adopted. The inspection fee for removal of underground storage tanks shall be as follows, based on the size of the largest tank being removed from a parcel of property:

- \$50 for tanks of less than 1,100 gallons capacity.
- \$75 for tanks with a capacity between 1,100 gallons and 4,000 gallons.
- \$100 for tanks with a capacity greater than 4,000 gallons.

An additional fee of \$25 shall be charged for each additional tank simultaneously removed from a parcel of property.

**6.14 Flammable Liquids. Regulations.** It shall be unlawful for anyone to discharge flammable liquids into any container, hose, machine, or other unit for storage or use of flammable liquids without having a person in attendance at the point of discharge during the entire time of discharge of said flammable liquid or liquids, excepting that automatic nozzles approved by the

Underwriters Laboratories, Inc., as approved by the Wisconsin Department of Commerce may be used.

Any person who shall so operate a vehicle or other conveyance for the discharge of flammable liquids shall have a fire extinguisher unit with physical characteristics to extinguish flammable liquid fires within easy reach of point of discharge.

Any person violating this section shall be subject to a fine not exceeding Twenty-five (\$25.00) Dollars.

**6.145 Regulation of Gasoline Storage.** No person shall store more than ten gallons of gasoline on residential premises except that gasoline which is in a motor vehicle tank shall not be included in this amount. Any person violating this Ordinance shall forfeit not more the \$50.00 for each offense. Each day of storage shall be deemed as a separate offense.

**6.15 (1) Fire Prevention Code.** The City of Manitowoc hereby adopts Wisconsin Department of Commerce Administrative Code Chapter 14, also known as COMM 14, and all sections of the National Fire Protection Association Code and any other codes and standards referenced therein, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, COMM 14 is adopted in its entirety save except such portions as are hereinafter deleted, modified or amended (by Section 7 of this ordinance).

**(2) Establishment and Duties of Bureau of Fire Prevention.**

**(a)** The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of Manitowoc which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

**(b)** The Chief in charge of the Bureau of Fire Prevention shall be appointed by the Manitowoc Police and Fire Commission on the basis of examination to determine that person's qualifications. The appointment shall continue during good behavior and satisfactory service, and the Chief shall not be removed from office except for cause after public trial.

**(c)** The Chief of the Fire Department may detail such members of the Fire department as inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the Manitowoc Police and Fire Commission the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members of the fire department and appointments made after examination shall be for an indefinite term with removal only for cause.

**(d)** A report of the Bureau of Fire Prevention shall be made annually and transmitted to chief executive officer of the municipality; it shall contain all proceedings under this code, with such statistics as the Chief of the Fire Department may wish to include therein; the Chief of the Fire Department shall also recommend any amendments to the code which, in the Chief's judgment, shall be desirable.

**(3) Storage of Explosives.** Establishment of Limits of Districts in which Storage of Explosives and Blasting Agents is to be Prohibited.

The limits referred to in the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: There will be no storage of explosives and blasting agents within the City Limits of the City of Manitowoc.

**(4) Storage of Flammable Liquids.** Establishment of Limits of Districts in which Storage of Flammable Liquids in Outside Aboveground Tanks is to be Prohibited.

**(a)** The limits referred to in the Fire Prevention Code in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as follows: As approved by the Wisconsin Department of Commerce and by the Chief of the Fire Department.

**(b)** The limits referred to in the Fire Prevention Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: As approved by the Wisconsin Department of Commerce and by the Chief of the Fire Department.

**(5) Storage of Liquified Petroleum.** Establishment of Limits in which Bulk Storage of Liquified Petroleum Gases is to be Restricted.

The limits referred to in the Fire Prevention Code, in which bulk storage of liquified petroleum gas is restricted, are hereby established as follows: As approved by the Wisconsin Department of Commerce.

**(6) Amendments Made in the Fire Prevention Code.** The Fire Prevention Code is amended and changed in the following respects: When any state statute referenced in this code is amended, the City of Manitowoc adopts the amendment unless expressly stated herein. Whenever the Fire Prevention Code is in conflict with applicable state law, the state law will triumph.

**(7) Modifications.** The Chief of the Bureau of Fire Prevention shall have power to modify any of the provisions of the Fire Prevention code upon application in writing by the owner or lessee, or the duly authorized agent of the owner or lessee, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Bureau of Fire Prevention thereon shall be entered upon the records of the department and signed copy shall be furnished the applicant.

**(8) Appeals.** Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the Common Council of the City of Manitowoc within thirty days from the date of the decision appealed.

**(9) New Materials, Processes or Occupancies Which May Require Permits.** The Chief of the Fire Department shall determine and specify, after giving affected person an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code.

The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

**(10) Penalties.**

(a) Any person who shall violate any of the provisions of the Fire Prevention Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Fire Chief or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be punished by a fine of not less than \$100.00 for the first offense, \$500.00 for the second offense, and \$1,000.00 for the third and subsequent offenses. The imposition of one penalty for any violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**(11) Repeal of Conflicting Ordinances.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code hereby adopted are hereby repealed.

**(12) Validity.** The Common Council of the City of Manitowoc hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the Common Council of the City of Manitowoc that it would have passed all other portions of this ordinance independent of any such portion as may be declared invalid.

**6.16 Smoke Detectors.**

(1) 101.145 and 101.645 of the Wisconsin Statutes, as they may be amended from time to time, are hereby adopted and incorporated herein by reference.

(2) Violation of this ordinance shall be punishable by a money forfeiture of not more than \$500.00. A separate offense shall be deemed committed for each day during or on which a violation occurs or continues.

**6.17 Fire Suppression Systems.**

(1) **Annual Inspection.** All fire suppression systems are required by Wisconsin law to have an annual inspection of the system and its components by a licensed sprinkler contractor. To ensure uniformity in the inspections, the owner of a building must obtain the NFPA 25 Annual Sprinkler Inspection Form and the Sprinkler Test and Inspection Supplemental Form from the Building Inspection Department. The following fees shall apply for the forms:

**(a) Risers.**

<u>Number of Risers</u>	<u>Cost</u>
1-5	\$35.00
6-10	\$40.00
11-15	\$45.00
16-20	\$50.00
21-25	\$55.00
26 or more	\$60.00

**(b) Fire pumps.** \$35.00 per fire pump.

**(c) Penalties.** Failing to obtain the required forms or return a completed inspection form required by this ordinance will result in a minimum forfeiture of \$50 per form not obtained or returned and a triple fee for each form required by sections (a) or (b).

**(2) Weekly/Monthly Inspection.** The Fire Department will provide forms for weekly and monthly inspection of fire suppression systems to property owners. These forms must be posted in a conspicuous location near the risers.