

Ordinance 5.14
Village Fire Prevention Code: Adoption of Code (R77.4.2)

THE VILLAGE BOARD OF THE VILLAGE OF PARK RIDGE ORDAINS AS FOLLOWS:

Section I. STATE ADMINISTRATIVE AND NATIONAL FIRE PROTECTION ASSOCIATION CODES ADOPTED

The following orders and codes of the Wisconsin Administrative Code, rules of the Department of Industry, Labor, and Human Relations, and the National Fire Protection Association are hereby adopted and by reference made a part of this ordinance as if fully set forth herein:

Chapter Ind. 1	Safety
Chapter Ind. 7	Cleaning and Dyeing
Chapter Ind. 8	Flammable and Combustible Liquids
Chapter Ind. 9	Liquefied Petroleum Gases
Chapter Ind. 21	Spray Coating
Chapter Ind. 50-64	Building (including heating, ventilating, and air conditioning) except Wis.
Adm. Code section 54.19	
Chapter Ind. 65	Fire Prevention, except Wis. Adm. Code Ind. section 65.01(1).
N.P.F.A. No. 96	Standard for the Installation of Equipment for the REMOVAL OF SMOKE AND GREASE-LADEN VAPORS FROM COMMERCIAL COOKING EQUIPMENT.

Section II. ADDITIONAL PROVISIONS

1. **Explosives, Blasting Agents, and Illegal Fireworks.** No explosives, blasting agents, or illegal fireworks shall be kept, stored for sale, used, or handled within the village limits.
 - A. **Exception.** This shall not apply to the military naval forces, federal agencies, state militia, police or fire departments provided they are acting within their official capacity and in the proper performance of their normal or emergency duties.

2. **New Buildings**
 - A. Before any permit for the construction or remodeling of any commercial building shall be issued, the plans and proposed occupancy, if known, shall be approved in writing by the Fire Inspector.
 - B. Before any new or remodeled commercial building may be occupied, it must be inspected and approval given in writing by the Fire Inspector.

3. **Area Limitations on New Buildings**

No commercial building, including additions thereto, shall be permitted to be constructed with floor areas larger than the following:

 - A. Types I through 6; 10,000 square feet ground floor area or total area for multi story buildings of 20,000 square feet.
 - B. Types 7 and 8; 5,000 square feet total floor area.
 - C. In calculating the total floor area the basement, if any, shall be included.
 - i. **Exception.** Buildings of larger floor areas may be constructed if they are protected by an automatic sprinkler system that is installed in accordance with National Fire Protection Association Standards or the building is divided by fire walls into the floor areas mentioned above.

- D. For the purposes of this ordinance a fire wall is a wall constructed of materials having a fire resistance rating of 3 hours with parapets not less than three feet above the roof and constructed so that a fire will not be able to travel around the end of the wall.
4. **Bonfires, Outdoor Fires and Outdoor Leaf Fires**
- A. Bonfires, outdoor fires and leaf fires are permitted provided that the fire be attended at all times and there is a charged hose line and a rake within 15 feet of the fire or under regulations promulgated by the Village Board in concert with the Fire Chief.
- B. The Chief of the Fire Department, the Fire Inspector, or any law enforcement official is permitted to prohibit any or all bonfires, outdoor fires, or leaf fires when atmospheric conditions or local circumstances make such fire hazardous.
- C. The Chief, Fire Inspector, or the designee of either, may extinguish such fires when he deems them hazardous to life or property.
5. **No Smoking in Commercial Establishments**
- A. Smoking shall not be permitted in any commercial establishment (not including offices, taverns, and restaurants) except that employees may smoke in a designated smoking area provided such smoking area is out of sight of the retail area and equipped with ash trays.
- B. "No smoking" signs shall be conspicuously posted in the premises.
- C. Receptacles shall be provided for the public for the disposal of smoking materials.
6. **Housekeeping.** In any commercial building no combustible materials shall be placed, kept, or stored in any air, elevator, or stair shaft, in dark, out of the way places, around electric motors or machinery or against steam pipes, or within 10 feet from any stove, boiler or furnace, or in any place where oil is used or stored.
7. **No Parking in Designated Fire Lanes**
- A. The Chief of the Fire Department is permitted to designate fire lanes.
- B. No parking shall be permitted in any designated fire lane.
- C. Suitable signs shall be posted by the owner showing such designated fire lanes.

Section III. GENERAL PROVISIONS

1. **Application of This Ordinance.** The provisions of this ordinance shall apply equally to new and existing conditions except that existing conditions not in strict compliance with the terms of this ordinance shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or property.
2. **Enforcement.** This ordinance shall be enforced by the Chief of the Fire Department, the Fire Inspector, or any law enforcement official of the village.
3. **Modifications.** The Fire Inspector shall have the power to modify any of the provisions of the Fire Prevention Ordinance upon application in writing by the owner, lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the ordinance, provided that the intent of the ordinance shall be observed, public safety secured, and substantial justice done. The particular of such modifications when granted or allowed, and the decision of the Fire Inspector thereon, shall be entered upon the record of the, Fire Department and a signed copy shall be furnished the applicant.

4. **Orders to Eliminate Dangerous or Hazardous Conditions.** Whenever or wherever in the course of any duly authorized fire inspection, reveals a fire or life safety hazard the Chief of the Fire Department or the Fire Inspector is hereby invested with authority to serve a notice, in writing, upon the owner, lessee, or person in charge of the premises, giving said person a reasonable time in which to remove the hazard. In the event that the fire or life safety hazard is not removed within the time allowed, the Chief of the Fire Department or the Fire Inspector is authorized to have the same removed and the cost of such removal shall be recovered from the owner of the property.
5. **Service of Orders**
 - A. The service of orders for the correction of violations of this ordinance shall be made upon the owner, occupant, or other person responsible for the conditions, either by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it is necessary to serve such an order upon the owner of the premises such order shall be served either by delivering to and leaving with the said person a copy to the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by sending such copy by certified or registered mail to the owner's last known post office address.
 - B. If buildings or other premises are owned by one person and occupied by another under lease or otherwise, the orders issued in connection with the enforcing of this ordinance shall apply to the occupant thereof, except where the rules or orders require the making of additions to or changes in the premises themselves, such as would immediately become real estate and be the property of the owner of the premises; in such cases the rules or orders shall affect the owner and not the occupant unless it is otherwise agreed between the owner and the occupant.
6. **Appeals.** Whenever it is claimed that the provisions of the ordinance do not apply, or that the ordinance has been misconstrued or wrongly interpreted, the person on which orders were served is permitted to appeal the decision of the Fire Inspector to the Chief of the Fire Department within 30 days of the date of the order for correction.
7. **Penalties.** Any person who shall violate any of the provisions of this ordinance 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 or specifications or plans submitted and approved hereunder, or any certificate issued hereunder, and from which no appeal has been taken, or who shall fail to comply with such an order affirmed or modified by the Park Ridge Fire Chief, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, forfeit not less than \$50 nor more than \$1,000. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each 10 days that prohibited conditions are maintained shall constitute a separate offense.

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

Section II. EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Village Board of the Village of Park Ridge on this eighteenth day of April, 2011.