

May 19, 2020 (Village Board Meeting)

- Balancing the needs of these businesses and trying to help them out while putting more of a burden on the residents.
- Provide a credit now, see how the next few months progress and then either refund more or keep as is.
- Cash flow up front is a problem for some more than others and pay over time is not an option.
- Village is attempting to do what we can, where we can, but can we afford the loss in revenue.

After discussion, consensus was to bring back a Resolution with a 50% fee reduction to be considered for now.

REQUEST TO REMOVE REQUIREMENT OF OUTDOOR RECREATIONAL FIRE REGISTRATION FROM OUR CODE (correspondence from Dan Fox)

Correspondence from Daniel Fox requesting an ordinance change to remove permit requirement for fire pits:

- Vast majority of residents are unaware of the requirement.
- With no cost associated with the permit, the village absorbs cost of processing and monitoring.
- Adjacent municipalities do not require a permit.

Correspondence from James Starrett:

- Permit is valuable for safety and education as well as any possible liability problems.

Discussion:

- Code seems to be unenforceable.
- Green Bay Metro Fire Department would prefer not to be spending time on these types of inspections and would be fine with removal of the permit requirement. They still have recourse for issues under the National Fire Code.
- Residents don't know they need a permit.
- Permit provided an opportunity to educate but half of the fire pits inspected were portable and can be moved after inspection.

Consensus was to bring a Resolution back to the Board striking the permit requirement.

ON-STREET PARKING DURING GARBAGE COLLECTION/STREET SWEEPING

Discussion:

- Code states No Parking is permitted on Village streets from April 1 to November 15 from 6:00 a.m. to 4:00 p.m. on the scheduled day for garbage pickup on that street.
- Difficult to enforce. Don't have the personnel to monitor and ticket offenders. Can't guarantee the street sweeper is going to be on that street on that day.
- Code was enacted from the need to sweep from curb to curb to remove pollutants from the street to meet storm water quality requirements.
- Give a warning the first time and if it happens again, ticket them.
- Educate residents on Village costs when they put debris in the street.
- Be consistent, clamp down and enforce.
- Consensus was that the code needs to be enforced to get compliance.

ORDINANCE NO. 2020-03

AN ORDINANCE AMENDING SECTION 234-11J(10), RECREATIONAL FIRES OF CHAPTER 234 FIRE PREVENTION OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT SECTION 234-11J(1) BE AMENDED TO READ AS FOLLOWS:

SECTION 1.

§ 234-11 International Fire Code amendments and modifications.

J.

~~(10)~~
~~Registration of recreational fires is required.~~

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 2nd day of June, 2020.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk-Treasurer

§ 234-11. International Fire Code amendments and modifications.

- A. Title. Modify IFC Section 101.1 to read: These regulations shall be known as the "Fire Code of the Village of Allouez," hereinafter referred to as "this code."
- B. The following requirements are in addition to the requirements in IFC Section 105.1:
 - (1) Permits. IFC Section 105.1.1 is modified: Permits required. Permits required by this code shall be obtained through the office of the Building Inspector. Permit fees shall be as set forth in Chapter 225 of the Allouez Municipal Code. Permit fees shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Code Official.
 - (2) The Code Official may revoke any permit, approval or certificate issued under this code where any condition of issuance has not been complied with or maintained, or where there has been any false statement or misrepresentation of any material fact in the application or plans on which the issuance was based. The Code Official shall promptly notify the holder of the revocation. The holder may appeal the Code Official's decision to the Board. Such revocation shall be in effect pending the decision of the Board, and the holder shall immediately comply with the conditions of revocation. Thereafter, it shall be unlawful for any person to continue or maintain the conditions causing the revocation excepting that the Board finds in favor of the holder or a new permit is issued.
- C. IFC Sections 105.6 and 105.7, required operational and construction permits. The Code Official shall be notified of the operations set forth in IFC Sections 105.6.1 through 105.6.46 and based on the nature of operations may require an inspection for compliance with Village codes. The Code Official may require a permit where the operations have a potential for exceeding reasonable limits.
- D. Board of Appeals. IFC Section 108 is deleted from this article.
- E. Violation penalties. IFC Section 109.3 is deleted from this article.
- F. IFC Section 111.4 is modified as follows: Failure to comply. Any person who shall continue to work after having been served with

a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a separate fine for each separate twenty-four-hour period or portion thereof that the work progresses. Fines shall be levied under § 1-3 of the Village Code.

- G. Open burning, recreational fires and portable outdoor fireplaces. IFC Section 307.1 is modified to read:
 - (1) General. All open burning is prohibited within the Allouez Village limits, except as approved by the Code Official or in accordance with § 234-11H.
 - (2) Note. All training fires, by Green Bay Metro Fire, shall comply with the most current edition of NFPA 1403, Standard on Live Fire Training.
- H. Outdoor cooking fire. IFC Section 307.2 is deleted and replaced with: An outdoor cooking fire shall be allowed without authorization by the Code Official.
- I. Bonfires. IFC Section 307.4.1 is deleted and replaced with: Bonfires. Bonfires are prohibited within the Allouez Village limits.
- J. Recreational fires. IFC Section 307.4.2 is deleted and replaced with: Recreational fires. All recreational fires shall comply with the following requirements: **[Amended 3-19-2019 by Ord. No. 2019-03]**

Firewood. Wood shall not be considered rubbish where it is stored for residential use under the terms and conditions of this section.

Front yard storage. No firewood shall be permitted in a front yard as defined at subsection.¹

Rear and side yard storage. Firewood may be stored in a side or rear yard only in the following manner:

Stacking. All firewood shall be ranked and well stowed, with due regard to stability.

Height. Firewood stacks shall not be in excess of four feet in height unless such stack is adjacent to and amply supported by a fence or structure. Where the firewood is so supported, the stack shall not be excess of six feet.

1. Editor's Note: So in original.

Setback. No firewood shall be permitted within four feet of an adjoining property line, unless the firewood is stored in a box, building or privacy fence and not causing water drainage problems.

- (1) No recreational fire shall be closer than 15 feet to any building, structure, shed, garage, tree, shrub, bush, fence, or any other combustible material. No recreational fire shall be kindled or maintained on any public street, highway, sidewalk, or terrace.
- (2) All recreational fires shall be in a below-ground fire pit with a minimum depth of four inches and a maximum diameter or three feet, zero inches (36 inches) or in a portable (Weber-type) device that is placed upon a noncombustible surface and secured. The fire may not extend more than four feet above the ground at any time. Burning must be contained within the fire pit enclosure at all times. All below-ground fire pits shall be surrounded on the outside, above ground, by a noncombustible material such as concrete block, rock, or metal.
- (3) No recreational fire shall be started when the fire will cause smoke, combustibles, or other materials to be carried by the wind toward any building or other combustible or flammable materials. Smoke from any recreational fire shall not create a nuisance for neighboring property owners.
- (4) Materials for recreational fires shall not include rubbish, garbage, recyclable items, trash, yard waste, or any materials made of or coated with rubber, plastic, leather, or petroleum-based materials and shall not contain any flammable or combustible liquids.
- (5) Adequate fire-suppression equipment shall be present to extinguish or control the recreational fire at all time. Adequate fire-suppression equipment shall consist of shovels, fire extinguishers, water hoses, or other like equipment sufficient to extinguish the fire if necessary.
- (6) All recreational fires shall be attended at all times by at least one responsible person of age 18 or older until the fire is completely extinguished.
- (7) It shall be the duty of any renter or lessee at a multifamily dwelling to notify and obtain written permission from the property owner prior to initiating any recreational fire.

- (8) Citations may be issued for failure to comply with the above regulations.
- (9) The property owner, renter, or lessee shall be held liable for any damage caused by any recreational fire, including the cost of any citations.
- (10) Registration of recreational fires is required.

K. Open flames. The following requirements are in addition to the requirements in IFC Section 308:

- (1) Negligent handling. The negligent handling of burning material is prohibited.
- (2) Except as provided in Subsection K(2)(a) through (f), the use of open flame fixtures in public buildings and places of employment is prohibited.
 - (a) Open flame candles or open flame fixtures may be used in churches, fraternal lodges and other buildings as part of a religious, fraternal or ceremonial ritual.
 - (b) Candles may be used in restaurants, supper clubs and similar occupancies provided the candle is enclosed on all sides with glass or similar noncombustible material and the enclosure extends at least one inch above the tip of the flame.
 - (c) Open flame candles and open flame fixtures may be used in the seating areas of public assembly buildings provided the following conditions are satisfied:
 - [1] The stand upon which the candle is placed is a nontipping weighted stand or is securely attached to the end of fixed seating in at least two places.
 - [2] The base of the candle is at least 78 inches from the floor.
 - [3] The candle is guarded on top and sides at all times.
 - [4] The aisle where the candles are placed is at least five feet wide.
 - (d) Open flame food warming candles may be used in restaurants, supper clubs and similar occupancies.

- (e) Decorative or other lights, which are fueled by flammable or combustible liquids, may be used provided they are self-extinguishing.
- (f) The use of open flames other than those uses specified in Subsection K(2)(a) through (e) shall be subject to the approval of the Code Official.

L. Fire apparatus access roads.

- (1) Surface of fire apparatus access roads. The following requirements are in addition to the requirements in IFC Section 503.2.3: Fire lanes shall be designed to support the imposed loads of fire apparatus and shall be constructed of asphalt or concrete.
- (2) Grade of fire apparatus access roads. The following requirements are in addition to the requirements in IFC Section 503.2.7: The grade shall not exceed a slope of 8%.

M. Fire protection water supply and fire hydrants. The following requirements are in addition to the requirements in IFC Section 507.1:

- (1) Private fire hydrants and water mains shall be installed in accordance with NFPA 24 and the Village of Allouez Standard Specifications for Public Works Construction, Section 702.5. Private fire hydrants and water mains shall be maintained in accordance with NFPA 25.
- (2) Plans shall be submitted to the Chief for review prior to the installation of private fire service mains and fire hydrants.
- (3) All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Hydrant spacing shall not exceed 500 feet between any two hydrants. One- and two-family dwellings shall be within 500 feet of at least one fire hydrant. On new streets hydrants shall be located at the intersections and the end of dead-end streets. Distances shall be measured along the path of the hose lay. Hydrants are not required in locations that are not accessible to fire apparatus. Private fire hydrants shall not be located in the public right-of-way. Hydrant requirements in accordance with this standard may be met with existing public or private hydrants. The Chief may approve alternative locations and spacing of fire

hydrants provided hydrants meet the fire suppression tactical needs of the Fire Department.

- (4) Fire hydrants shall not be located within 40 feet of any building. Fire hydrants shall be no more than 10 feet and no less than five feet from the curb or edge of the street or fire apparatus access. Fire hydrants located in parking lot islands shall be a minimum of 3.5 feet from the center of the hydrants to the curb. Alternative setback distances may be considered by the Chief when site conditions conflict with the provisions of this subsection.
- (5) Minimum flow and system design.
 - (a) All hydrants shall be positioned so the largest outlet faces the street or fire lane.
 - (b) The center of the lowest outlet cap of fire hydrants shall be at least 18 inches above grade and not more than 24 inches above grade.
 - (c) Fire hydrants shall be red in color.
- (6) Whenever the location of a fire hydrant may be obscured by its placement, or due to the placement of a building, structure, fencing, grade of land, vegetation, snow accumulation or other obstruction of vision, the Chief may require such fire hydrants to be identified and marked with above-grade markers. Above-grade markers are any devices, approved for use by the Chief, designed to promote and enhance the ready identification of fire hydrant locations.
- (7) No obstructions, including but not limited to power poles, trees, bushes, fences or posts, may be located within 10 feet of a fire hydrant. Grade changes exceeding 1.5 feet are not permitted within 10 feet of a fire hydrant or hydrant lead. Owners shall remove snow, vegetation or other material that has covered or obscured the view of the hydrant(s) on their property.
- (8) Fire hydrants shall be installed and in service prior to proceeding above the footing and foundation.
- (9) Private fire hydrants and water systems placed out of service or made inoperable for maintenance, repair or construction shall be covered with a durable and weather-resistant bag to indicate the hydrant is not usable. The Fire Prevention Division (448-2806) shall be immediately notified when

hydrants and/or systems are out of service. Fire hydrants and/or water systems shall be repaired and returned to service within 48 hours except as otherwise approved by the Chief.

- N. Mechanical refrigeration. IFC Section 606 is deleted from this article.
- O. Decorative vegetation. The following requirements are in addition to the requirements in IFC Section 806.1.1: The requirements of IFC Section 806.1.1 do not apply to natural cut seasonal holiday trees from November 1 through January 15 where trees are maintained in a manner acceptable to the Fire Chief.
- P. Automatic sprinkler systems. IFC Section 903.3.7 is added: Multiple Fire Department connections. Where multiple Fire Department connections are provided for sprinkler or standpipe systems on the same structure all such systems shall be interconnected in accordance with NFPA 14.
- Q. Fire alarm and detection systems. Exceptions from IFC Sections 907.2.1, 907.2.2, 907.2.3(2), 907.2.4, 907.2.7 and 907.4.1 eliminating the need for manual pull stations are deleted.
- R. Zone map. IFC Section 907.7.3.1.1 is added: A map showing the locations for all devices in a system shall be provided at the control panel and any remote annunciator panels. The zone map shall be plotted on a building layout showing each floor independently. The map shall be displayed in a manner approved by the Chief.
- S. Notification. IFC Section 907.8.4 is added: The installing contractor shall notify the Code Official of all required testing at least 48 hours in advance. The Code Official may require all testing to be witnessed by a member of the Fire Department.
- T. Smoke detectors. The following note is added to IFC 907.20.5: Section 101.145(3)(b) and (c), Wis. Stats., address maintenance of smoke detectors in residential buildings.
- U. Explosives and fireworks. IFC Section 3301.1.3, Exception (4), is deleted and replaced with: The possession, storage, sale, handling, and use of caps (less than 1/4 grain of explosive mixture), toy snakes (without mercury), sparklers (not exceeding 0.25 inch outside diameter and 36 inches in length), paper confetti or streamer devices (less than 1/4 grain of explosive mixture), noise makers not exceeding three grams (without explosion, spark, or external flame), a fuseless device that is designed to produce audible or visible effects (or audible and

visible effects) and contains less than 1/4 grain of explosive mixture. This is not an all-inclusive list but is meant to limit fireworks to those items that do not leave the ground and/or use explosives larger than 1/4 grain other than those type of items listed in this section.