

TITLE 5

Public Safety

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CHAPTER 1

Law Enforcement

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SEC. 5-1-1 ORGANIZATION OF POLICE DEPARTMENT.

The Green Lake Police Department shall consist of a Chief of Police and such other officers, assistants, and patrolmen as from time to time may be appointed by the Common Council, pursuant to the provisions of the Wisconsin Statutes.

SEC. 5-1-2 RECORDS AND REPORTS.

- (a) **Monthly Reports.** The Chief of Police shall submit a monthly general report to the Common Council of all activities of the Department during the preceding month.
- (b) **Police Records.** There shall be kept by the Department a suitable record in which shall be entered the name of every person arrested in the City, the name of the person making the arrest, the date and cause of the arrest, the Court from which the warrant was issued, the disposition made of the case, the amount of fine and costs paid and to whom paid, bond posted, and all complaints in full.

SEC. 5-1-3 GENERAL POWERS OF POLICE OFFICERS.

Every member of the Police Department shall:

- (a) Familiarize himself with the ordinances of the City and the Statutes and attend to the enforcement of such ordinances by all lawful means.
- (b) Help prevent crimes, misdemeanors and violations of City ordinances and protect the health, safety, public peace and order of the City and its inhabitants.

- (c) Report all street and sidewalk obstructions, unlighted street lamps, unlawful street signs or signals, and defective or dangerous streets and sidewalks to the appropriate person or organization responsible for their repair or service.
- (d) Maintain order at the scene of a fire or any other fire response within the City.
- (e) See that the necessary permits and licenses issued by the State or City are in the possession of or properly displayed by any person engaged in an activity or business within the City for which such permit or license is required and that the terms of such permits or licenses are complied with.
- (f) Perform such other lawful duties as ordered by the Chief of Police or his authorized representative.

SEC. 5-1-4 RESPONSIBILITIES OF CHIEF OF POLICE.

- (a) **Duties.** In addition to the duties imposed upon him elsewhere in this Code of Ordinances, the Chief of Police shall:
 - (1) Have command of the Police Department on administrative matters, subject to the general direction of the Common Council.
 - (2) Cause to be maintained accurate records of complaints, crimes, traffic accidents, ordinance violations, arrests, summons, incidents, and calls for police service and shall provide a system of periodic summary and analysis to ensure the most efficient and effective deployment and use of the Department's resources. He shall submit or cause to be submitted to the various agencies such reports and summaries as are required by State Statutes or ordinances and shall participate in voluntary programs designed to improve law enforcement and public safety.
 - (3) Submit such reports and/or information and comply with such policies as may be prescribed by the Common Council.
 - (4) Have control of the assignment, hours of duty, and transfer of all members of the Department.
 - (5) Plan, organize, staff, direct, and control all of the human and material resources of the Department for the most effective and efficient discharge of its duty to protect persons and property, preserve the peace, protect the rights of citizens and enforce the Wisconsin Statutes and the ordinances of the City as are within its jurisdiction. He shall supervise the preparation and presentation of annual reports and budgets for the Police Department. He shall be required to certify to the correctness of all bills incurred by the Department.
 - (6) Strive to maintain suitable, productive relationships with other City departments and with other governmental agencies and private organizations concerned with law enforcement, crime prevention, administration of justice and public safety. He shall cooperate and exchange information with other City departments in matters relating to their various functions.
 - (7) Plan and execute programs designed to prevent and repress crime, apprehend and prosecute offenders, recover property,

and regulate non-criminal conduct, giving highest priority in the allocation of resources to crime and other offenses most hazardous to life and property.

- (b) **Custody of Department Equipment.** The Chief of Police shall be the custodian of all City property, equipment and supplies under the control of, or used by, the Police Department and shall be responsible for the care, maintenance, safeguarding and accurate records of such property, equipment, and supplies.
- (c) **Custody of Department Property.** The Chief of Police shall be the custodian of all property and be responsible for the safekeeping, lawful disposition and accurate record of the same. He shall see that all property is returned to its lawful owner or otherwise disposed of according to the applicable statutes.

SEC. 5-1-5 MAINTENANCE OF PERSONNEL RECORDS AND PERFORMANCE EVALUATIONS.

The Chief of Police shall cause to be maintained adequate personnel records of employment, assignment, promotions, attendance, performance and training for all members of the Department. He shall also comply with all provisions of the Law Enforcement Standards Board in regard to background investigations. He shall keep himself adequately informed of the activities of the Department and be assured that the duties of his subordinates are properly discharged. He shall formulate procedures for recognizing outstanding performance by Department members for investigating complaints of misconduct by any Department member and for taking appropriate disciplinary action subject to the provisions of the applicable statutes and Rules of the Department.

SEC. 5-1-6 HEARING AUTHORITIES FOR SUSPENSION OR REMOVAL OF LAW ENFORCEMENT OFFICERS.

- (a) Pursuant to Sec. 62.13(6m), Wis. Stats., the City may not suspend, reduce, or remove any police chief or other law enforcement officer who is not probationary unless the City follows the procedure under Sec. 62.13(5), Wis. Stats. To act under this Subsection in place of the Board of Police and Fire Commissioners under Sec. 62.13(1) through (6), Wis. Stats., the City may do either of the following:
 - (1) Establish a committee of not less than three (3) members, none of whom may be an elected or appointed official of the City or be employed by the City. The City shall pay each member for member's cost of serving on the committee.
 - (2) Send a written request for a hearing examiner to the division of hearings and appeals under Sec. 15.103(1), Wis. Stats. The City shall reimburse the state for the state's costs under this paragraph.
- (b) The provisions of this Section first apply to law enforcement officers when such officers are subject to a collective bargaining agreement which is in conflict with the statutory requirements, but which is still in effect on April 9, 1986, only after the expiration date of such agreement.

SEC. 5-1-7 CIVILIANS TO ASSIST.

All persons in the City, when called upon by any police officer or peace officer, shall promptly aid and assist him in the execution of his duties and whoever shall neglect or refuse to give such aid or assistance shall be subject to the general penalty as provided in Title 1 of this Code of Ordinances.

CHAPTER 2

Fire Prevention

- 5-2-1 Fire Department Organization; Goals of the Department
- 5-2-2 Impeding Fire Equipment Prohibited
- 5-2-3 Police Power of the Department; Investigation of Fires
- 5-2-4 Damaging Fire Hose Prohibited; Parking by Hydrants; Blocking Fire Lanes
- 5-2-5 Firemen May Enter Adjacent Property
- 5-2-6 Duty of Bystanders to Assist
- 5-2-7 Vehicles to Yield Right-of-Way
- 5-2-8 Interference With Use of Hydrants Prohibited
- 5-2-9 Open Burning

SEC. 5-2-1 FIRE DEPARTMENT ORGANIZATION; GOALS OF THE DEPARTMENT.

- (a) **Fire Department Established.** The Green Lake Fire Department shall be responsible for the program of fire defense for the citizens and property within the City of Green Lake. The duty of said Department shall be that of firefighting and the prevention of fires in the City of Green Lake and townships in Green Lake County contracting for the service of the Department.
- (b) **Goals of the Fire Defense Program.**
 - (1) The primary objective of the fire defense program is to serve all citizens, without prejudice or favoritism, by safeguarding, collectively and individually, their lives against the effects of fires and explosions.
 - (2) The second objective of the fire defense program is to safeguard the general economy and welfare of the community by preventing major conflagrations and the destruction by fires of industries and businesses.
 - (3) The third objective of the fire defense program is to protect property of all citizens against the effects of fire and explosions. All property deserves equal protection, regardless of location or monetary value.
- (c) **Department to Adopt Bylaws.** The Green Lake Fire Department shall adopt bylaws for the control, management and government and for the regulation of business and proceedings of the Department, which bylaws shall be adopted by a two-thirds (2/3) vote of the Department members and approved by the Common Council. Amendments shall be adopted in the same manner.
- (d) **Funds Appropriated.** The Common Council shall appropriate funds to provide for operation and for such apparatus and equipment for the use of the Fire Department as it may deem expedient and necessary to maintain efficiency and properly protect life and property from fire.
- (e) **Membership.**
 - (1) Application and Membership. Application for membership shall be filed with the City Clerk-Treasurer on forms provided for that purpose. When vacancies occur, the membership of the Department shall determine who they propose to fill such vacancy and certify their choice to the Fire Department. The Fire Chief shall then direct that said

- appointee secure a physical examination and a certificate of fitness from a physician at the cost of the City. Upon receipt of such certificate, the Chief shall certify to the City Clerk-Treasurer, in writing, that such person has been placed on the Department roll as a probationary member.
- (2) Probationary Period. Said member will be on a six (6) months' probation period from the commencement of the training session. Full acceptance in the Department will be submitted in writing by the Chief to the Common Council for its approval at the next regular meeting following the member's satisfactory completion of his probation period.
 - (3) Training. All new members of the Department shall be required to successfully complete a six (6) week Basic Firemanship Training course, administered by the Department training officer or his delegate, before being allowed to respond to any fire alarm.
 - (4) Age Limitation. Upon attaining the age of sixty (60) years, members of the Department other than the Chief shall be relieved from actual fire fighting.
- (f) **Equipment and Apparatus.**
- (1) No Department apparatus shall be used for any purpose except for fire fighting within the City limits, or in training therefor, except pursuant to an agreement approved by the Common Council after the Fire Chief has given his recommendations on such use. With the approval of the Chief, such apparatus may be used for emergency purposes other than fire fighting within the City. A written report of such uses shall be made quarterly to the Common Council.
 - (2) No unauthorized personnel shall be permitted to be in or ride upon any Fire Department vehicle or apparatus while the same is in motion.
- (g) **Secretary's Duties.** The Secretary of the Department shall submit to the City Clerk-Treasurer a monthly report of all expenditures incurred by the Department, including the number of fire calls, the names and number of personnel attending to each call and the names and number of personnel attending drills or training sessions, together with the compensation they are entitled to.

SEC. 5-2-2 IMPEDING FIRE EQUIPMENT PROHIBITED.

No person shall impede the progress of a fire engine, fire truck or other fire apparatus of the Fire Department along the streets or alleys of such City at the time of a fire or when the Fire Department of the City is using such streets or alleys in response to a fire alarm or for practice.

SEC. 5-2-3 POLICE POWER OF THE DEPARTMENT; INVESTIGATION OF FIRES.

- (a) **Police Authority at Fires.**
- (1) The Fire Chief and assistants or officers in command at any fire are hereby vested with full and complete police authority at fires. Any officer of the Department may cause the arrest of any person failing to give the right-of-way to the Fire Department in responding to a fire.

- (2) The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firemen and policemen and those admitted by order of any officer of the Department, shall be permitted to come.
- (3) The Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property and during the progress of any fire he shall have the power to cause the removal of all wires or other facilities and the turning off to all electricity or other services where the same impedes the work of the Department during the progress of a fire.

(b) **Fire Inspection Duties.**

- (1) The Fire Chief shall be the Fire Inspector of the City of Green Lake and shall have the power to appoint one or more deputy Fire Inspectors and shall perform all duties required of the Fire Inspectors by the laws of the State and rules of the Department of Safety and Professional Services (DSPS), particularly Section 101.14, Wis. Stats.
- (2) While acting as Fire Inspector pursuant to Sec. 101.14(2) Wis. Stat., 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 City of Green Lake at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code of Ordinances, 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 Common Council for further action.
- (3) The Chief of the Fire Department is required, by Fire Chief or by officers or members of the Fire Department designated by Fire Chief 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 the fire hazard or to the prevention of fires. Such inspections shall be made at least once every twelve (12) months in all of the territory served by the Fire Department, except for high occupancy buildings (i.e. Justice Center, Schools, nursing homes, etc.) which remains at two times per year, and oftener as the Chief of the Fire Department orders. Each twelve (12) month period shall begin on January 1 of each year.
- (4) Written reports of inspections shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form required by the Department of Safety and Professional Services. A copy of such reports shall be

filed with the Fire Chief.

State Law Reference: Section 101.14(2), Wis. Stats.

**SEC. 5-2-4 DAMAGING FIRE HOSE PROHIBITED; PARKING BY HYDRANTS;
BLOCKING FIRE LANES.**

- (a) **Driving Over Fire Hose.** No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the City, and no vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street, private driveway or other place, to be used at any fire or alarm of fire without the consent of the Fire Department official in command.
- (b) **Parking Vehicles Near Hydrants.** It shall be unlawful for any person to park any vehicle or leave any object within ten (10) feet of any fire hydrant at any time.
- (c) **No Parking Near Fire.** It shall be unlawful for any person, in case of fire, to drive or park any vehicle within one block from the place of fire without the consent and authority of the Fire Chief or any police officer.

SEC. 5-2-5 FIREMEN MAY ENTER ADJACENT PROPERTY.

- (a) **Entering Adjacent Property.** It shall be lawful for any fireman while acting under the direction of the Fire Chief or any other officer in command to enter upon the premises adjacent to or in the vicinity of a building or other property then on fire for the purpose of extinguishing such fire and in case any person shall hinder, resist, or obstruct any fireman in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firemen in the discharge of their duty.
- (b) **Destruction of Property to Prevent the Spread of Fire.** During the progress of any fire, the Fire Chief or his assistant shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire; provided that it is inevitable that, unless such property is removed, other property is in danger of being destroyed by fire.

SEC. 5-2-6 DUTY OF BYSTANDERS TO ASSIST.

Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer shall have the power to cause the arrest of any person or persons refusing to obey said orders.

SEC. 5-2-7 VEHICLES TO YIELD RIGHT-OF-WAY.

Whenever there shall be a fire or fire alarm or the Fire Department shall be out for practice, every person driving or riding in a

motorized or other vehicle shall move and remain to the side of the street until the fire engine and fire truck and other fire apparatus shall have passed.

SEC. 5-2-8 INTERFERENCE WITH USE OF HYDRANTS PROHIBITED.

No person shall occupy any portion of such streets or alleys with a motorized or other vehicle between such fire engine or fire truck or other fire apparatus or any hydrant to which a fire hose may be, or may be about to be, attached.

SEC. 5-2-9 OPEN BURNING.

- (a) **Refuse Burning Prohibited.** No person shall kindle or cause to be kindled any fire upon any public or private ground within the City of Green Lake without first obtaining a permit from the Fire Chief who shall issue such permit only upon his approval with such restrictions as he shall deem necessary for the protection of the public in compliance with the Wisconsin Statutes.

The Fire Chief may issue a permit for the following reasons:

1. Natural lawns as identified in Ordinance 8-1-6 of the City Codes.
2. Traditional High School bonfires.
3. Fire Department training.
4. Excessive tree and brush debris cleaning from City right-of-way and natural disasters. Construction site tree and brush debris in subdivision developments with debris quantities of over 100 cubic yards.

There shall be no burning between noon on Sunday to 8:00 A.M. on Monday, and holidays at any time. Burning is prohibited on roadways, and upon any public or private property which is surfaced with blacktop. Burning of paper, solid waste, garbage, leaves, branches, garden and other yard waste is prohibited within the City.

No permit shall be required for campfires that are contained in a fire pit or fire ring three (3) feet or less in diameter.

- (b) **Chief May Prohibit.** The Fire Chief is permitted to prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous, except on written permit from the Fire Chief or any fire warden for said City, which permit shall designate the time and place for such burning. Notice of designation of a fire danger emergency period shall be made by publication of an appropriate order, once in the official newspaper, to be effective forthwith.
- (c) **Burning on Streets.** No materials may be burned upon any street, curb, gutter or sidewalk.
- (d) **Liability.** Persons utilizing and maintaining outdoor fires shall be responsible for any liability resulting from damage caused by his fire.

- (e) **Fee.** The fee for a burning permit shall be established by resolution by City Council. Fire Department training and traditional high school Bonfires shall be excluded from paying a permit fee.

CHAPTER 3

Fire Prevention Code; Hazardous Materials

- 5-3-1 Adoption of State Codes
- 5-3-2 Disclosure of Hazardous Materials and Infectious Agents;
Reimbursement for Clean-up of Spills
- 5-3-3 Recovery of Costs of Extinguishing and Cleaning up
Fires Involving Hazardous Materials
- 5-3-4 Fire Prevention Code
- 5-3-5 Fire Department Access to Buildings (Key Box)
- 5-3-6 Fire Hydrant Requirements

SEC. 5-3-1 ADOPTION OF STATE CODES.

The City hereby adopts as set forth herein the provisions of the Wisconsin Administrative Code Department of Commerce Chapter 14 and all the provisions of the Uniform Fire Code - National Fire Protection Association (NFPA) I 2006 edition and any amendments thereto.

SEC. 5-3-2 DISCLOSURE OF HAZARDOUS MATERIALS AND INFECTIOUS AGENTS REIMBURSEMENT FOR CLEAN-UP OF SPILLS.

(a) **Application.**

- (1) All persons, firms or organizations using, researching or producing hazardous materials and/or infectious agents shall notify the Fire Department as prescribed by this Section.
- (2) The provisions of this Section shall apply to all persons, firms or organizations using, researching, producing or storing hazardous materials and/or infectious agents on and after the effective date of this Section.

(b) **Definitions.**

- (1) "Infectious agent" is a bacterial, mycoplasmal, fungal, parasitic or viral agent known to cause illness in humans which is used, researched, produced or stored within or on premises.
- (2) "Hazardous materials" are those 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.

(c) **Information Required.**

- (1) 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 fire fighting procedures and fire and explosion hazard information for the hazardous material;
 - 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 materials;
 - n. Procedures for handling or coming into contact with the hazardous materials.
- (2) Any person, firm, or organization using, researching, producing and/or storing infectious agent and/or carrier of an infectious agent shall provide in writing to the Fire Department the following:
 - a. The name and any commonly used synonym of the infectious agent;
 - b. Address/location where infectious agents are used, researched, stored and/or produced;
 - c. The exact locations where infectious agents are used, researched, stored and/or produced.
 - d. Amount of infectious agent on premises per exact locations;
 - e. Any methods of route of transmission of the infectious agents;
 - f. Any symptoms of effect of infection, emergency and first aid procedure and a telephone number to be called

- in an emergency.
 - g. 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.
 - h. Procedure for handling, clean-up and disposal of infectious agents leaked or spilled.
- (d) **Reimbursement for Cleanup 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 City for actual and necessary expenses incurred by the City 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 circumstance.

SEC. 5-3-3 RECOVERY OF COSTS.

- (a) Every person, firm or corporation using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses or other hazardous materials shall comply with the requirements of Chapter **ILHR** 8, Wis. Adm. Code, as the same is now in force and may hereafter from time to time be amended.
- (b) Every person, firm or corporation using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gasses or other hazardous materials shall be liable to the City for the actual cost of labor and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar material or equipment employed to extinguish, confine or clean up any such hazardous material which is involved in any accidental spill or in threat of any fire or accidental spill.

SEC. 5-3-4 FIRE PREVENTION CODE.

- (a) **Purpose.** The purpose of this Chapter is to promote the health, safety, and welfare of the public by establishing performance minimums contained therein for design, construction, alteration, use or occupancy of buildings and parts thereof within the City of Green Lake. Standards of the American Insurance Association or the National Fire Protection Association shall be used as guidelines in any area not covered in the Chapter. Excepting immediate fire-related hazards, all references to buildings in this Chapter shall exclude one (1) and two (2) family dwellings and their accessory buildings.
- (b) **Application.**
 - (1) New Buildings and Additions. This Chapter shall apply to all new buildings, structures, and also additions to existing buildings and structures, except as in Wis. Adm. Code Section **ILHR** 50.03.
 - (2) General Orders on Existing Buildings. There shall be compliance with the general orders on existing buildings issued by the Department of Industry, Labor and Human Relations.
- (c) **Alterations.** This Chapter shall apply to all alterations in any

building or structure which affects the structural strength, fire hazard, exits, or lighting of any new or existing building or structure. This Chapter does not apply to ordinary nonstructural changes or minor repairs necessary for the maintenance of any building or structure.

- (d) **Liability for Damages.** This Chapter shall not be construed to hold the City responsible for any damage to persons or property by reason of the inspection or re-inspection authorized herein or failure to inspect or by reason of the approval or disapproval of any equipment authorized herein.

SEC. 5-3-5 FIRE DEPARTMENT ACCESS TO BUILDINGS (KEY BOX) .

- (a) For all new construction, additions and remodel projects on all commercial and industrial buildings and residential buildings consisting of at least four or more units, a key box shall be installed in a location approved by the Fire Department. The key box shall be a type approved by the Fire Department and shall contain those keys found to be necessary to provide emergency access including keys to access every unit in the building, locked common areas and locked mechanical or electrical rooms located within the building.
- (b) The property owner is responsible to ensure that properly identified keys to gain access to the building and building's alarm, sprinkler system control panel and/or elevator if any, are maintained in the key box. When a change of locks within the building is necessary, the Fire Department shall be notified when new keys are to be placed in the key box.
- (c) Removal of a key box or any key by person(s) other than Fire Department personnel shall be a violation of this section.

SEC. 5-3-6 FIRE HYDRANT REQUIREMENTS.

- (a) **Intent.** The purpose of this Section is to insure an adequate water supply for firefighting purposes to structures or buildings which are located on private property at extended distances from City hydrants.
- (b) **Hydrants Required.** When substantial portions of a building are set back two hundred fifty (250) feet or more from the street or highway or are more than three hundred (300) feet from a City hydrant, the owner shall install, at his expense, approved water hydrants. Hydrants shall be freestanding and shall be installed not more than fifty (50) feet or less than twenty-five (25) feet from the building. Hydrants shall be provided around the perimeter of the building so that no part of the building is more than three hundred (300) feet from any hydrant measured by normal access routes. Hydrants shall be within ten (10) feet of any all-weather road surface. Single-family and duplex residential dwellings shall be exempted from the requirements of this paragraph.
- (c) **Approved Water Hydrant.**
 - (1) An approved water hydrant shall mean a water hydrant connected to a City water main with two (2) two and one-half (2-1/2) inch hose connections and one (1) four and one-half

(4-1/2) inch hose connection, all to have National Standard Thread (NST). The connecting water line between City water main and the approved water hydrant shall not be less than six (6) inches. All water hydrants shall be approved by the Fire Prevention Bureau and the Water Department and shall be installed in such a manner and location so as to be accessible at all times to the Fire Department.

- (2) Underground water mains, hydrants, and valves shall conform to current specifications of the City.
- (3) The Water Utility will require such tests as may be required by the National Fire Protection Association standards. Such tests shall be conducted under the supervision of a utility representative who shall certify acceptance or rejection of the system.

SEC.5-3-7 THRU 5-3-9 DELETED - ORDINANCE 659-09.3

CHAPTER 4

Regulation of Private Alarm Systems

5-4-1	Chapter Purpose
5-4-2	Applicability
5-4-3	Definitions
5-4-4	County Alarm Services
5-4-5	Automatic Dialing Alarms
5-4-6	Alarm Subscribers; Permit Required
5-4-7	False Alarms
5-4-8	Waiver

SEC. 5-4-1 CHAPTER PURPOSE.

It is the purpose of this Chapter to set minimum standards and regulations pertaining to emergency alarms of which the City of Green Lake takes cognizance, the intent of this ordinance being to minimize the effect of time spent on responding to false alarms and to provide for a more efficient operation of emergency services provided by the Green Lake Police Department.

SEC. 5-4-2 APPLICABILITY.

This Chapter shall be applicable to all alarm systems and users within the City of Green Lake that fall under the jurisdiction of the Green Lake Police Department. Alarm systems that fall under the jurisdiction of the Green Lake County Sheriff's Department are those alarms that terminate at the Green Lake County Sheriff's Department or are intended for emergency services response from the City Police Department.

SEC. 5-4-3 DEFINITIONS.

- (a) (1) "Alarm System" means any assembly of equipment or devices which, by means of its design, is intended to warn of a hazardous incident to which emergency services are expected to respond. The term "alarm system" shall include, but is not limited to, burglar alarm systems, holding-up alarm systems, fire alarm systems, and supervisor alarm systems which are used to monitor temperature, humidity, or other conditions.
- (2) If the system emits an audible signal or a signal by means of a lighting device, it shall be within the definition of an alarm system and shall be subject to this Chapter.
- (b) "Approved Alarm System" shall mean an alarm system that has been approved by the Underwriters' Laboratory. The system shall be of the type that shall not cause false alarms to be emitted due to power failure.
- (c) "False Alarm" means any alarm signal, whether transmitted or relayed to the Green Lake County Sheriff's Department, when an actual emergency does not exist.

SEC. 5-4-4 COUNTY ALARM SERVICES.

- (a) Green Lake County agrees to provide an alarm terminal location which shall be monitored by the Sheriff's Department. The alarm terminal shall be capable of emitting both audible and visual signals and shall have a direct connection with the transmitting location.
- (b) The subscriber shall bear the cost of the equipment, cost of connection, maintenance of the system and the cost of disconnection if so ordered. Only approved alarm systems shall be permitted to interconnect with the county alarm system.

SEC. 5-4-5 AUTOMATIC DIALING ALARMS.

No person shall interconnect or permit the interconnection of any automatic telephone dialing device to the telephone lines of the Green Lake County Sheriff's Department. Such devices may be connected to an answering service. Relaying of messages must be done on a person-to-person basis.

SEC. 5-4-6 ALARM SUBSCRIBERS; PERMIT REQUIRED.

Any alarm user, as defined in the applicability section, must obtain an "Alarm User Permit" from the Green Lake County Sheriff or the City of Green Lake for non-transferred calls. The permit request must be returned at least sixty (60) days prior to installation; permit approval is required before operation is permitted. "Alarm User Permits" are required, but not limited to, automatic dialing alarms and approved direct interconnected alarm systems.

SEC. 5-4-7 FALSE ALARMS.

- (a) No person shall cause or permit any false alarm to be transmitted or relayed to the Green Lake County Sheriff's Department or Green Lake City Police Department. Green Lake County and the City of Green Lake shall allow three (3) false alarms to be activated during a one (1) year period. One (1) year shall be from the date of the first or initial alarm and terminate three hundred sixty-five (365) days later.
- (b) A fee shall be charged for each false alarm in excess of the amount allowed according to the following schedule:
 - (1) Fourth (4th) through seventh (7th) false alarm in one (1) year -- Twenty Dollars (\$20.00) per alarm.
 - (2) Seventh (7th) through tenth (10th) false alarm in one (1) year -- Thirty Dollars (\$30.00) per alarm.
 - (3) False alarms in excess of ten (10) during a one (1) year period, the Chief of Police may order the alarm disconnected.
- (c) There shall be no fee charged for a false alarm when the party activating the alarm immediately notifies the Sheriff's Department that the alarm was accidental.
- (d) Alarms may be tested providing prior notification is given.

SEC. 5-4-8 WAIVER.

The Green Lake County Sheriff or Green Lake City Police Department may issue a waiver for any provision of this Chapter.

CHAPTER 5

Emergency Government

5-5-1 Emergency Government System

SEC. 5-5-1 EMERGENCY GOVERNMENT SYSTEM.

- (a) **Definition.** "Emergency Government" shall mean the preparation for and the carrying out of all emergency functions other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disaster caused by enemy attack, sabotage or other hostile action or by fire, flood, or other natural causes.
- (b) **Duties and Powers of Emergency Government.** The Director of Emergency Government shall be the executive head of the City emergency government organization and shall have direct responsibility for organization, administration, and operation of the organization, subject to the direction and control of the Mayor and the Common Council. In addition to such powers and responsibilities as may be imposed on him from time to time by the Common Council, he shall have the authority and it shall be his duty to:
 - (1) Coordinate all activities for emergency government within the City.
 - (2) Maintain liaison and cooperate with emergency government agencies and organizations of other political subdivisions and of the state and federal government.
 - (3) Participate in county and state emergency government activities upon request.
 - (4) Prepare a comprehensive general plan for the emergency government of the City and present such plan to the Common Council for approval.
 - (5) Subject to the approval of the Common Council, enter into mutual aid agreements with other political subdivisions, and file copies of any such agreements with the State Director of Emergency Government.
 - (6) Upon the declaration of any emergency, issue all necessary proclamations as to the existence of such state of emergency and such disaster warnings or alerts as shall be required in the emergency government plan.
 - (7) Be responsible for, and inventory, equipment under his management.
- (c) **Utilization of Existing Services and Facilities.** In preparing and executing the emergency government plan, the Director shall utilize the services, equipment, supplies, and facilities of the existing departments and agencies of the City to the maximum extent practicable. When the Common Council has approved the plan, it shall be the duty of all municipal agencies and departments of the City to perform the duties and functions assigned by the approved plan.

- (d) **Declaration of Emergencies.** The emergency government organization shall take action in accordance with the emergency government plan only after the declaration of an emergency and issuance of official disaster warnings. Declaration of emergency shall be made by the Governor, the Common Council, the Mayor or, in his absence, by the Director. Such state of emergency shall continue until terminated by the issuing authority, provided that any declaration not issued by the Governor may be terminated by the Common Council.
- (e) **Emergency Regulations.** Whenever necessary to meet an Emergency Government emergency for which adequate regulations have not been adopted by the Common Council, the Mayor and, in his absence, the Director of Emergency Government, may proclaim, promulgate, and enforce orders, rules, and regulations relating to the conduct of persons and the use of property which are necessary to protect the public peace, health, and safety, and preserve lives and property, and to insure cooperation in emergency government activities. Such proclamations shall be posted in three (3) public places and may be rescinded by resolution of the Common Council.
- (f) **Obstruction of Defense Organization.** No person shall willfully obstruct, hinder, or delay any member of the emergency government organization in the enforcement of any order, rule, regulation, or plan issued pursuant to the authority contained in this Section.

CHAPTER 6

Aeration/Circulating Pumps on Big Green Lake

- 5-6-1 Intent and Purpose
- 5-6-2 Authority
- 5-6-3 Definitions
- 5-6-4 Regulations
- 5-6-5 Common Council Discretionary Order
- 5-6-6 Penalties and Enforcement
- 5-6-7 Coordination with Department of Natural Resources

SEC. 5-6-1 Intent and Purpose.

The frozen surface of Big Green Lake is regularly utilized by snowmobilers, UTV/ATV operators, cross-country skiers, snowshoers and nature enthusiasts. This use is not only important for recreational pursuits but is also a necessary asset to several businesses in the community as well. The existence of aeration equipment which dissipates or impedes ice formation on Big Green Lake presents a threat to public safety, health and welfare for all persons using ice-covered lake surfaces on Big Green Lake. Accordingly, it is the intent and purpose of the Common Council to adopt reasonable regulations concerning removal of ice by use of aerators/circulation pumps on Big Green Lake in the City of Green Lake, Green Lake County, Wisconsin.

SEC. 5-6-2 Authority.

This Ordinance is adopted by the Common Council of the City of Green Lake in the exercise of its City powers and in the interest of the health, safety and welfare of citizens and visitors to the City of Green Lake. The terms and provisions of this Ordinance shall be interpreted and applied as minimum standards and requirements for the promotion and protection of the public health, safety and welfare and for the public peace and preservation of natural resources and public and private property within the City of Green Lake, Wisconsin.

SEC. 5-6-3 Definitions.

- (a) "Aerator" means any device or equipment used on Big Green Lake which affects the water's surface by supplying or inducing air into water so as to prevent or inhibit the natural formation of ice on the water's surface.
- (b) "Circulating Pump" means a pump or other mechanized apparatus designed to pump and circulate water or functions by circulating water, the effect of which is to prevent or impede the normal formation of ice on the water's surface.
- (c) "Person" means a natural person, partnership, corporation,

association, municipality or governmental unit.

SEC. 5-6-4 Regulations.

The following regulations shall be adopted concerning operation of aeration/circulating pump devices on Big Green Lake in the City of Green Lake:

- (a) Any person operating an aeration system must have the aeration/circulating pump device attached to a permitted legal structure on the lake.
- (b) Any person operating an aeration/circulating pump device must perform one of the following:
 - (1) Erect and maintain a barricade around the area of open water created by the aeration/circulating pump consisting of uprights that are spaced at adequate intervals to maintain the barricade and that are connected by continuous rope, cord, or similar material at least 2½ feet and not more than 4½ feet off the surface. The connecting rope, cord, or similar materials shall have reflectorized, fluorescent, or lighted ribbon or tape or other reflectorized devices attached to it, so as to be highly visible, and shall be of sufficient strength to permit retrieval of the barricade following melting of the ice. Any person erecting a barricade shall remove the barricade and all parts of the barricade or mechanism immediately after the ice has melted. Any instance of a barricade or parts of the barricade being allowed to float free or sink shall constitute a violation of this ordinance; or
 - (2) Erect and maintain on the structure a visual warning sign that contains the words "OPEN WATER" with letters at least 6 inches in height which are reflectorized.
- (c) No person may by use of an aeration/circulating pump device interfere or alter ice in the riparian zone of other property owners' properties.
- (d) No person shall operate an aerator/circulating pump which results in the creation of open water more than 20 feet lakeward from the structure which the aerator/ circulating pump is attached to. This prohibition is terminated during the time period beginning April 1st each year until lake ice has melted that spring.

SEC. 5-6-5 Common Council Discretionary Order.

If, at the discretion of the Common Council, operation of an aeration/circulating pump device has created an unreasonable risk of exposure to injury for persons recreating on the ice of

Big Green Lake, then the Common Council shall have the authority to order cessation of operation of said equipment even if operated in accordance with the foregoing regulations until such unreasonable risk of injury has ceased.

SEC. 5-6-6 Penalties and Enforcement.

- (a) Penalty. Except as otherwise provided, any person who shall violate any portion of this Ordinance shall, upon conviction, forfeit not less than \$100 nor more than \$250, together with all applicable statutory costs and expenses as adopted by the Lakeside Municipal Court or Green Lake County Circuit Court.
- (b) Continuing Violations. Each violation and each day a violation continues shall constitute a separate offense and shall be punishable as such.
- (c) Violation of this Ordinance shall be deemed a Nuisance, irrespective of how that term is defined elsewhere in the Code. Nothing in this Ordinance shall preclude the City from maintaining an appropriate action seeking injunctive relief from a court of competent jurisdiction to prevent or remove a violation of any provision of this Ordinance.
- (d) Severability. The provisions of this Ordinance shall be deemed severable and it is expressly declared that the City of Green Lake would have passed all other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance or the application to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected.

Section 5-6-7 Coordination with Department of Natural Resources.

The City of Green Lake shall send a complete copy of this Ordinance to the local Department of Natural Resources office and/or recreational safety warden per Wisconsin State Statute 30.77(4).