

CHAPTER 10 FIRE PROTECTION AND PREVENTION ¹

ARTICLE I. IN GENERAL PROVISIONS AND ADMINISTRATION

Sec. 10-1. Establishment, Mission and Scope.

- (a) Department Continued. The Village of Harrison Fire-Rescue Department (hereinafter referred to as the "Department") is hereby continued and authorized to operate as a combination department consisting of full-time, part-time, and paid-on-call personnel.
- (b) Mission Statement. The Department is authorized to protect life, property, and the environment through public education, proactive code compliance, fire suppression, and emergency rescue services.
- (c) Territorial Scope. The provisions of this chapter shall govern all geographic areas within the corporate limits of the Village of Harrison, and all territories served by contractual agreement.

Sec. 10-2. Core Services Authorized.

- (a). The Department is legally designed to perform the following baseline public safety services:
 - (1) Local and State Fire and Life Safety Code Inspections.
 - (2) Fire Origin and Cause Investigations.
 - (3) Public Safety Education and Community Risk Reduction.
 - (4) Structural, Commercial and Wildland Fire Suppression.
 - (5) Environmental Hazards Response and Operations-Level Initial Mitigation.
 - (6) Technical Emergency Rescue (including vehicle extrication and rope rescue).
 - (7) Surface Water and Ice Rescue Operations.
 - (8) Emergency Medical Services (First Responder/EMR Level or higher).

Sec. 10-3. Fire Chief Powers and Appointment.

- (a) Appointment. Pursuant to §§ 61.65(3g)(a) and 62.13(3), Wis. Stats., the Fire Commission shall appoint the Fire Chief. The Chief shall hold office during good behavior, subject to suspension or removal by the Commission strictly for cause under § 62.13(5), Wis. Stats.

¹State law reference(s)—Fire protection, Wis. Stats. § 60.55 et seq.

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- (b) **Command and Management.** The Fire Chief shall possess command over all personnel, stations, and apparatus belonging to the Department. The Chief shall develop Standard Operating Guidelines (SOGs).
 - (c) **Reporting Duties.** The Fire Chief shall maintain records of all fires occurring within the Village and shall submit mandatory reporting data to the Wisconsin Department of Safety and Professional Services (DSPS) in accordance with state requirements and U.S. Fire Administration for inclusion in the National Emergency Response Information System (NERIS).
 - (d) **Mutual Aid.** The Fire Chief may, by agreement, secure the assistance and cooperation of the fire departments in neighboring municipalities, and extend like assistance and cooperation of the village emergency services department to such municipalities.

Sec. 10-4. Department Personnel.

- (a) **New Hires.** The Fire Chief shall appoint subordinates subject to the approval of the Fire Commission.
- (b) **Promotions.** The Fire Chief shall appoint subordinate officers subject to the approval of the Fire Commission.
- (c) **Duties.** Every firefighter shall have police power and duties delegated to them under state law, and such other duties as prescribed by the Fire Chief.
- (d) **Firefighter Qualifications.** As of 1/1/2027, all new firefighters hired after this date, will be required to obtain Firefighter 1 state certification.
- (e) **Emergency Medical Responder Qualifications.** EMS responders shall hold current EMS licensure at or above the department service level.

Sec. 10-5. Authority and Emergency Scenes.

- (a) **Establishment of Perimeters.** The Fire Chief or the designated commanding officer at any emergency scene may prescribe operational perimeters. No unauthorized person shall enter or remain within such perimeters without the express permission of the commanding officer.
- (b) **Property Mitigation Actions.** The commanding officer shall have the authority to order the removal, isolation, or controlled destruction of any building, fence, or structure during the progress of a fire if deemed necessary to halt fire propagation or preserve adjoining property.
- (c) **Utility Disconnection.** Command personnel are authorized to order utility companies to disconnect electrical, natural gas, or water services when such utilities interfere with safe mitigation or endanger responders.

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- (d) Obstruction Prohibited. No person shall intentionally hinder, resist, or obstruct any firefighter or emergency responder engaged in the performance of their duties.
 - (e) Protection of Equipment. No person shall drive a vehicle over an unprotected fire hose or tamper with any apparatus without the explicit consent of the Department official in command.

ARTICLE II: FIRE PREVENTION CODE AND INSPECTIONS **Sec. 10-6. Adoption of State and National Codes**

- (a) Incorporation by Reference. To ensure legal uniformity throughout the state, the Village of Harrison hereby adopts and incorporates by reference the following regulations as fully as if set forth at length herein:
 - (1) All Wisconsin Department of Safety and Professional Services (SPS) Administrative Codes, specifically SPS 314 (Fire Prevention Code).
 - (2) NFPA 1 (Fire Code), including all annexed standards and future revisions.
 - (3) The Wisconsin Enrolled Building Code (SPS 361 to 366).
 - (4) The International Fire Code (IFC), latest state-approved edition, to serve as a supplementary reference where local administrative variations are authorized by Department of Safety and Professional Services (DSPS).
- (b) Existing Facilities. Public buildings and places of employment constructed prior to the effective date of this ordinance shall comply with the structural and design codes in effect at their time of construction. However, the use, maintenance, and operational lifecycle safety provisions of NFPA 1 and SPS 314 apply uniformly to all existing properties.
- (c) Code Conflict. In the case of conflict between any provisions in the Wisconsin Administrative Code or NFPA 1, the code containing the strictest provisions shall apply.

ARTICLE III. BUREAU OF FIRE PREVENTION

- (a) There is hereby established a Bureau of Fire Prevention within the Department, operating under the executive oversight of the Fire Chief. The Fire Chief shall designate a certified Fire Inspector to serve as the Fire Marshal to manage the Bureau's operations, code enforcement tracks, and inspection programs

Sec. 10-7. Inspection Schedules and Right of Entry.

- (a) Inspection Frequency. Pursuant to § 101.14(2), Wis. Stats., and § SPS 314.01(13), Wis. Adm. Code, the Fire Marshal or authorized inspectors shall perform routine fire safety inspections of all public buildings and places of employment within the Village. Such inspections shall occur at least twice per calendar year, or more frequently based on specific occupancy risk profiles.

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- (b) Right of Entry. Upon presenting proper credentials, inspectors are authorized to enter any public building, place of employment, or commercial premises during reasonable business hours to verify code compliance.

Sec. 10-8. Formal Compliance Orders.

- (a) Service of Written Notice. When a violation of this code is discovered, the inspector shall issue a written compliance order to the property owner, tenant, or manager. Standard corrections must be fully remedied within 30 days of service, unless an imminent life-safety hazard mandates immediate or expedited abatement.
- (b) Methods of Service. Compliance orders are considered legally served when delivered personally to the owner or occupant, left with an on-site manager, emailed to the owner or on-site manager, or sent via certified mail to the last known property tax billing address.

Sec. 10-9. Development and Certificate of Occupancy.

- (a.) The Bureau of Fire Prevention shall work collaboratively with the Village building Inspection department during initial site plan reviews. No temporary or final Certificate of Occupancy shall be finalized for any commercial, industrial, or multi-family residential building without formal inspection approval and written clearance from the Fire Department.

ARTICLE III. FIRE PROTECTION SYSTEMS AND PERMITS

Sec. 10-10. Required Installation Permits.

- (a) No person or contractor shall install, alter, modify, or remove from service any of the following systems without first obtaining a plan review and construction permit from the Bureau of Fire Prevention:
 - (i.) Automated Fire Sprinkler and Chemical Suppression Systems.
 - (ii.) Fire Alarm, Detection, and Commercial Notification Arrays.
 - (iii.) Standpipe Systems.
 - (iv.) Stationary Fire Pumps, Controllers, and Dedicated Emergency Generators.
 - (v.) Private Water Mains and Private Fire Hydrant Systems.

Sec. 10-11. Digital Inspection Reporting System.

- (a) Mandatory Submission Window: All third-party certified contractors performing testing, maintenance, or required inspections on life safety systems within the Village of Harrison must submit comprehensive testing documentation within 14 days of the service date.

ARTICLE IV. ACCESS AND BUILDING SAFETY HARDWARE

Sec. 10-12. Rapid Entry Key Boxes (Knox Box).

- (a) To prevent structural damage resulting from forced entries during emergency responses, a rapid-access key box of a type approved by the Fire Marshal is strictly mandated for:
 - (1) All commercial, industrial, religious, healthcare, school, and multi-family occupancies.
 - (2) Properties utilizing electronic perimeter security gates (which must include overriding gate-entry connectivity responsive during power failures).
- (b) The property owner shall immediately update the keys secured within the box whenever locks are changed or rekeyed.

Sec. 10-13. Multi-Family Smoke Alarms.

- (a) Rental Property Installations: Owners of residential rental buildings shall install and maintain a functional, code-compliant smoke and CO alarms in every sleeping room, in the immediate hallway outside of sleeping areas, and on each distinct floor level (including basements). Alarms must be either hardwired with battery backup or consist of sealed 10-year lithium battery units
- (b) Maintenance Division: Landlords shall verify alarm functionality at lease renewal and replace standard batteries annually. Tenants shall test units monthly during tenancy and immediately provide written notification to the landlord if an alarm requires replacement or repair

Secs. 10-14 – 10-20. Reserved

ARTICLE V. OPEN BURNING AND FIREWORKS RESTRICTIONS

Sec. 10-21. Recreational and Cooking Fires.

- (a) Outdoor fires utilized for cooking or recreation are permitted without a formal permit under the following operational guidelines:
 - (i) Fires must be completely contained within a manufactured retail appliance or an enclosed stone, brick, or block fire pit.
 - (ii) Fires must maintain a minimum clear clearance distance of 15 feet from any combustible structure, fencing, or property boundary line.
 - (iii) Only clean, seasoned dry wood, charcoal, natural gas, or liquid propane may be used as fuel. The open burning of leaves, trash, yard waste, plastic, or liquid accelerants is strictly prohibited.
 - (iv) Fires must be actively attended by a responsible individual at least 16 years of age and completely extinguished before being left unattended.

Sec. 10-22. Maintenance Burning.

- (a) Open burning of organic yard maintenance materials (brush, leaves, etc.) requires pre-authorization from the Fire Marshal or their designee, and a completed burn permit. The burning of construction waste, debris at construction sites or demolition of any structure is prohibited. Burning shall also be subject to

the administrative rules of the State Department of Natural Resources. A 20-foot clear buffer zone from structures is required, and the fire must be completely extinguished prior to dusk.

- (i) Burn permits may be obtained through the Village Hall.
- (ii) Upon authorization verification and prior to igniting the fire, the property owner must inform the County Sheriff's Department of the date, time, and location of fire.
- (iii) Permit burning shall be valid between 7:00 a.m. and 7:00 p.m.
- (iv) There must be not less than two means of extinguishment present.
- (v) Burning must be always attended by a person at least 18 years of age.
- (vi) Applicants are encouraged to notify neighbors about their outdoor burning plans to minimize potential complaints. Nuisance complaints from neighbors could result in loss of permit.

Sec. 10-23. Agricultural Burning.

- (a) Burning bags, twine, and other incidentals relating to agricultural operations when done in a controlled area under the supervision of the property owner or an agent of the property owner is permitted.

Sec. 10-24. Prohibitions

- (a) The fire chief or designee may prohibit any fires when atmospheric conditions or local circumstances make such fires hazardous.
- (b) No material may be burned upon any street, road, curb, gutter, open ditch or sidewalk.

Sec. 10-25. Liability.

- (a) Any person utilizing and maintaining outdoor fires may be responsible for any liability resulting from damage caused by the fire.

Sec. 10-26. Weather Bans and Emergency Restrictions.

- (a) No outdoor burning of any type shall occur if sustained wind speeds exceed 10 miles per hour, as reported by the regional weather service. The Fire Chief maintains explicit administrative authority to declare an emergency burn ban during high-risk drought or severe meteorological conditions.

Sec. 10-27. Fireworks and Public Displays.

- (a) Consumer Restrictions: The sale, storage, possession, and detonation of consumer fireworks within the Village of Harrison are governed strictly by § 167.10, Wis. Stats. Any device requiring a state-defined user permit is prohibited without formal approval from the Village via fireworks permit. Unmanned free-floating sky lanterns are declared an uncontrolled fire hazard and are banned entirely.
- (b) Professional Displays: Permits for professional pyrotechnic displays may be granted following a safety review by the Department and formal approval through the issuance of a fireworks permit. Applications must be submitted to the Village Clerk at least 30 days prior to the event, accompanied by a certificate of liability insurance totaling no less than \$1,000,000.

Sec. 10-28. Permits.

- (a) Permits. Permits may be obtained through Village Hall, W5298 State Road 114, Menasha, WI 54952.

ARTICLE VI. Enforcement, Penalties, and Appeals

Sec. 10-29. Administration.

- (a) Variances.

(1) Any person aggrieved by an order, requirement or interpretation made by the village board may appeal such decision pursuant to the Wisconsin Administrative Code. The reviewing authority pursuant to the Wisconsin Administrative Code shall make a determination that the village board's finding was reasonably justified or may remand to the village board with direction to the village board to examine the practical difficulty and unnecessary hardship that may result from strict compliance with these regulations. Upon remand, the village board may vary the regulations so that substantial justice may be done, provided that the public interest is secured, and that such variance will not have the effect of nullifying the intent and purpose of these regulations.

(2) In granting variances, the village board shall request the evidence of practical difficulty, hardship, and record the reasons in the minutes of which the variance was granted.

- (b) Enforcement.

(1) The fire chief or his/her designee and all sworn county sheriff deputies are hereby authorized and directed to enforce the provisions of this section.

Sec. 10-30. Penalty.

In addition to the provisions set forth in this section, any person, firm, or corporation which violates the provisions of this section, shall be subject to penalties as provided in section 1-7 of this Code of Ordinances.