

VILLAGE OF LITTLE CHUTE

ORDINANCE NO. 1, SERIES OF 2024

AN ORDINANCE AMENDING SECTION 18-19 and 18-58 OF THE VILLAGE OF LITTLE CHUTE MUNICIPAL CODE.

WHEREAS, the Village of Little Chute Board of Trustees has recommended the following ordinance amendments; and,

WHEREAS, the required public hearing has been held before the Village Board of Trustees, Village of Little Chute; and,

WHEREAS, the Village Board of Trustees, Village of Little Chute, finds the following ordinance amendments to be in the public interest;

NOW, THEREFORE, the Village Board of Trustees, Village of Little Chute, do ordain as follows:

Section 1. That Section 18-19 and 18-58 (Fire Prevention and Protection) of the Municipal Code of the Village of Little Chute is hereby amended to read as follows:

Sec. 18-19. - Established.

(a)
Composition: service to village recognized; delegation of duties. There is established a fire department for the village consisting of a fire chief, **a three** volunteer assistance fire chiefs, **two** volunteer captains, and **four** volunteer lieutenants, and not more than **40 50** volunteer firefighters. The village fire department is officially recognized as the fire department serving the village, and the duties of firefighting and fire prevention in the village are delegated to such department. The fire department shall be responsible for the program of fire defense for the citizens and property within the village.

Sec. 18-58. - Adoption of Fire Prevention and Protection Codes.

a) *Adoption of Wisconsin Department of Safety and Professional Services Codes.* The provisions of Wisconsin Administrative Codes, published on or before the effective date of this chapter, or as they may be amended or renumbered from time to time, are hereby adopted by reference and the rules and regulations contained therein are hereby made a part of this chapter as though they were fully set forth herein. The following Wisconsin Administrative Codes in effect on the date of adoption this chapter, or as they may be amended or renumbered from time to time, are adopted by reference, enforced and incorporated into this chapter as if fully set forth herein.

SPS 305	Licenses, Certification and Registration
SPS 307	Explosive Materials and Fireworks Manufacturing
SPS 314	Fire Prevention
SPS 316	Electrical
SPS 318	Elevator Code

SPS 320-325	Uniform Dwelling Code
SPS 326	Manufactured Home Communities
SPS 328	Smoke Detectors and Carbon Monoxide Detectors
SPS 330	Fire Department Safety and Health Standards
SPS 334	Amusement Rides and Attractions
SPS 340	Gas Systems
SPS 343	Anhydrous Ammonia
SPS 361-366	Wisconsin Commercial Building Code
SPS 371	Solar Energy Systems
SPS 375-379	Buildings Constructed Prior to 1914

- b) *Adoption of Wisconsin Agriculture, Trade and Consumer Protection Codes.* The provisions of Wisconsin Administrative Codes, published on or before the effective date of this chapter, or as they may be amended or renumbered from time to time, are hereby adopted by reference and the rules and regulations contained therein are hereby made a part of this chapter as though they were fully set forth herein. The following Wisconsin Administrative Codes in effect on the date of adoption this chapter, or as they may be amended or renumbered from time to time, are adopted by reference, enforced and incorporated into this chapter as if fully set forth herein.

ATCP 93 Flammable and Combustible Liquids

ATCP 94 Petroleum Products

Note: Copies of the Wisconsin Department of Safety and Professional Services and the Wisconsin Agriculture, Trade and Consumer Protection Codes respectively are available from:

<https://docs.legis.wisconsin.gov/code/toc/spc> and <https://docs.legis.wisconsin.gov/code/toc/atcp>

- c) *Conflicting Provisions.* In case of a conflict between the provisions of this section or between this section and existing Village Ordinances, the strictest provisions shall apply.
- d) *Penalty.* The failure or refusal any person to obey the requirements of the Wisconsin Administrative Code provisions incorporated in this section by reference shall subject that person to penalties in the form of monetary forfeitures expressed therein, or if none to the general penalty provisions under Appendix C Village Fees, Deposits and Charges
- e) *State statutes.*

(1) Fire Inspections, Prevention, Detection and Prevention, Wis. Stats. § 101.14.

(2) Recordkeeping of Fires, Wis. Stats. § 101.141.

(3) Inventory of Petroleum Products Storage Tanks, Wis. Stats. § 101.142.

(4) Smoke Detectors, Wis. Stats. § 101.145.

f) *Fire code.* NFPA 1, Uniform Fire Code—2006-2012 edition is hereby adopted, subject to the modifications specified in Wis. Admin. Code ch. **COMM 14 ATCP 94**.

g) *Amendments, revisions, etc.* Any further amendment, revision or modifications of the statutes, codes, and standards incorporated herein are intended to be made part of this article.

i) *Unaddressed fire prevention problems.* Any fire prevention problem not herein addressed by this article or adopted standards will be addressed on the basis of current accepted National Fire Protection Association Standards.

(j) *Fire code construction.*

(1) All construction, repairs, maintenance, and enlargement of existing public buildings within the village shall be subject to all applicable rules and regulations of the state administrative code dealing with fire-resistive construction of all such public buildings as defined by state statutes.

(2) The director of inspections for the village may approve all construction, repair, and enlargement building permits for commercial/public buildings within the village, so long as all such proposed construction or alteration meets all applicable provisions of the state administrative code, of every kind and nature, reference state statute/state administrative code requirements on fire-resistive construction and all applicable village ordinances.

Sec. 18-21 (b)

Fire inspection duties

(1) The Fire Chief shall be the Fire Inspector of the Village of Little Chute and shall have the power to appoint one or more Deputy Fire Inspectors and shall perform all duties required of fire inspectors by the laws of the state and rules of the Department of Safety and Professional Services, particularly § 101.14, Wis. Stats and **In accordance with Wis. Adm. Code Section SPS 314.01(13)(b) 7.**

(2) While acting as Fire Inspector pursuant to § 101.14(2), Wis. Stats. and **In accordance with Wis. Adm. Code Section SPS 314.01(13)(b)7,** the Fire Chief or any officer of the Fire Department designated by the Fire Chief shall have the right and authority to enter any building or upon any premises in the Village of Little Chute at all reasonable hours for the purpose of making inspections or investigations which under the provisions of this Code he may deem necessary. Should the Fire Inspector find that any provisions of this Code relating to fire hazards and prevention of fires are being violated or that a fire hazard exists which should be eliminated, it shall be his duty to give such directions for the abatement of such conditions as he shall deem necessary and, if such directions be not complied with, to report such noncompliance to the Village Board for further action.

(3) The Chief of the Fire Department is required, by himself or by officers or members of the Fire Department designated by him as fire inspectors, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, 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 fire hazards or to the prevention of fires.

Such inspections shall be made at least once in six months in all of the territory served by the fire department. Each six-month period shall begin on January 1 and July 1 of each year. Such inspections shall be made at least once per calendar year in all of the territory served by the Fire Department, provided the interval between those inspections does not exceed 15 months. The Chief of the Fire Department may order more frequent inspections than required under this subsection.

Section 2. Effective Date. This Ordinance shall take effect upon the adoption and publication and enactment of the Ordinance by the Village Board of Trustees, Village of Little Chute.

Approved and adopted: January 3, 2024

VILLAGE OF LITTLE CHUTE

By: _____

Michael R. Vanden Berg, Village President

Attest: _____

Laurie Decker, Village Clerk