

TOWN OF OSCEOLA, FOND DU LAC COUNTY, WISCONSIN
FIRE ORDINANCE 26-1

Article I – CONDUCT AT FIRES

§ 276-1 Special powers of Chief during fire.

The Campbellsport and Eden Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firefighters and law enforcement officers and those admitted by order of any officer of the Department, shall be permitted to come. The chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect the adjoining property, and during the progress of any fire he shall have the power to order the removal or destruction of any property necessary to prevent the further spread of the fire. He shall also have the power to cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Department during the progress of a fire.

§ 276-2 Firefighters may enter adjacent property.

It shall be lawful for any firefighter, while acting under the direction of the Fire Chief or other officer in command, to enter upon the premises adjacent to or in the vicinity of any building or other property then on fire for the purpose of extinguishing such fire; and in case any person shall hinder, resist or obstruct any firefighter in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firefighters in the discharge of their duty.

§ 276-3 Duties of bystanders to assist.

Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or removing or guarding property. Such officer shall have the power to cause the arrest of any person refusing to obey said orders.

§ 276-4 Injury to fire apparatus.

No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the Fire Department, and no vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, private driveway, track or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

§ 276-5 False fire alarm prohibited.

No person shall give or cause to be given a false fire alarm.

Article II – FIRE PREVENTION

§ 276-6 Building plan review.

All building and project development plans for projects covered by this section shall be referred to the Fire Chief or his designee for examination and approval. Developers shall submit one set of plans for Fire Department use. This shall apply to all new buildings in the Township, excluding the construction of one-family and two-family dwellings and appurtenant structures. Changes of use or modifications of existing buildings or structures shall follow the same procedure. Prior to the issuance of a building permit, written requirements shall be secured from the Fire Department relating to fire safety measures of the proposed development. If the Fire Chief or his designee finds that a proposed fire lane, fire hydrant, or other fire safety measure in a project does not comply with this section or the current version of the fire safety code as adopted by the Town of Osceola and/or the State of Wisconsin, the Fire Chief or his designee shall be authorized to specify the changes necessary to bring the proposal into compliance. Appeals from orders of the Fire Chief or his designee shall be to the Zoning Board of Appeals. The Fire Chief or his designee shall inspect the construction of any fire lanes and the placement and specifications of any fire hydrants required by this section, and no occupancy permit shall be issued for any project covered by this section until the Fire Chief or his designee has inspected and approved the fire lanes and hydrants.

§ 276-7 Fire lanes and hydrants.

Fire lanes and fire hydrants required. Fire lanes and fire hydrants shall be required in accordance with this section on public or private property used for assembly, commercial, educational, industrial, institutional, or multifamily dwelling purposes and on private property containing residential developments consisting of three or more dwelling units to which access is provided from public street by a private road or driveway where any dwelling unit is set back more than 50 feet from the paved portion of the public street. Fire lanes may also be designated on those private roads where it is found by the Fire Chief that such access is necessary for firefighting equipment and apparatus. No building permit shall be issued without compliance with the terms of this section if any part of the area being developed contains any of the uses or conditions described in the subsection.

A. "Fire lane" means a part of a public or private parking lot or private driveway or private road which is designated as a fire lane and designated to provide access for fire trucks to any building or location and which lanes meet the following minimum specifications:

- (1)** Not less than 24 feet wide at any point.
- (2)** Curves and turnarounds shall be designated for a forty-foot radius.
- (3)** Dead-end lanes more than 300 feet long shall provide for a turnaround that is T-type or cul-de-sac at the closed end of the lane.
- (4)** The surface shall be paved with bituminous or concrete or other approved similar all-weather material and shall be of sufficient strength to support Fire Department equipment.

B. Location and maintenance of fire lanes and fire hydrants. Fire lanes and fire hydrants shall be located where necessary to provide fire protection to all buildings and the premises. All fire hydrants shall satisfy the minimum performance requirements established by the Fire Department. The Fire Department personnel shall have free access to any property within the Town at any reasonable time for the purpose of inspecting and/or maintaining the fire hydrants.

C. Designation and signage of fire lanes. The owner or occupant of any premises where a fire lane is required under this section shall designate all fire lanes and shall post appropriate signs indicating the existence of all fire lanes and indicating that no parking is permitted on fire lanes, as specified and approved by the Fire Chief. Signs shall be used in such locations and in such a manner as in the judgment of the Fire Chief will carry out the purposes of this section and give adequate warning to users of the premises where the fire lanes and fire hydrants are located. Signage shall meet the following minimum standards:

- (1) Where reasonably feasible, signs shall be erected within five feet of the beginning and within five feet of the end of the fire lane with spacing between signs not exceeding 75 feet.
- (2) Each sign shall face in the direction of oncoming traffic and shall be affixed to a stationary pole or object.

§ 276-8 Fire Inspector; appointment; deputies.

The Chief of the Fire Department shall hold the office of Fire Inspector, with power to appoint one or more Deputy Fire Inspectors, who shall perform the same duties and have the same powers as the Fire Inspector.

§ 276-9 Duties.

It shall be the duty of the Fire Chief or his designee to inspect all buildings, premises and thoroughfares within the Fire Department contracted district limits for the purpose of noting and causing to be corrected any condition liable to cause fire at least once per calendar year pursuant to § SPS 314.01(13)(b)7.a., Wis. Adm. Code, except the interiors of dwelling units, or as often as may be deemed necessary. In no case shall the period between inspections exceed 15 months. Repairs or alterations necessary to remove the hazardous condition shall be made within a reasonable time at the expense of the owner. In case the property owner believes the time allowed is unreasonable, he shall have the right to appeal to the Town Board. The inspector shall also investigate the storage and handling of explosives and inflammable liquids within the Fire Department-contracted district.

§ 276-10 Records of inspections.

The chief shall keep a record of each property inspected which shall conform to the requirements of the State Department of Safety and Professional Services and shall make the semiannual report of inspections required by the State Department of Safety and Professional Services. This record can be in the form of either written or electronic documentation.

§ 276-11 Removal of fire hazard by owner.

Whenever or wherever in the Town any inspection by the Fire Chief or his deputies reveals a fire hazard, the chief or his deputies are invested with the authority to serve a notice, in writing, upon the owner of the property, giving said owner a reasonable time in which to remove the hazard. In case the property owner believes the time allowed is unreasonable, he shall have the right to appeal to the Town Board. To compensate for inspection and administrative costs, the Fire Department may charge a fee of \$50 for any reinspection to determine compliance with an order to correct conditions which violate Code provisions under the jurisdiction of the Fire Department, except that no fee shall be charged for the reinspection when compliance is recorded. A fee of \$75 may be charged for a second reinspection, a fee of \$150 for a third reinspection and a fee of \$300

for each subsequent reinspection. In the event that the fire hazard is not removed within the time allowed, it shall be deemed a nuisance and the Fire Chief, or his deputy, is authorized to have the same removed by the Town. The cost of such removal shall be recovered in an action by the Town against the owner of the property, together with all costs, disbursements, and reasonable attorney fees, said fees to be governed by the scale set by the county bar association for preparation and trial work in circuit court, and interest from the time the work is completed.

§ 276-12 Duty to maintain.

Any device, piece of equipment or system required to be installed by this Code or applicable standards referenced therein for which express maintenance requirements are not established shall be continuously maintained in good working condition.

§ 276-13 Safeguarding vacant premises.

Unoccupied buildings, structures, premises or portions thereof shall be secured and protected in accordance with this section.

- A. Security.** Exterior openings and interior openings accessible to other tenants or unauthorized persons shall be boarded, locked, blocked and otherwise protected to prevent entry by unauthorized individuals. Exterior openings which cannot be secured by locking an existing door or window shall be boarded up in the manner set forth by the United States Fire Administration's National Arson Prevention Initiative: Board Up Procedures, hereby incorporated by reference as if fully set forth herein. The USFA National Arson Prevention Initiative: Board Up Procedures shall be kept on file at the Fire Prevention Bureau.
- B. Fire protection.** Fire alarm, sprinkler and standpipe systems shall always be maintained in an operable condition, unless one of the following exceptions applies:
 - (1)** When the premises have been cleared of all combustible materials and debris if the Fire Chief or a designee determines the type of construction, fire separation distance and security of the premises do not create a fire hazard.
 - (2)** Where such buildings, structures or premises shall not be heated and fire protection systems will be exposed to freezing temperatures, fire alarm and sprinkler systems may be placed out of service and standpipes are permitted to be maintained as dry systems without an automatic water supply, provided the building, structure or premises has no contents or storage and all windows, doors and other openings are secured as required.
- C. Fire separation.** Fire-resistance-rated partitions, fire barriers, and fire walls separating vacant tenant spaces from the remainder of the building, structure or premises shall be maintained.
- D. Removal of waste and other materials.** Persons owning or in charge or control of a vacant building, structure, premises or portion thereof shall remove all accumulations of flammable or combustible waste or rubbish therefrom. Such persons shall remove all flammable or combustible materials of any type therefrom if the premises are not protected by a sprinkler or sprinkler and standpipe system

installed pursuant to the specifications set forth in this fire code. Such persons shall securely lock or otherwise block or secure doors, windows and other openings to prevent entry by unauthorized persons and maintain the premises clear of waste or hazardous materials.

§ 276-14 Denial of access prohibited.

No person shall deny the Chief or his deputies free access to any property within the Town at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Inspector in the performance of his duty or refuse to observe any lawful direction given by him.

§ 276-15 Disclaimer on inspections.

The purpose of fire inspections is to comply with the fire inspection provisions of the state codes. The inspections and the reports, findings and orders issued after such inspections are not intended as, nor are they to be construed as, a guarantee. The findings of the inspections are intended to report conditions of noncompliance with Code provisions that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems of the closed premises. The Town of Osceola makes no warranty or representation, expressed or implied, that its inspection of the property has discovered all fire code violations or all fire hazards or that this report contains a complete list of all fire code violations existing on the property inspected herein.

§ 276-16 Violations and penalties.

Any person who shall violate any of the provisions of this article shall be subject to a penalty as provided in Chapter 1, § 1-4.

Article III – KEY LOCKBOX SYSTEM

§ 276-17 Purpose.

The purpose of this chapter is to allow fire protection and emergency medical service personnel a method for rapid response entry into and throughout locked buildings in emergency situations where time may be of the essence to allow personnel to perform their duties. In order to accomplish this goal, a rapid-entry key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts to gain access to the structure during an emergency. The Town of Osceola strongly encourages the use of rapid-entry key box devices and associated equipment as provided by the Knox Company®.

§ 276-18 Definitions

- A. "Lock box" shall be defined as a lock box from Knox Box® which allows emergency responders to gain access to secured buildings and perimeters without forceful entry. A rapid-entry key lock box shall be herein after referenced as a Knox Box®.
- B. The "Knox" brand is highly encouraged to be the lock box of choice by the Town of Osceola.
- C. "Emergency" means a situation in which property or human life are in jeopardy and the prompt summoning of aid is essential.
- D. "Emergency medical personnel" means an emergency medical services practitioner licensed under WI §256. 15, emergency medical responder certified under §256.15(8), peace officer or fire fighter, or other person operating or staffing an ambulance or an authorized emergency vehicle.

§ 276-19 Installation.

- A. The following structures shall be equipped with Knox Box®:
 - (1) Commercial and/or industrial buildings;
 - (2) In all multifamily residential structures containing three or more living units which contain common hallways, furnace rooms or corridors which have restricted access via locked doors;
 - (3) Structures which contain a fire alarm system that uses an automatic dialer;
 - (4) Structures which contain an automatic fire-suppression system;
 - (5) Any property which is fully enclosed by a fence or lock gate in such a fashion as to restrict or impede access during a period of emergency;
 - (6) Schools, whether public or private or;
 - (7) Government structures.
- B. No certificate of occupancy shall be issued until there is compliance with the requirements of this section.

§ 276-20 Location of Knox Box®

- A. All Knox Box® shall be installed within five feet (5') of the main entry door on the addressed side of the building. However, the fire chief or designee may approve alternative locations in writing.
- B. All Knox Box® shall be installed no lower than four feet (4') above grade nor higher than six feet 6' above grade.
- C. All realty and/or property with a security gate shall have the Knox Box® installed outside of the gate.
- D. The fire chief and/or designee must approve any changes in the installation.

§ 276-21 Contents.

The lockbox shall contain the building master keys to all of the following:

- A. All locked points of ingress and egress doors, whether on the interior, exterior or exterior locked gates of said building or property;
- B. Locked mechanical equipment rooms;
- C. Locked electrical rooms;
- D. Locked elevator controls and elevator rooms;
- E. Locked alarm control rooms/panels and fire suppression systems;
- F. For multitenant buildings, a key for each tenant or business suite, however, keys are not required to gain access to any private residence; and
- G. All other areas deemed necessary by the fire chief and/or designee.

§ 276-22 Access.

- A. No fire department or emergency medical service personnel shall carry a Knox Box[®] key on their persons.
- B. All Knox Box[®] access keys shall be installed in a Knox Box[®] Key Secure System installed in the fire department apparatus.
- C. Lockboxes shall be utilized only to gain entry into properties in the event of an emergency situation.
 - (1) Lockboxes shall not be utilized in non -emergency situations such as Lockouts.
 - (2) In the event of a lockout, the fire department and emergency medical personnel shall have the owner/operator sign a waiver giving personnel authority to utilize the lockbox to gain entry to the structure, building, or property.
- D. Fire department and emergency medical services personnel can utilize lockboxes for the purposes of gaining emergency access during an ongoing police emergency situation. Safety of personnel is of the utmost importance and if the company officer deems the situation unsafe, other means shall be used to gain entry into the building/complex.

§ 276-23 Building Owner's Responsibility.

- A. The owner/operator of a structure shall obtain and purchase a Knox Box[®], at their expense directly at the time of the issuance of the building permit;
- B. The owner/operator shall provide the Fire Department the proper keys for the required access. Keys should be properly labeled with respect to their identity and function;
- C. The owner/operator shall notify the Fire Department immediately when locks and/or keys have been changed;
- D. The owner/operator shall keep the immediate area of the key box free and clear of any obstructions.
- E. Shall not have possession of a Knox Box[®] Key Secure System;
- F. Shall not tamper with or remove any lockbox, or direct or permit another person to do so, without permission from the Fire Department.

§ 276-24 Exceptions.

The fire chief and/ or designee has the authority to make exceptions to this section under any of the following conditions:

- A.** Any structure, building, or property having on-site, twenty-four (24) hour personnel and twenty-four (24) hour alarm monitoring systems;
- B.** Single-family structures and multifamily structures that do not meet the definition set forth in 276-19 A;
- C.** Rental storage facilities where there is a single lock on the separate storage pods that are rented; however, the entry security gate(s) shall require a Knox Box® if electronically controlled or locked with a master key issued by the landlord to all tenants;
- D.** Any structure, building, or property which is deemed to have unique hazardous situations to the health and safety of emergency personnel.

Dated and Approved this 2th day of May, 2026

_____, Terry Leininger, Town of Osceola Chairman

Attested by

_____, Kay Wege, Town of Osceola Clerk

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