

TOWN OF DELLONA ORDINANCE #16
FIRE INSPECTION ORDINANCE

1.01 Purpose

The purpose of this Ordinance is to provide for fire inspections of buildings and premises located in the Town of Dellona by the Delton Fire Department pursuant to the agreement between the Town of Dellona and the Delton Fire and Ambulance Commission.

1.02 Fire Inspections

The Fire Chief, or his/her designee, shall have the right and authority to enter any commercial, multi-family or other building open to the public, located within the Service Area, at all reasonable hours for the purpose of making inspections or investigations which he may deem necessary in accordance with the provisions of the *Wisconsin Administrative Code Chapter SPS 314 Fire Prevention*. Fire inspections shall be made at least once in each year provided that inspections shall not be more than 15 months apart. All inspections shall be with the permission of the owner or tenant, or in case inspection is refused, pursuant to a Special Inspection warrant as provided under s. 66.0119, Wis. Stats. Written reports of inspections shall be made and kept on file in the inspection office of the Delton Fire Department in the manner and form required by the Wisconsin Department of Safety and Protective Services.

1.03 Fire Investigations

The Fire Chief, or his/her designee, shall investigate the origin, cause and circumstances of every fire occurring in the Delton Fire Department Service Area. The Fire Chief shall take steps to obtain physical evidence, notify the proper law enforcement authorities and cooperate with other agencies as required in the prosecution of the case.

1.04 Occupancy of structure after a fire

In the event of a structure fire, prior to returning control of the structure to the owner or occupants thereof, the Fire Chief, or his/her designee, shall inspect the structure and shall determine whether or not it is safe for occupancy or use. If, in the judgment of the Fire Chief, or his/her designee, the structure is not safe, the Fire Chief, or his/her designee, shall issue an order prohibiting occupancy or use of the structure until issuance of an occupancy permit by the Building Inspector. The Fire Chief, or his/her designee, shall also affix a notice of such order in a conspicuous place on the outside wall of the building and no person shall remove or deface such notice. Any person who fails to comply with any such order shall be guilty of a violation of this Ordinance.

1.05 Definitions

The following words and phrases used in this Ordinance are defined as set forth below:

Fire Chief. The Fire Chief of the Delton Fire Department.

Service Area. The area of the Town of Dellona serviced by the Delton Fire Department pursuant to the agreement between the Town of Dellona and the Delton Fire and Ambulance Commission.

1.06 Penalties

Unless another penalty is specifically provided for elsewhere in this Ordinance, any person violating any of the provisions of the Ordinance shall, upon conviction, be subject to a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), together with the costs of prosecution, and upon default of payment of such forfeiture and costs, shall be subject to penalty as ordered by the court. Each day of violation of any provision of this Ordinance shall be deemed to constitute a separate offense.

1.07 Effective Date

Following passage by the Town Board, this Ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats.

ADOPTED this 20th day of August, 2012.

Paul Bremer
Town Board Chairperson

Published this 22nd day of August, 2012.

Attest: _____
Lynn Eberl
Town Clerk