

CHAPTER 5

**FIRE PROTECTION**

[Rep. & recr. #097-24]

	<b>Title</b>	<b>Ordinance Number</b>	<b>Date of Ordinance</b>
5.01	Fire Department Recognized	2008-23	12/16/08
5.02 –	Reserved	2008-23	12/16/08
5.06			
5.07	Fire Fighting and Emergency Equipment Protection	2008-23	12/16/08
5.08	Police Power of Department	2008-23	12/16/08
5.09	Fire Inspector	2009-06	05/19/09
		2008-23	12/16/08
5.095	Fire Prevention Inspection Fees	2009-08	07/07/09
5.10	Hazardous Waste		
5.11	Fees for Transport in Rescue Squad	2004-09	6/15/04
		2006-10	06/06/06
		2007-18S	12/04/07
5.12	Use of Balconies and Patios in Rental Units	2009-10	11/3/09
5.15	Penalty		

## **5.01 FIRE DEPARTMENT SERVICES.**

Pursuant to Wis. Stats. §§ 61.65(2)(a)(2) and 66.0301, the Village has contracted with the Village of Mt. Pleasant for the provision of certain fire protection and emergency services to the Village by the South Shore Consolidated Fire/EMS Service (“SSCFES”), including commercial plan review for fire protection and suppression, fire inspection services, emergency medical services, fire fighting services and fire education services for the Village, all pursuant to the terms of an intermunicipal “Contract For Consolidated Fire/EMS Service,” which was entered into by the Village on October 23, 2008 (“the Intermunicipal Contract”), and as may be amended from time to time. Any references in this Code to the “Fire Department,” the “Sturtevant Fire Department,” or the “Fire Chief,” shall refer to SSCFES or to the fire chief of the SSCFES, as appropriate. SSCFES is not a department of the Village, but it shall have within the boundaries of the Village of Sturtevant all such enforcement and operational authority as is ascribed to SSCFES by state statute, by the Village of Mt. Pleasant Code of Ordinances, or by the Intermunicipal Contract, in addition to such authority as is expressly conferred by this Code.

## **5.02-5.06      RESERVED.**

## **5.07 FIRE FIGHTING AND EMERGENCY EQUIPMENT PROTECTION.**

No person shall willfully damage in any manner any fire hose, fire fighting equipment, fire hydrant or fire apparatus or building or any rescue apparatus or building belonging to any fire department. If any such damage does occur, appropriate personnel shall be notified as soon as possible. No vehicle shall be driven over an unprotected hose of a fire department when laid down on any street, private driveway or other place, to be used at any fire or alarm of fire or training without the consent of the Fire Department official in command.

## **5.08 POLICE POWER OF DEPARTMENT.**

- (1) **POLICE POWERS AT ANY INCIDENT.** The Fire Chief or his or her designee in command at any scene is hereby vested with full and complete police authority. Any such officer of the Fire Department may cause the arrest of any person interfering with the operations of the Fire Department at any fire or rescue call.
- (2) **CONTROL AT INCIDENTS.** The Fire Chief or his or her designee in command may prescribe certain limits in the vicinity of any fire within which no persons, except firefighters, law enforcement officers and those admitted by order of any other officer of the Department shall be permitted to come. The Fire Chief or his or her designee in command shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire,

to prevent the spreading of fire or to protect the adjoining property. In the progress of any fire, the Fire Chief or his or her designee shall have the power to order the removal or destruction of any property necessary to prevent the further spread of the fire. The Fire Chief or his or her designee shall also have the power to cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Fire Department during the progress of a fire.

- (3) **FIREFIGHTERS MAY ENTER ADJACENT PROPERTY.** Any firefighter acting under the direction of the Fire Chief or his or her designee in command may enter upon the premises adjacent to or in the vicinity of any building or other property then on fire for the purpose of extinguishing such fire, and no person shall hinder, resist or obstruct any firefighter in the discharge of his/her duty as is herein provided.
- (4) **FALSE FIRE OR RESCUE ALARMS.** No person by any means or in any manner shall give, make or cause anyone else to give or make any false, misleading or untruthful call or alarm which causes or which is given under such circumstances as to be likely to cause any fire department or rescue equipment to respond with personnel or equipment as if to attend an actual fire or rescue call. (See §9.17 of this Municipal Code)

#### **5.09 FIRE INSPECTOR.**

- (1) The Fire Department shall perform fire inspection services for the Village pursuant to applicable law and the terms of the Intermunicipal Contract.
- (2) Quarterly, all buildings, except private dwellings, premises and thoroughfares within the Village shall be inspected by a fire inspector to determine, locate and correct any conditions liable to cause fires. Such conditions shall include, but shall not be limited to, violations of any and all provisions of the Wisconsin Statutes, the Wisconsin Administrative Code and this Municipal Code relating to fire hazards or to the prevention of fires.
- (3) Whenever or wherever in the Village any inspection by a fire inspector reveals a fire hazard, the Fire Chief or his or her designee shall serve a notice in writing upon the owner or occupant of the property, giving the owner or occupant a designated time by which to correct or remove the hazard. The owner or occupant shall cause such hazard to be corrected or removed within the time designated. If the fire hazard is not corrected or removed within the time allowed, it shall be deemed a nuisance.

- (4) The Department shall keep a written record card of each property inspected, which shall conform to the requirements of the Department of Commerce, and shall make the quarterly report of inspections required by the Department of Commerce.
- (5) No person shall hinder or obstruct a fire inspector in the performance of his or her duty or refuse to perform any lawful direction given by a fire inspector.

**5.095 PREVENTION INSPECTION FEES.**

- (1) An annual fire prevention inspection fee shall be charged to the property owner of each residential, commercial, industrial and institutional building within the Village that is required, by state law, to undergo periodic fire prevention inspections. For purposes of this Section only, “residential” shall mean buildings composed of 4 or more dwelling units.
- (2) The annual fee, the amount of which shall be set from time to time by resolution of the Village Board, shall constitute a special charge against the property, pursuant to Wis. Stats. § 66.0627.
- (3) If not paid by October 15 of each year, the annual fire prevention inspection fee shall be considered delinquent and shall automatically be included in the current or next year’s tax roll for collection and settlement under Wis. Stats. Chapter 74.
- (4) All buildings owned by the United States, the State of Wisconsin, Racine County, and the Village of Sturtevant shall be exempt from this fire prevention inspection fee.

**5.10 HAZARDOUS WASTE.**

See §11.10 of this Municipal Code.

**5.11 FEES FOR EMERGENCY SERVICES.**

- (1) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Advance life support (ALS)* means emergency medical care provided by emergency medical technicians-paramedics that requires the use of life sustaining equipment, utilizing an ambulance equipped with a radio or constant telephone contact with a physician/hospital.

*Advanced life support (ALS)* without transport means emergency medical care provided by emergency medical technicians-paramedics that requires the use of life sustaining equipment, with a radio or constant telephone contact with a physician/hospital, without transport.

*Basic life support (BLS)* means emergency first aid services which do not meet the ALS criteria.

*Disposable medical supplies* means equipment designed to have a one-time use, and then be properly disposed of, to aid in the prevention and spread of infectious diseases.

*Emergency medical technician (EMT BASIC)* means a person licensed to provide basic life support and who is properly trained to transport sick, disabled and injured individuals. As defined by Wis. Stats. Admin. HSS 110 Rule and/or the Fire Department's medical direction. Training includes, but is not limited to:

- (1) Basic assessment with basic cardiac life support, CPR (healthcare provider).
- (2) Anatomy and physiology.
- (3) Treatment of bleeding and shock.
- (4) Use of pneumatic shock garment.
- (5) Soft tissue injuries.
- (6) Fractures and dislocations.
- (7) Emergency childbirth.
- (8) Burns and hazardous materials.
- (9) Automatic defibrillation.

Admin. HSS 112 Rule, means a person who has more extensive training than the EMT-BASIC and, under medical direction, provides, but is not limited to:

- (1) Airway management.
- (2) Starting and administration of intravenous fluids.
- (3) Advanced rescue, emergency care and resuscitation.
- (4) Cardiac rhythm interpretation and defibrillation.
- (5) Advanced assessment.
- (6) Insertion of advanced airways.
- (7) Parenteral injections.
- (8) Treatment of shocks and burns.
- (9) Administration of emergency medications.

*Paramedic-advanced life support intercepts* means, when it is necessary for a patient that is being transported by a non-paramedic ambulance service, to

require the services of a paramedic-advanced life support ambulance service. This includes, when necessary, for two ambulance services to be involved in the transport of a patient, when either the patient is transferred from the non-paramedic ambulance to the paramedic ambulance or where the paramedic staff and/or equipment board the non paramedic ambulance.

- (2) *Provision of service.* The village provides emergency ambulance service to persons needing emergency medical attention after the sudden onset of a medical condition or trauma manifesting itself by acute symptoms of such severity, including severe pain, that the absence of immediate attention could reasonably be expected to result in placing the patient's health in serious jeopardy, or the serious impairment of bodily functions, or serious dysfunction of any bodily organ or part.

- (3) *Fees.*

(1) *Applicability; exception.* Every person receiving emergency service from the village by the use of its emergency equipment, medical drugs and disposable medical equipment in attending to and/or transporting such person from the scene of an incident to an emergency hospital, shall pay for such service if rendered within the village, unless such person is a child who is under the direction of his school of attendance or is a participant in a recreation activity sponsored by the village.

(2) *Outlying areas with a mutual aid agreement.* In all cases where the emergency service of the village is summoned in response to an emergency call in areas outside the village where a mutual aid agreement does exist, every person receiving such emergency service, the administration of medical drugs and disposable medical equipment use in attending at the scene of the incident and transporting such person to an emergency hospital shall be charged for such service.

(3) *Outlying areas without a mutual aid agreement.* In all cases where the emergency service of the village is summoned in response to an emergency call in areas outside of the village where no mutual aid agreement exists, every person receiving such emergency service, the administration of medical drugs and disposable medical equipment used in attending at the scene of the incident and transporting such person to a private or emergency hospital shall be charged for such service.

(4) *Paramedic-advanced life support intercepts.* In all cases where paramedic-advanced life support intercept service is requested from the village by a municipal ambulance service or rescue squad that does not provide a paramedic

level of care, that municipality or rescue squad shall be billed for the paramedic service provided.

(5) *Schedule of fees for service, transfer service and disposable medical equipment.* The following fees shall be applicable for ambulance service, transfer service and disposal medical equipment:

- a. ALS, transport (nonresident)...\$650.00
- b. ALS, transport (resident)...\$600.00
- c. ALS, non-transport...\$300.00
- d. BLS, transport (nonresident)...\$500.00
- e. BLS, transport (resident)...\$450.00
- f. Extra ambulance attendant, 250 pounds or combative...\$100.00
- g. Disposable supplies...\$50.00
- h. Mileage, per loaded mile...\$14.00
- i. IV and supplies...\$65.00
- j. Oxygen...\$60.00
- k. Intubation...\$65.00
- l. Defibrillation...\$60.00
- m. EKG, 3-lead...\$30.00
- n. EKG, 12-lead...\$30.00
- o. Percutaneous cricothyrotomy...\$135 (under Adv. Airway)
- p. OB kit/burn kit...\$15.00
- q. Pericardiocentesis...\$86.00
- r. IO...\$200.00
- s. Rescue Pod (Adv. Airway)...\$110.00
- t. Mutual aid use of autopulse...\$225.00
- u. If Capnography used add \$50.00 to base rate. If Autopulse used add \$175.00 to base rate.
- v. If no transport is given and no ALS (Advanced Life Support) the following be charged:
  - 0 – 3 calls within one year (January 1<sup>st</sup> through December 31<sup>st</sup>)...No charge
  - 4 – 6 calls within one year (January 1<sup>st</sup> through December 31<sup>st</sup>)...\$75.00
  - 7 plus calls within one year (January 1<sup>st</sup> through December 31<sup>st</sup>)...\$150.00
- w. If no transport is given and BLS skills are provided fee is \$200.00.

(6) *Medications used in ALS and BLS services.* The following fees are established for medications used in ALS and BLS services. The fire chief shall periodically, no less than once per calendar year, report such fees to the finance department, which may modify such fees. Such fees are as stated as of the date of adoption of the ordinance from which this section is derived, until revised:

- a. Adensine, six mg...\$40.00

- b. Albuterol/Ventolin/Proventil, 0.5 percent ml by nebulizer...\$25.00
  - c. Amyl Nitrate, capsule...\$25.00
  - d. Ativan...\$50.00
  - e. Atropine, one mg/ten ml syringe...\$25.00
  - f. Benadryl/Diphenhydramine, 50 mg syringe...\$25.00
  - g. Bretylium, 500 mg...\$25.00
  - h. Calcium Chloride, one gm/ten ml syringe...\$25.00
  - i. Cardizem, per syringe...\$26.50
  - j. Cordarone/Amiodarone 300mg...\$200.00
  - k. Dextrose/D5W, 500ml...\$25.00
  - l. Dextrose/D25/syringe...\$25.00
  - m. Dextrose/D50/syringe...\$25.00
  - n. Diazepam/Valium up to five mg...\$175.00
  - o. Dopamine/Intropine, 200mg...\$26.00
  - p. Epinephrine/Adrenalin, 1:1,000...\$25.00
  - q. Epinephrine/Adrenalin, 1:10,000, one gm/ten ml syringe...\$25.00
  - r. Furosemide/Lasix, up to 20 mg...\$25.00
  - s. Geodon \$25.00
  - t. Glucagon up to one mg...\$70.00
  - u. Isoproterenol bu inhalation 0.5 percent ml...\$5.15
  - v. Lidocaine drip and D5W, 500cc...\$25.00
  - w. Lidocaine 50ml...\$25.00
  - x. Magnesium Sulfate, up to ten mg...\$25.00
  - y. Midazolan, up to one mg...\$25.00
  - z. Morphine Sulfate, up to ten mg...\$25.00
  - aa. Narcan/Naloxone...\$30.00
  - bb. Nitro sublingual, each tab/spray/dose...\$25.00
  - cc. Normal saline/capped IV, one-five ml...\$25.00
  - dd. Normal saline 251-500ml...\$25.00
  - ee. Normal saline 501-1,000ml...\$25.00
  - ff. Procainamide, one gram...\$25.00
  - gg. Sodium Bicarbonate...\$25.00
  - hh. Sodium Chloride...\$25.00
  - ii. Zofran \$25.00
- (3) Charges for fire calls on highways.
- (a) There is hereby imposed upon and charged a fire call charge to the owner or user at the time of the fire call of the property involved in a fire call response by the Fire Department on any highway within the Village of Sturtevant. The fire call charge shall be in the sum of Five Hundred Dollars (\$500.00) and shall cover the cost of such fire call.

- (b) The Fire Chief or his or her designee shall submit statements for such charges to all such owners or users of the property subject to a fire call on such highways as soon as practical following the completion of the fire call. All such charges shall be paid to the Fire Department.
- (4) Cleanup of Spills. Any person who possesses or controls a hazardous material or infectious agent which was discharged or who caused the discharge of a hazardous material or infectious agent shall reimburse the Village for actual and necessary expenses incurred by the Village 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. There is hereby imposed upon and charged a charge to the owner of the property on which was discharged or user who caused the discharge of a hazardous material or infectious agent at the time of the call and response by the Fire Department and such charge shall be in the sum of Five Hundred Dollars (\$500.00) in addition to the described actual and necessary expenses, which amount shall be collected by and payable to the Fire Department.
- (5) To the extent that the Fire Department or any fire or emergency services department which provided any of the services described in this Section typically charges fees in excess of the fee amounts set forth in this Section, or charges additional fees than are described in this section, such higher or additional fees shall apply.

**5.12 USE OF BALCONIES AND PATIOS IN RENTAL UNITS.**

- (1) PURPOSE. The purpose of this Section is to recognize that the Sturtevant Fire Department has been receiving complaints about the use of gas and charcoal barbecue grills on Balconies and Patios; that the use of barbecue grills and similar equipment within 15 feet of Rental Unit constitutes great potential harm for loss of life and property; and that storage on Balconies, Patios and other Exits interfere with the ability of the Sturtevant Fire Department to perform its community caretaker duties.

- (2) DEFINITIONS.

Balcony. A landing or porch projecting from the wall of a building used as a means of egress, a second Exit and/or a jump platform.

Exit. That portion of a means of egress that is separated from all other spaces of the building or structure by construction or equipment to provide a protected way of passage to leave the building or structure. Exits include exterior Exit doors, Exit passageways, horizontal Exits and separated Exit stairs or ramps.

Patio. A flat surface abutting a Rental Unit, whether constructed of cement or other material, used as a means of egress or as a second Exit.

Rental Unit. A unit held out for rent to the public, whether in an apartment building, duplex or other similar building.

(3) PROHIBITIONS.

- (a) No person shall store or operate a barbecue grill or other similar equipment used for preparing, grilling or cooking any type of food or store gas or charcoal on a Balcony or Patio of a Rental Unit.
- (b) No person shall store or operate a barbecue grill or other similar equipment
- (c) used for preparing, grilling or cooking any type of food or store gas or charcoal within 15 feet of a Rental Unit.
- (d) No person shall place any item or materials on a Balcony that will encumber, obstruct or interfere with its instant use as an Exit in case of fire or other emergency.

(4) ENFORCEMENT.

- (a) A violation of this Section of the Code of Ordinances shall constitute a fire hazard.
- (b) Whenever and wherever in the Village it is determined by any inspection by the Village Fire Chief or other designated person that there exists a violation of this Section, it shall be declared a fire hazard.
- (c) When a fire hazard exists, the Village Fire Chief or other designated person shall serve a notice in writing upon the property owner or other person violating this Section giving the owner or person reasonable time in which to remove the hazard.

- (5) PENALTY. If the fire hazard is not removed within the time allowed, the person found to be in violation of any provision of this Section, or any rule or order promulgated or issued hereunder shall be subject to a forfeiture as provided in Section 25.04 of this Municipal Code. The Village, at its option, may declare the fire hazard a public nuisance if the person fails to remove the fire hazard.

**5.15 PENALTY.**

Except as otherwise provided, any person found to be in violation of any provision of this chapter or any rule or order promulgated hereunder, shall be subject to a penalty as provided in §25.04 of this Municipal Code.