

## **CHAPTER XIII**

### **FIRE PREVENTION**

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**13.01 ADOPTION OF CHAPTER SPS 314 AND NFPA1.** [Chapter SPS 314](#) of the Wisconsin Administrative Code, and all subsequent amendments thereto, is hereby adopted and incorporated herein by reference. The provisions of the National Fire Protection Association's Fire Protection Code, 2012<sup>1</sup> Edition ([NFPA1](#)), is hereby adopted by reference to the same extent that it is adopted by [Chapter SPS 314](#) of the Wisconsin Administrative Code and any subsequent amendments thereto.

**13.02 DISCLOSURE OF HAZARDOUS MATERIALS AND INFECTIOUS AGENTS; REIMBURSEMENT FOR CLEAN-UP OF SPILLS.**

1. Application.

- a. All persons, firms or organizations using, researching or producing hazardous materials and/or infectious agents shall notify the Fire Department as prescribed by this ordinance.
- b. The provisions of this ordinance shall apply to all persons, firms or organizations using, researching, producing or storing hazardous materials and/or infectious agents.

2. Definitions.

- a. Infectious Agent. A bacterial, mycoplasma, fungal, parasitic or viral agent known to cause illness in humans which is used, researched, produced or stored within or on premises.
- b. Hazardous Materials. Materials that can cause death or disabling injury from brief exposure; those materials that could cause a lost-time injury from exposure; and those materials that could cause temporary disability or injury without permanent effects which are used, researched, produced or stored within or on premises except those household consumer products used at the point of consumption and not used for commercial or experimental purposes. This definition of hazardous materials shall include radioactive materials.

3. Information Required. Any person, firm or organization using, researching, producing and/or storing any hazardous materials shall provide in writing to the Fire Department the following information:

- a. Address, location of where hazardous materials are used, researched, stored or produced;
- b. The trade name of the hazardous material;
- c. The chemical name and any commonly used synonym for the hazardous material and the chemical name and any commonly used synonym for its major components;
- d. The exact locations on the premises where materials are used, researched, stored and/or produced;
- e. Amounts of hazardous materials on premises per exact location;
- f. The boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids and appearance and odor of the hazardous material;
- g. The flashpoint and flammable limits of the hazardous substance;
- h. Any permissible exposure level, threshold limit value or other established limit value for exposure to a hazardous material;
- i. The stability of the hazardous substance;
- j. Recommended fire extinguishing media, special firefighting procedures and fire and explosion hazard information for the hazardous material;

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<sup>1</sup> Ordinance No. 18-01 adopted 1/17/2018

- k. Any effect of over-exposure to the hazardous material, emergency and first aid procedures and telephone numbers to call in an emergency;
  - l. Any condition or material which is incompatible with the hazardous material and must be avoided;
  - m. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming into contact with the hazardous material;
  - n. Procedures for handling or coming into contact with the hazardous materials;
  - o. Any person, firm or organization using, researching, producing and/or storing infectious agents and/or carrier of an infectious agent shall provide in writing to the Fire Department the following:
    - i. The name and any commonly used synonym of the infectious agent;
    - ii. Address/location where the infectious agents are used, researched, stored and/or produced;
    - iii. The exact locations where infectious agents are used, researched, stored and/or produced;
    - iv. Amount of infectious agent on premises per exact locations;
    - v. Any methods of route of transmission of the infectious agents;
    - vi. Any symptoms of effect of infection, emergency and first aid procedure and a telephone number to be called in an emergency;
    - vii. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming in contact with the infectious agent;
    - viii. Procedure for handling, clean-up and disposal of infectious agents leaked or spilled.
4. Reimbursement for Clean-up of Spills. Any person who possesses or controls a hazardous material or infectious agent which was discharged or caused the discharge of a hazardous material or infectious agent shall reimburse the Town for actual and necessary expenses incurred by the Town or its agent to contain, remove or dispose of the hazardous substance or infectious agent or take any other appropriate action which is deemed appropriate under the circumstances.

**13.03 HAZARDOUS MATERIAL INCIDENT RESPONSE REIMBURSEMENT.**

- 1. Prohibited Discharges. No person, firm or corporation shall discharge or cause to be discharged, leaked, leached or spilled upon any public or private street, alley or aquifers, or within the Town of Beloit, except those areas specifically licensed for waste disposal or landfill activities and to receive such materials, any explosive, flammable or combustible solid liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents or any solid, liquid or gas creating a hazard, potential hazard or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.
- 2. Emergency Services Response. Includes, but is not limited to: Fire Service, Emergency Medical Service or Law Enforcement. A person, firm or corporation who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for actual and necessary expenses incurred in carrying out their duties under this ordinance. Actual and necessary expenses may include but not be limited to: replacement of equipment damaged by the hazardous material, cleaning, decontaminations and maintenance of the equipment

specific to the incident, specific laboratory expenses incurred in the recognition and identification of hazardous substances in the evaluation of response, decontamination, costs incurred in the procurement and use of specialized equipment specific to the incident, clean-up and medical surveillance, and incurred costs in future medical surveillance of response personnel as required by the responding agencies medical advisor.

3. Site Access. Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to emergency government officers and staff and to Town Police and Fire Department personnel for the purpose of evaluating the threat to the public and monitoring containment, clean-up and restoration activities.
4. Public Protection. Should any prohibited discharge occur that threatens the life, safety or health of the public at, near or around the site of a prohibited discharge, and that the situation is so critical that immediate steps must be taken to protect life and limb, the Town Chairperson, Town Administrator or the senior Town police or fire official on the scene of the emergency may order an evacuation of the area or take other appropriate steps for a period of time until the Town Board can take appropriate action.
5. Enforcement. The Fire Chief and his/her deputies, as well as the Town police officers, shall have authority to issue citations or complaints under this ordinance.
6. Civil Liability. Any person, firm or corporation in violation of this ordinance shall be liable to the Town for any expenses incurred by the Town or loss damage sustained by the Town of Beloit because of such violation.

#### **13.04 OPEN BURNING.**

1. Purpose. To protect the health, safety and welfare of the citizens of the Town of Beloit and to protect property located within the Town of Beloit, this ordinance is adopted pursuant to [Section 60.55](#), Wis. Stats.
2. Prohibition. The open burning of any materials or substances is hereby prohibited within Town limits, other than the preparation of food on a temporary or permanent fireplace grill or barbecue pit using charcoal or natural gas and as otherwise provided exceptions herein.
3. Exceptions.
  - a. Seasonal Burns. Open burning of natural wood and leaves shall be allowed within the Town of Beloit during the months of April, October and November of each year, under the following conditions:
    - i. Burning of dry products shall be limited to such items as natural wood and natural wood products and leaves. The burning of treated wood in any form, garbage, food products, paper products or cardboard, manure, plastic or rubber is prohibited.
    - ii. Burning may only occur between the hours of 8:00 a.m. and 8:00 p.m.
    - iii. All burning must occur at least fifty feet (50') away from all structures and combustible materials.
    - iv. Fires must be doused if they generate smoke that may obscure a public roadway, or in another way pose a threat to public safety.

- v. Adequate means of dousing the fire must be at hand during burning, and the fire must be put out if it poses a risk of expanding beyond the burn site. Fires must be doused immediately if sparks or flames from the fire spread beyond the immediate burn area.
  - vi. The Fire Chief may, by notice in the official newspaper of the Town, rescind open burning for periods of unusually dry or windy conditions that would make it prudent to conduct open burning.
  - vii. Recreational and Controlled Burns. Shall be limited to natural wood or natural wood products with the base of the fire not to exceed thirty-six inches (36") in diameter, with the flames not exceeding thirty six inches (36") in height. Exceptions to the size of the fire may be granted by the Fire Chief where proper equipment is in place and the location does not pose an undue hazard. The burning of treated wood in any form, garbage, food products, paper products or cardboard, manure, plastic and rubber is prohibited.
  - viii. All fires including the use of, but not limited to, fire pits, or free standing fire containers shall be no less than thirty feet (30') from any combustible material or structure, except that UL listed fire containers and fire places may be located no closer than fifteen feet (15') from any combustible material or structure. Free standing fire containers shall not be on any deck made of combustible material that is adjacent or connected to any portion of any type structure.
  - ix. Control burns of prairie land by qualified individuals may be allowed by permit issued by the Fire Chief.
  - x. Unless specifically noted in this ordinance, open burning shall be carried out pursuant to [Section 429.04](#), Wis. Admin. Code
- b. Agricultural Areas. On any land zoned "Agricultural" within the Town of Beloit, persons owning or renting such property shall be allowed to burn natural wood (not including lumber), leaves, grass and weeds along the road ditches and fence rows adjacent to said property for the purposes of clearing the area at any time during the year between the hours of 6:00 a.m. and 8:00 p.m. with the requirement that all flames and smoke be eliminated or ceased by 8:00 p.m., on any day when such areas are burned. Those persons owning or renting agriculturally zoned areas shall also be allowed to burn fertilizer or pesticide paper containers in such areas at any time throughout the year between the hours of 6:00 a.m. and 8:00 p.m., as long as the manufacturer of such containers recommends or permits this method of disposal.
  - c. Location. All outside burning of materials permitted to be burned under this ordinance shall be burned at least thirty feet (30') away from any structure or other combustible materials. Adequate provisions must be made by the person burning the materials to prevent any fire from spreading. The burning of materials shall be supervised by an adult at all times.
  - d. Negligent Burning. All burning allowed under this ordinance, including seasonal, recreational and controlled burns, shall be performed in a safe manner so as to avoid damage to property and bodily injury. All burning shall be performed under the direct supervision of an adult person age eighteen (18) or over, who shall be present at the site of the fire and have adequate control of the fire at all times. Unattended fires are strictly prohibited.
  - e. Penalties for the violation of this ordinance shall be as specified in Chapter 1 of the Code of Ordinances of the Town of Beloit.

**13.05 BANNING AND/OR REGULATING THE USE OF FIRE, BURNING MATERIALS AND FIREWORKS DURING THE EXISTENCE OF EXTREME FIRE DANGER.**

1. Declarations of Emergency. When there occurs a lack of precipitation, there may exist an extreme danger of fire within the Town of Beloit which may affect the health, safety and general welfare of the residents and constitutes a state of emergency. It is hereby found that the regulation of fires, burning materials and fireworks is necessary and expedient for the health, safety, welfare and good order of the Town of Beloit during said emergency.
2. Regulation of Fires, Burning Materials and Fireworks. Pursuant to [Section 166.23](#), Wis. Stats., and when a burning state of emergency is declared, it may be ordered that a person may not:
  - a. Set, build or maintain any open fire, except:
    - i. Charcoal grills using charcoal briquettes, gas grills or camp stoves on private property; or
    - ii. Charcoal grills using charcoal briquettes, gas grills or camp stoves in Town parks placed at least twenty feet (20') away from any combustible vegetation.
    - iii. Throw, discard or drop matches, cigarettes, cigars, ashes, charcoal briquettes or other burning materials while outdoors except into a noncombustible container that does not contain combustible material.
    - iv. Light or ignite a flare, except upon a roadway in an emergency.
    - v. Light, ignite or use anything manufactured, processed or packaged solely for the purpose of exploding, emitting sparks or combustion for amusement purposes, including fireworks, firecrackers, bottle rockets, caps, toy snakes, sparklers, smoke bombs or cylindrical or cone fountains that emit sparks and smoke, except in displays authorized by the Town where adequate fire prevention measures have been taken.
3. Period of Emergency.
  - a. The periods of emergency for which this ordinance shall be in effect shall be during such periods that Rock County, Wisconsin is under Wisconsin Department of Natural Resources emergency fire regulations banning outdoor smoking and campfires.

**13.06 NEGLIGENT BURNING.**

- a. Any person who, through negligence, causes or allows a fire to unintentionally or illegally burn any building, structure, material, vegetation or other object in such manner as to require the assistance of firefighting personnel to control and/or extinguish the fire shall reimburse the Town of Beloit and other responding agencies for their costs associated with providing such assistance under the rate schedule established by resolution of the Town Board and on file with the Town Clerk.
- b. For the purposes of this ordinance the word “negligence” shall mean the absence of reasonable care, disregard of common safety precautions or heedless act. Any recreational or open burning that becomes out of control during periods of identified and publicly noticed fire risk is considered negligent.

**13.07 REGULATION OF PRIVATE ALARM SYSTEMS.** The purpose of this ordinance is to provide minimum standards and regulations for alarm systems, alarm businesses and alarm users. Both society in general and public safety will be aided by providing a useful system of private security which properly balances quick response by law enforcement with minimal time spent on false alarms.

1. Definitions. Within this ordinance, the following terms, phrases and words and their derivations have the meaning given herein.

- a. Alarm Business. Any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling or servicing alarm systems.
- b. Alarm System. An assembly of equipment and devices or single device such as a solid-state unit which plugs directly into 110-volt AC line or otherwise receives electrical energy arranged to signal the presence of a hazard requiring urgent attention and to which the Police or Fire Department is expected to respond. In this Chapter, the term “alarm system” shall include the terms “automatic holdup alarm systems”, “burglar alarm systems”, “holdup alarm systems” and “manual holdup alarm systems” as those terms are hereinafter defined, and fire alarm systems which monitor temperature, humidity or any other condition directly related to the detection of fire. Excluded from this definition and from the coverage of this Chapter are alarm systems used to alert or signal persons within the premises in which the alarm system is located of an attempted, unauthorized intrusion or holdup attempt or fire.
- c. Annunciator. The instrumentation of an alarm console at the receiving terminal of a signal line through which both visual and audible signals show when an alarm device at a particular location has been activated or which in the event of malfunction may also indicate line trouble.
- d. Answering Service. Telephone answering service providing among its services the service of receiving on a continuous basis through trained employees’ emergency signals from alarm systems and thereafter immediately relaying the message by live voice to the dispatch center of the Police or Fire Department.
- e. Automatic Dialing Device. Refers to an alarm system which automatically sends over regular telephone lines by direct connection or otherwise a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
- f. Automatic Holdup Alarm System. An alarm system in which the signal transmission is initiated by the action of the robber.
- g. Manual Holdup Alarm System. An alarm system in which the signal transmission is initiated by the direct action of the person attacked or by an observer thereof.
- h. Burglar Alarm System. An alarm system which signals an entry or attempted entry into the area protected by the system.
- i. Direct Connect. An alarm system which has the capability of transmitting system signals to the Police or Fire Department.
- j. False Alarm. The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employees or agents or other undetermined cause. False alarm does not include alarms caused by tornadoes or other violent climatic conditions.
- k. Interconnect. To connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.
- l. Central Station. An office to which remote alarm and supervisory signaling devices are connected where operators supervise the circuits.
- m. Primary Trunk Line. A telephone line leading directly into the dispatch center of the Police or Fire Department that is for the purpose of handling emergency calls on a person-to-person basis and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory or numbers in sequence therewith.

- n. Subscriber. A person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.
2. Administrative Rules. The Chief of Police, in cooperation with the Town Administrator and Fire Chief, shall promulgate such rules as may be necessary for the implementation of this ordinance.
3. Automatic Dialing Devices. No person shall interconnect any automatic dialing device to a Town of Beloit Police or Fire Department primary trunk line. No person shall permit such devices installed prior to the effective date of this ordinance to remain interconnected from any property owned or controlled by those persons. Such devices may be connected to a central station or an answering service. Relaying messages so received to the Police or Fire Department shall only be done person-to-person on the telephone line.
4. Direct Connections to the Police or Fire Department. Direct connections to the Police or Fire Department are prohibited. Nothing in this ordinance shall prohibit the connection of telephone dialer alarms to a central station or answering service. If such central station or answering service is used, however, the relaying of alarms or messages received to either the Town of Beloit Police Department or the Town of Beloit Fire Department as the case may be shall only be done on a person-to-person basis and not by any type of prerecorded message.
5. Testing.
  - a. No alarm business or alarm system designed to transmit emergency messages to the Police Department shall be tested or demonstrated without prior notification and approval of the Police Department. Alarm businesses or alarm system owners or lessors will be advised on proper test procedures.
  - b. No alarm system relayed through intermediate services to the Police Department will be tested to determine the Police Department's response without first notifying the appropriate authority. However, the Police Department may inspect or test on-site alarm systems authorized under this ordinance.
  - c. Alarm systems shall comply with all pertinent response policies of the Police Department.
6. Notification. When the service provided by an alarm business to its subscribers is disrupted for any reason by the alarm business or the alarm business becomes aware of such disruption, it shall promptly notify its subscribers by telephone that protection is no longer being provided. If, however, the alarm business has written instructions from its subscriber not to make such notification by telephone during certain hours, the alarm business may comply with such instructions.
7. Fees for Answering Alarms.
  - a. Generally. Each false alarm requires response of public safety personnel, involves unnecessary expense to the Town, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection. Such false alarms constitute a public nuisance and must be abated.
  - b. Intentional. No person shall intentionally cause the activation of a burglar/fire alarm device knowing that no criminal activity, fire or other emergency exists.

- c. False Alarms; Administrative Charges. Any person, business, corporation or other entity having permissible alarm systems with alarm devise(s) at one (1) or more locations in accordance with this ordinance shall pay a fee to the Town for false alarms responded to by the Police or Fire Department according to the following schedule for each calendar year for each location connected, separate accounts to be kept for false alarms as to criminal activity and false alarms for fire or other emergencies. The cost of a false alarm outside of Town limits shall be billed by the Town as a service to the Departments to the responsible party(s).
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| i. Responded to by Police Department:  |           |
| A. First (1 <sup>st</sup> ) false alarm for a location   | No Charge |
| B. Second (2 <sup>nd</sup> ) false alarm per location  | \$50.00   |
| C. Third (3 <sup>rd</sup> ) false alarm per location   | \$75.00   |
| D. Fourth (4 <sup>th</sup> ) and subsequent false alarm per location   | \$100.00  |
| ii. All false alarms responded to by Fire Department firefighting personnel and apparatus, in addition to a police response: |           |
| A. First (1 <sup>st</sup> ) false alarms for a location  | No Charge |
| B. Second(2 <sup>nd</sup> ) and subsequent false alarm per location  | \$100.00  |
- d. This ordinance is intended to impose a strict liability on the persons, business, corporation or other entity responsible for alarm connection to either the police alarm panel or to alarm receiving firm to which the Police or Fire Department have responded and shall be applied regardless of the cause of the false alarm excepting those alarms excluded from the definition of "False Alarm". Failure to pay such administrative charge(s) shall constitute a violation of this ordinance, and such charge(s) shall be collectible as a forfeiture upon prosecution and conviction thereof, together with any additional forfeiture(s) which may be imposed under Subsection (d) hereof for violation of this ordinance for allowing or maintaining condition(s) or act(s) violating the intent of this ordinance of eliminating and minimizing the occurrence of false alarms, together with costs of prosecution.
- e. Other Violations. Any person, corporation or other entity violating this ordinance in any manner, other than for collection of unpaid administrative charges treated in the preceding paragraphs of this ordinance, shall be subject to forfeiture as provided in Chapter 1 of this Code of Ordinances. When any premises located in the Town is owned, leased or occupied by two (2) or more persons as joint tenants, tenants in common, joint lessees or in any other manner, each person shall see that the provisions of this ordinance are complied with and each person may be subjected to a penalty on violation of this ordinance.
- f. Default of Payment for Forfeiture and/or Costs. On default of payment of forfeiture and/or costs under the immediately preceding paragraphs, such person or responsible officer of the violating corporation or other entity shall be confined in the county jail until the same be paid but not to exceed a length of time specified by the court which length of time shall not exceed six (6) months. Upon nonpayment of the fee, the amount due may be placed on the tax roll as a special charge pursuant to [Section 66.0809](#), Wis. Stats.
8. Town Liability. The Town of Beloit shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this ordinance, including, but not limited to, any defects in an alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms.

9. Permits for Private Alarm Systems. Any person owning or operating a private burglar or fire alarm system within the Town of Beloit shall annually on or before January 30th of each calendar year register with the Town of Beloit Police Department as to burglar alarm systems or with the Town of Beloit Fire Department as to the fire alarm systems. Such registration shall include the name of the person owning, operating and installing the system and the location by name and address of each of the users of such alarm system. In the case of a commercial, business or industrial burglar alarm system, such registration shall also include the name, address and phone number of two (2) persons who may be contacted day or night to respond to a signal from the burglar alarm system located on such commercial, business or industrial premises.

10. Revocation of Permit.

- a. Hearing. Before a permit issued pursuant to this ordinance may be revoked, a hearing shall be held before the Police Chief. Notice setting forth the time, place and nature of the hearing shall be sent by mail or delivered to the permittee at the address shown on the permit application not less than seven (7) days prior to the hearing.
- b. Grounds for Revocation. The Police Chief may revoke a permit on the following grounds:
  - i. The application for a permit contains a false statement of a material fact.
  - ii. A licensee has repeatedly failed to comply with the provisions of this ordinance.
  - iii. Appeals. Any permittee may appeal the decision of the Police Chief by filing a written notice of appeal with the Police Chief within ten (10) days after the decision. Such appeal shall be heard by the Town Board within thirty (30) days after filing the appeal. The Town Board may affirm, amend or reverse the decision or take other action deemed appropriate. An appeal timely taken suspends the revocation until the Town Board gives its decision. The Police Chief shall give written notice of the time and place of the hearing to the appellant by certified mail or personal delivery not less than seven (7) days before the hearing. In conducting the hearing, the Town Board shall not be limited by the technical rules of evidence.

**13.08 EMERGENCY ENTRY KEY LOCK BOXES.** The purpose of this ordinance is to provide minimum standards and regulations applicable to the installation and maintenance of Emergency Entry Key Lock Boxes. Both governmental and private businesses will benefit by the installation of Key Boxes for emergency entry by both police and fire personnel. This will minimize the damage to buildings when emergency entrance to these buildings is required. It will aid in quicker entry in cases of fire or police situations during closed hours.

1. Definitions.

- a. Emergency Entry Lock Box. A Town approved lock box that provides one key entry and contains keys for entry into the building and all locks within the building.
- b. Emergency. Any situation in which emergency services from the Town are required or requested to respond outside of normal inspections or investigations.

2. Administrative Rules. The Chiefs of both the Fire and Police Departments in cooperation with the Town Administrator shall promulgate such rules as may be necessary for the implementation of this ordinance.

3. Installation Requirements. Any governmental building, school, business or private residence may install, in the approved location on the building, an Emergency Entry Lock Box. The box shall be located within ten feet (10') to the right of the main entrance. Governmental buildings and schools are required to install at least one (1) Emergency Entry Lock Box at each building. The cost for the installation shall be the responsibility of the installer.
4. Maintenance Requirements. The Fire Department and Police Department will have one (1) access key that will fit each box. The owner of the building shall be required to assure that all keys located in the box are the most up-to-date keys to the building. If the keys do not work in the locks and access must be made, the Fire Department and Police Department will be held harmless for any damage done to obtain entry.
5. Call Lists. The owner or occupant of each building installing an Emergency Entry Lock Box will be required to maintain a current list of key holders for the building and these lists must be updated at a minimum of every six (6) months.

**13.09 SMOKE DETECTORS REQUIRED.** Smoke detectors shall be provided in dwellings in the Town as required by [Chapter SPS 321.09](#), Wis. Adm. Code, which is hereby adopted and incorporated herein.

1. Duty to Install. All smoke detectors required by this ordinance shall be installed by the owner of the structure. If, during the course of rental or business inspection, or through contact with Town Staff, it is identified that a structure is not in compliance with this ordinance, the Town Compliance Inspector will be compelled to do what is necessary ensure installation.
2. Maintenance.
  - a. The owner of the structure shall be responsible for maintaining the smoke detectors and the smoke detection system in good working order.
  - b. Tenants shall be responsible for informing the owner, in writing, of any smoke detector malfunction, within five (5) days of date of discovery of the malfunction.
  - c. The owner shall have five (5) days upon receipt of written notice from the tenant to repair or replace the smoke detector.
  - d. The owner shall check batteries at the beginning of a new lease, or every six (6) months, whichever is sooner.
  - e. The owner shall furnish to the tenant written notice of the obligation of the owner and responsibilities of the tenant regarding smoke detector maintenance.
3. Tampering. No person shall tamper with or remove a smoke detector or battery except during repair or replacement.
4. Town to Install. If, upon inspection by an authorized representative of the Town, the inspector finds that the owner has failed to install the smoke detectors required by this section, the Town shall cause to be installed the proper smoke detectors in such dwelling unit. The Town shall charge the actual cost of smoke detector and a reasonable cost of the installation to the owner. If the owner fails to pay the charge within thirty (30) days of the date of billing, the cost shall be deemed a delinquent special charge and be extended onto the tax roll in accordance with the provisions of [Section 66.0809\(4\)\(b\)](#), Wis. Stats.