

# **City of Beaver Dam**

**FIRE DEPARTMENT**

## **FIRE PREVENTION CODE**

Adopted By Common Council  
Ordinance No. 9-2023  
August 21, 2023

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## 30.00 FIRE PREVENTION CODE

### 30.01 GENERAL PROVISIONS

1. Purpose
  - a. 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 of occupancy of buildings and parts thereof, within the City of Beaver Dam. Standards of the National Fire Protection Association (NFPA), Department of Safety and Professional Services (DPS), and International Code Council (ICC) 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 and two family dwellings and their accessory buildings.
2. Application
  - a. New Buildings and Additions:
    - i. This chapter shall apply to all new buildings, structures and also to additions to existing buildings and structures.
  - b. General Orders on Existing Buildings:
    - i. There shall be compliance with all general orders on existing buildings.
3. Alterations
  - a. 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 non-structural changes or minor repairs necessary for the maintenance of any building or structure.
4. State and Federal Codes Adopted
  - a. In addition to the regulations standards and procedures hereinafter set forth, compliance shall be made with the provisions of the DPS and the most current editions of NFPA (NFPA Chapters: NFPA 1, NFPA 101, SPS 314, and International Building Code, (IBC)) as it relates to fire prevention.
5. Bureau of Fire Prevention and Investigation
  - a. There is hereby created and established a Bureau of Fire Prevention and Investigation, hereinafter referred to as the Bureau, which shall be operated under the supervision of the Chief or designee of the Fire Department.
  - b. The Chief or designee of the Fire Department shall assign such other personnel of the department to the Bureau as shall be necessary to enforce the regulations of this chapter.
  - c. The Chief of the Fire Department shall be the Chief Inspector of the Bureau.
  - d. It shall be the duty of the Chief and personnel of the Bureau to enforce the regulations of this chapter and all other laws, lawful orders and ordinances relating to the following:
    - i. The prevention of fires.
    - ii. The storage, sale, use and handling of combustibles, flammables, and explosives.
    - iii. The installations and maintenance of fire alarm systems and fire protection equipment, appliances, kitchen exhaust hoods and devices. Per NFPA 1 (1) The Beaver Dam Fire Department may utilize a third party to collect records.
    - iv. The maintenance of fire escapes as means of egress.
    - v. The means, adequacy and maintenance of exits from all buildings, structures or other places in which numbers of persons live, sleep, work or congregate from time to time for any purpose.
    - vi. The investigation of the cause, origin and circumstance of the fire.
6. The Bureau shall perform such other duties as are set forth in this chapter, the statutes of the State of Wisconsin, lawful orders of the DPS the ordinances and directives of the City of Beaver Dam and all additional duties prescribed by the Chief of the Fire Department.

7. Frequency of Inspections
  - a. The Chief of the Beaver Dam Fire Department shall be responsible for having all public buildings and places of employment within the territory of the Beaver Dam Fire Department inspected for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to fire hazards or to the prevention of fires. The inspections shall be conducted at least once per calendar year, provided that the interval between those inspections does not exceed fifteen (15) months.
8. Liability for Damages
  - a. This chapter shall not be construed to hold the municipality 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.
  - b. The term "The Authority Having Jurisdiction"(AHJ) stated in the NFPA code shall mean the Fire Department.

### **30.02 FIRE EXTINGUISHERS NFPA 10, NFPA 1 (13)**

1. Portable Fire Extinguishers Required
  - a. Approved portable fire extinguishers of a suitable type, size and quantity as provided in NFPA 10, shall be required in every public building, in every public conveyance, and wherever flammable and combustible materials, including dusts, solids, liquids and gases are sold, stored, manufactured, handled, processed or transported within the City of Beaver Dam.
2. Substandard Extinguishers Prohibited
  - a. The Chief or members of the Bureau may order the removal of extinguishing devices that do not comply with NFPA 10, NFPA 1 (13).
3. Maintenance of Fire Extinguishers
  - a. It shall be unlawful to allow any extinguishing device to remain on the premises for which the Chief / Bureau has ordered its removal.
  - b. All extinguishers shall be serviced at periodic intervals so as to maintain them in continuous effective operating condition as required by SPS 314 and NFPA 1 & NFPA 10 Portable Fire Extinguishers.
  - c. Portable fire extinguishers shall be installed so as to provide reasonable safety to persons and property. Evidence that portable fire extinguishers have been installed in accordance with the applicable standard specified for Portable Fire Extinguishers NFPA 1 & NFPA 10 shall be evidence that such portable extinguishers provide reasonable safety to persons and property.
  - d. Recharging and servicing of the extinguishers shall be done only by qualified persons who have obtained certificates of competence for such work (NFPA 10 (7)). Such certificates of competence shall be issued by the Chief after examination of the applicant, to make sure that he understands the requirements for recharging.
  - e. Such certificates shall expire one (1) year after date of issuance or renewal.
  - f. Any certificate of competence may be revoked by the Chief in any case where he finds any extinguishers improperly recharged by the holder of the certificate, and the holder shall immediately surrender the certificate to the Chief.

### **30.03 FIRE HYDRANT REQUIREMENTS NFPA 24**

1. Intent
  - a. To insure an adequate water supply for firefighting purposes to structures or buildings for the protection of life and property.
2. When substantial portions of a building are set back two hundred fifty (250) feet or more from the street or highway or is more than three hundred (300) feet from a city hydrant, the owner shall install at the

expense of the owner, approved water hydrants. Hydrants shall be free standing and be installed in accordance with the (AHJ). 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 spaced no more than three hundred (300) feet apart. Hydrants shall be within ten (10) feet of any all weather road surfaces. Single family and duplex residential dwellings shall be exempted from the requirements of this paragraph.

3. Approved Water Hydrant that Meets the City of Beaver Dam Water Specific Hydrant.
  - a. An approved water hydrant shall mean a water hydrant connected to a city water main. The connecting water line between the 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 Department and the Water Department. Hydrants shall be installed in such a manner and location so as to be accessible at all times to the Fire Department. Hydrants shall be spaced no more than three hundred (300) feet apart. No public or private hydrant shall have any obstruction within five (5) feet.
4. All hydrants are to be on a looped system so as not to create a dead end without the approval of the Chief or his designee.
5. Underground water mains, hydrants and valves shall conform to current specifications of the City of Beaver Dam.
6. The Water Utility will require such tests as may be required by the NFPA standards. Such tests shall be conducted under the supervision of a utility representative who shall certify acceptance or rejection of the system.
7. Time of Compliance of New and Existing Establishments.
  - a. All new establishments subject to this section shall comply therewith before a permit of occupancy is granted by the Building Inspector and Fire Chief or designee. All existing establishments built prior to June 1, 1984 are exempt, except that any new additions to previously exempted buildings must comply with current codes.

## **30.04 PERMITS, CERTIFICATES OF APPROVAL, INSPECTIONS, AND APPEALS**

1. A permit shall be issued only for those buildings which conform to the provisions of this Ordinance. One copy of the plans and specifications detailing standpipe, hydrant, sprinkler or substitute systems designed by licensed designer of fire protection systems professional engineers or architects shall be submitted for an approval. One copy of plan and review report shall be returned to Building Inspector and one copy kept on file in the Bureau of Fire Prevention. Inspection of systems and determinations of compliance with this ordinance and the approved plans shall be made by the Bureau of Fire Prevention. At the discretion of the Fire Chief a permit may be issued for existing structures that do not conform to the provisions of this ordinance.
2. Whenever the Bureau of Fire Prevention shall disapprove an application or the Chief of Fire Department shall request a revocation, the applicant may appeal the decision to the Board of Appeals within thirty (30) days of the appealed decision.
3. Whenever the applicant shall claim that the provisions of the ordinance do not apply to the structure in question or that the intent and meaning of the ordinance have been misconstrued or wrongly interpreted, the applicant may appeal the decision to the Board of Appeals within thirty (30) days of the appealed decision.
4. The Chief may revoke any permit issued in accordance with this ordinance in any case where he finds that any of the conditions for issuance have not been maintained or where there has been any false statement or misrepresentation of any material fact in the application of plans on which the issuance was based, the Chief shall promptly notify the permit holder if permit has been revoked.
5. Right of appeal

- a. Any owner or person who is aggrieved with the ruling or decision of the enforcing officers in any matter relative to the interpretation or enforcement of any of the provisions of this Chapter may appeal the decision or interpretation to the Board of Appeals by serving notice of appeal upon the City Clerk or secretary of the Board, in writing, within thirty (30) days of the date of the rendition of the decision or interpretation. Such written notice shall be accompanied with the application fee payable to the City of Beaver Dam. Regardless of the outcome of the appeal such fee shall be retained by the City of Beaver Dam and no refund of such fee or any portion thereof shall be granted. The Board may affirm, reverse, or modify the order, ruling, or decision of the enforcing officer.

### **30.05 AUTOMATIC FIRE EXTINGUISHING EQUIPMENT REQUIRED FOR FOOD SERVING ESTABLISHMENTS NFPA 96, NFPA 1 (50) UL-300**

1. Every kitchen operated and maintained to serve the public, and occupants, including: restaurants, clubs, school, churches, taverns, hospitals, nursing homes, CBRF's and Assisted Living Facilities, need an automatic fire extinguishing system with an exhaust hood. All other places having equipment used for frying, cooking and similar preparation of food, operated and maintained for serving the public shall be subject to this ordinance. Cooking surfaces that are open or partly open shall be protected, including range tops, fat fryers, open broilers, griddles, etc. NFPA 1 (50). Fully enclosed devices, such as ovens, enclosed broilers, coffee urns, steam tables, etc., do not require protection.
2. All applications for installation of automatic fire extinguishing equipment shall be submitted for review and approval by the Fire Prevention Bureau prior to installation. One set of plans and specifications shall be retained by the Fire Department and the other returned to the installer and if approved, shall be stamped "Conditionally Approved, Bureau of Fire Prevention" with the date of such approval. Final approval is subject to actual installation and inspection.
3. Time for compliance of new and existing establishments
  - a. All new establishments, subject to this ordinance, shall comply therewith before a permit of occupancy is granted by the Building Inspector and Fire Chief or designee. Any remodeling of existing establishments must comply with this code.
4. Type of Equipment and Installation Requirements
  - a. All equipment and installation shall conform to NFPA 1 (50).
5. Maintenance and Use Requirements
  - a. All maintenance and use requirements shall conform to NFPA No.96, NFPA 1 (50).

### **30.06 POLICE POWER OF DEPARTMENT**

1. Police authority at fires
  - a. The Chief and/or his officers in command at any fire are vested with full 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. Control of fires and emergency situations
  - a. The Fire Chief or his designee may prescribe certain limits in the vicinity of any fire or emergency within which no persons, excepting firefighters, EMS personal, and first responders and law enforcement officers and those admitted by order of any officer of the department, shall be permitted to come. The Chief or his designee may cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or emergency, or to prevent the spreading of fire, or to protect the adjoining property, and during the progress of any fire he may order the removal or destruction of any property necessary to prevent the further spread of the fire. He or she may also cause the removal of all wires or other facilities and the

turning off of all electricity, gas, or other services where the same impedes the work of the Fire Department during the progress of a fire or emergency.

### **30.07 LOCK BOXES—Knox Ref. NFPA 1 (18)**

An ordinance requiring structures to have a key lock box installed on the exterior of the structure for fire safety purposes.

#### Knox Box System

1. The following structures shall be equipped with a Knox Box at or near the main entrance or such other location approved by the Fire Chief or designee:
  - a. Commercial or industrial structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency:
    - i. Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units;
    - ii. Governmental structures and nursing care facilities.
    - iii. All Public and private educational facilities.
  - b. All newly constructed structures subject to this section shall have the Knox Box installed and operational prior to the issuance of an occupancy permit.
2. The owner or operator of a structure required to have a Knox Box shall, at all times keep keys in the box that will allow for access to the following:
  - a. Keys to locked points of ingress or egress, whether on the interior or exterior of such buildings.
  - b. Keys to locked mechanical rooms.
  - c. Keys to elevator controls.
  - d. Keys to rooms containing Fire Control Systems.
  - e. Keys to other areas as directed by the Fire Chief.
3. Each key shall be legibly labeled to indicate the lock that it opens in such a manner as is approved by the Fire Chief.
4. The Fire Chief or his designee shall be authorized to implement rules and regulations for the use of the lock box system.
5. Any person who owns or operates a structure subject to this shall be subject to the penalties set forth in this section of the code for any violation of this section.
6. “Knox” brand will be the only lock box permitted by the City Of Beaver Dam.

### **30.08 Fire Department Access**

1. Background. The Fire Department is required to respond to a multitude of emergencies in various types of buildings and occupancies. These include multi-family dwellings, apartment buildings, shopping malls, business complexes, industrial complexes, hospitals, and nursing homes. To provide effective firefighting operations, the Fire Department must be able to reach all structures by way of approved access roadways, streets, or driveways. This directive shall assist developers and designers in meeting the requirements for Fire Department access, by defining terms and listing minimum design standards considered necessary for effective firefighting operations.
2. Definitions:
  - a. Fire Department access means an approved route that is always available for use by fire trucks and is designed to meet fire equipment load requirements. All access routes must be at least 20 feet wide of drivable surface not to include curb apron. When a dead-end access route exceeds 150 feet in length, an approved turnaround area of at least 45’ radius.

- b. Private street access means a Fire Department access route on private land. Private street access routes must comply with the National Fire Protection Agency (NFPA 1).
  - c. Grades. Street grades shall comply with City design standards for both public and private street access routes. Maximum grade shall not exceed eight percent unless necessitated by topography. (Grades on turnaround areas. Maximum grades on turnaround areas shall not exceed four percent unless necessitated by topography).
  - e. Height. All Fire Department access routes shall have at least thirteen feet (13), six inches (6) of vertical clearance for the entire required width.
3. Access Guidelines. The following guidelines represent the Beaver Dam Fire Department's efforts to maintain consistency concerning Fire Department emergency access. It is the Department's responsibility to ensure adequate access for Fire Department emergency responders. The Fire Department City therefore reserves the right to require modifications to new construction projects if, in its opinion, the access cannot be provided or may be compromised.
- a. Type of Surface. All access roadways shall be finished by application of an all-weather driving surface of asphalt, concrete pavement, or a gravel stone capable of supporting a design wheel load of 18,000 pounds (GVW 80,000 pounds minimum). Any required Fire Department access within 100 feet of any building must meet the same wheel-loading criteria. All required access roadways must be properly maintained and kept clear for emergency use at all times. Any alternatives to these specifications must be reviewed and approved by the Beaver Dam Fire Department prior to construction.
  - b. Two Points of Access. Providing two points of fire apparatus access around the building has the following benefits:
    - i. If one access route is blocked, emergency responders have a second route to the property.
    - ii. If an emergency requires evacuation of an area, the public will have an alternative exit route should one route be blocked by the emergency incident.
  - c. Commercial and Industrial Developments.
    - i. Buildings or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access,
    - ii. Buildings or facilities having a gross building area of more than 50,000 square feet shall have at least two means of fire apparatus access.
  - d. Multifamily Residential Developments. Multifamily residential projects having more than 25 dwelling units shall be provided with at least two means of fire apparatus access.

### **30.09 REGULATION FOR FIRE DEPARTMENT CONNECTIONS (FDC) FIRE SPRINKLERS, AUTOMATIC FIRE SUPPRESSION SYSTEMS, AND STANDPIPES NFPA 24, 13, 14, 15, 16, 13R and NFPA 1 (13)**

- 1. Where a FDC for each standpipe, automatic fire suppression system, or fire sprinkler system is in place, there shall be a fire hydrant within a distance determined by the AHJ.
- 2. Fire Department connections shall be located not less than eighteen (18) inches or more than forty eight (48) inches above the level of the adjoining ground, sidewalk, or grade surface.
- 3. Time of compliance of new and existing establishments.
  - a. All new establishments subject to this section shall comply therewith before a permit of occupancy is granted by the Building Inspector and Fire Chief or designee. All existing establishments built prior to January 1, 2005 are exempt, except that any new additions to previously exempted buildings must comply with current codes.
- 4. FDC shall be five (5) inch Storz connection.

### **30.09 Sprinklers**



1. Compliance will be required with the provisions of Wis. Admin. Code § SPS 362.0903 (2023).” This means that they will need to comply with the 2023 version of SPS 362.0903

### **30.11 REGULATIONS FOR STORAGE, HANDLING AND USE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS**

1. Application
  - a. The provisions of this section shall apply to all persons, firms, corporations, co-partnerships and governmental agencies storing, handling or using flammable or combustible liquids are stored, handled, or used.
2. Restricted locations
  - a. The storing of any receptacle containing fuel for internal combustion engines is prohibited within a dwelling unit (including basements, crawl spaces and attics) for the purpose of this section, receptacles shall also include any tank or device attached to any equipment using an internal combustion engine as a source of power (included are lawn-mowers, snowmobiles, snow blowers, chainsaws, motorcycles, etc.).
  - b. For the purpose of storing internal combustion engines, private garages that are attached to or made a part of a principle dwelling unit shall be exempt from the provisions above, when said garages are attached to or made a part of with a resistive enclosure as set forth in the one and two family uniform dwelling code and SPS 314. However, the storage of fuel in receptacles in any garages shall be limited to not more than ten (10) gallons.
  - c. The storage of flammable and combustible liquids in aboveground tanks outside of buildings within the City of Beaver Dam is permitted as long as it meets SPS 310 & NFPA 30 requirements.
  - d. No bulk plants shall be constructed within the City of Beaver Dam except within those areas designated as industrial districts and approval of the Bureau of Fire Prevention has been given for the proposed location with respect to topography, nearness of places of public assembly, and adequacy of water supply for fire control.
3. Retroactivity. None: must meet the requirements of SPS 310.
4. Permits for the storage of flammable or combustible liquids
  - a. See SPS 310.
  - b. For storage of flammable or combustible liquids in aboveground / underground tanks SPS 310 shall apply. Storage units that are fifty (50) gallons or more shall meet SPS 310 and be submitted for review by the tank inspector.
  - c. The storing of any receptacle containing fuel for internal combustion engines is prohibited within a dwelling unit (including basements, crawl spaces and attics) for the purpose of this section, receptacles shall also include any tank or device attached to any equipment using an internal combustion engine as a source of power (included are lawn-mowers, snowmobiles, snow blowers, chainsaws, motorcycles, etc.).
  - d. For the purpose of storing internal combustion engines, private garages that are attached to or made a part of a principle dwelling unit shall be exempt from the provisions above, when said garages are attached to or made a part of with a resistive enclosure as set forth in the International Building Code, the one and two family uniform dwelling code and SPS 314. However, the storage of fuel in receptacles in any garages shall be limited to not more than ten (10) gallons.
  - e. The storage of flammable and combustible liquids in above ground tanks outside of buildings within the City of Beaver Dam is permitted as long as it meets SPS 310 & NFPA 1 (66) requirements.
  - f. No bulk plants shall be constructed within the City of Beaver Dam except within those areas designated as industrial districts and approval of the Bureau of Fire Prevention has been given for

the proposed location with respect to topography, nearness of places of public assembly, and adequacy of water supply for fire control.

5. Inspection
6. The Bureau of Fire Prevention / Certified Tank Inspector, authorized by the City of Beaver Dam, may at any reasonable time inspect: premises, buildings, installations or equipment for the storage, handling or use of flammable or combustible liquids. If a violation of this section is found to exist written notice shall be filed with the owner, occupant or operator citing the violation and ordering a correction.
7. Parking and Garaging
  - a. Except in an emergency no tank vehicle shall be left unattended on any street, highway, avenue or alley, provided that this shall not prevent a driver from the necessary absence from the truck in connection with the delivery of his load, except that during actual discharge of the liquid some responsible person shall be present at the vehicle, nor shall it prevent stops for meals during the day or night if the street is well lighted at point of parking.
  - b. Tank vehicles containing flammable or combustible liquids shall not be parked out of doors at anyone point for longer than one hour, except off the streets, and at least twenty five (25) feet from any buildings used for assembly, institutional or residential occupancy.
  - c. Tank vehicles shall not be parked or garaged in any building other than those specifically approved for such use by the Chief of the Bureau of Fire Prevention.

### **30.12 APPLICATION OF FLAMMABLE FINISHES. SPS 314, NFPA 1 (43)**

1. Spray Coating
  - a. All spray coating or finishing operations using flammable or combustible liquid finishes applied under either air or other pressure except electrostatic spraying and automobile undercoating shall be in accordance with SPS 310 and NFPA 33, Spray Application, and the storage and handling of flammable liquids therefor shall be in accordance with SPS 310 & NFPA 30.
2. Automobile Undercoating
  - a. Automobile undercoating spray operations shall be conducted in areas having adequate natural or mechanical ventilation, flash point in excess of one hundred (100) degrees Fahrenheit shall be used.

### **30.16 EXPLOSIVES, BLASTING AGENTS, GUNPOWDER**

1. Explosives and Blasting Agents SPS 14, 16 & NFPA 1(65)
  - a. Every person shall comply with the provisions of SPS 307 and NFPA 495 in the manufacture, possession, storage, sale, transportation and use of explosives and blasting agents.
  - b. Permits Required. A permit shall be obtained from the Fire Chief to do any of the following:
    - i. Manufacture, possess, store, sell or otherwise dispose of explosives or blasting agents.
    - ii. Transport explosives or blasting agents.
    - iii. Use explosives or blasting agents.
    - iv. Operate a terminal for handling explosives or blasting agents.
    - v. Deliver or receive explosives or blasting agents from a carrier between the hours of sunset and sunrise.
    - vi. Transport blasting caps or electric blasting caps on the same vehicle with explosives.
  - c. Proof of insurance shall be provided.
  - d. Valid blasters license.

### **30.17 FIREWORKS**

## 1. Fireworks Regulated

- a. DEFINITION. In this section, “fireworks” means anything manufactured processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include any of the following:
- i. Fuel or a lubricant.
  - ii. A firearm cartridge or shotgun shell.
  - iii. A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.
  - iv. A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
  - v. A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
  - vi. A toy snake which contains no mercury.
  - vii. A model rocket engine.
  - viii. Tobacco and a tobacco product.
  - ix. A sparkler on a wire or wood stick not exceeding thirty six (36) inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.
  - x. A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.
  - xi. A fuse-less device that is designed to produce audible or visible effects or audible and visible effects, and that contains less than one-quarter grain of explosive mixture.
  - xii. A device that is designed primarily to burn pyrotechnic smoke-producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects.
  - xiii. A cylindrical fountain that consists of one or more tubes and that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.
  - xiv. A cone fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.

## 2. Fireworks Prohibited

- a. It shall be unlawful for any person to manufacture, sell, expose or offer for sale, use, keep, discharge or explode any firecrackers, blank cartridges, contrivances using explosive caps or cartridges, display wheels, torpedoes, sky rockets, Roman candles, aerial salutes, American or Chinese bombs, or any fireworks of like construction, or any fireworks containing any explosive of flammable compound, or any tablets or other devices commonly used and sold as fireworks containing nitrates, chlorates, oxalates, sulfides of lead, barium, antimony, arsenic, mercury, nitroglycerine phosphorus or any compound containing any of the same or other modern explosives, within the City of Beaver Dam, except as hereinafter provided.

## 3. Fireworks Permits

- a. Notwithstanding any provision of this Code to the contrary, no person may sell, possess or use fireworks, as that term is defined by Section 167.10(1) of the Wisconsin Statutes as may be amended from time to time, within the City; except that the use of fireworks may be allowed by appropriate permit issued by the Fire Chief.
- b. Fireworks permits shall contain the following information:
- i. Name and address of the permit holder.
  - ii. The kind and quantity of fireworks which may be purchased.
  - iii. Date and location that the fireworks purchased pursuant to the permit may be used.
  - iv. Proof of liability insurance per Wisconsin Statute 167.10(7) (e) held by permittee in the name of the City of Beaver Dam.
  - v. Other special conditions required by the Fire Chief.
- c. Permits for pyrotechnic displays shall only be issued to public authorities, fair associations, amusement parks, park boards, civic organizations, or groups of individuals that have been granted a permit for such displays by the Fire Chief.

- d. Applications for permits shall be made in writing at least thirty (30) days in advance of the date of the display. After such privilege has been granted, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.
  - e. Every such display shall be handled by a competent adult operator and shall be of such composition, character, and so located, discharged or fired as in the opinion of the Fire Chief and the Chief of Police shall not be hazardous to property or endanger any person or persons. Proof of insurance shall be provided.
  - f. Any fireworks that remain unfired after the display shall be immediately disposed of in a safe manner, in accordance with the rules adopted by the Wisconsin DNR.
4. This section shall not apply to explosives, ammunition and blasting agents handled and used in accordance with Section 30.16 of this Code.
  5. This section shall not prohibit the use or sale of blank cartridges for circus or theatrical purposes, or signal purposes in athletic contests or sports events, or use by militia, police or military organizations, or the use of flares or torpedoes for railway, aircraft, or highway signal purposes.
  6. This section shall not prohibit any resident wholesaler, dealer or jobber from selling fireworks other than those prohibited by Section 30.17 at wholesale provided the same are shipped or delivered directly outside of the State of Wisconsin, or to an organization or group granted a permit under Section 30.17(B).
  7. The following provisions shall apply to places where fireworks are stored or handled:
    - a. Such premises shall be adequately equipped with fire extinguishers as approved by the Fire Chief.
    - b. Smoking is prohibited where fireworks are stored or handled.
    - c. Every wholesaler, dealer or jobber keeping, storing or handling fireworks of any description within the City of Beaver Dam, shall notify the Chief immediately upon the receipt of such fireworks or the removal thereof from one location to another, and shall indicate the location where such fireworks are stored. No fireworks shall be stored in any building situated within fifty (50) feet of any building used for dwelling purposes, or in any place of public assemblage, or within fifty (50) feet of any gasoline pump, or building in which volatile liquids are sold in quantities in excess of one (1) gallon.
  8. A parent or legally appointed guardian of any minor who knowingly permits such minor to purchase or have in his or her possession or to discharge any fireworks forbidden by this section shall be personally liable for any damage caused by such possession or discharge of fireworks.
  9. Violations of this section may result in seizure, removal, or cause to be removed at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored, or held.

## **30.20 PLACES OF ASSEMBLY**

1. Definition  
In this section: "Place of assembly" an occupancy:
  - a. Used for a gathering of fifty (50) or more persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting, transportation, or similar uses:
  - b. Used as a special amusement building, regardless of occupant load.
2. Permit Required
  - a. Except for theaters which have permanent, fixed seating and any place of assembly used as a private club or a place of worship, a permit shall be required from the Fire Chief to use any building or portion of a building as a place of assembly.
  - b. Such a permit shall be issued only when all statutory requirements for a place of assembly and the requirements of the section and NFPA 1 (20)/NFPA 101 have been complied with. If at any time the Fire Chief finds conditions at or upon any place of assembly not in compliance with such requirements he shall call them to the attention of the owner of the place of assembly or his agent, and if such conditions are not promptly corrected, the Fire Chief shall revoke the permit.
3. Evacuation Plan

- a. All persons have management responsibilities in any place of assembly shall be required to have and maintain an evacuation plan which shall include the method for notifying the Fire Department in case of fire or other emergency.
4. Number of Occupants Permitted
- a. Each place of assembly shall be posted with a legible sign stating the maximum number of persons permitted. The sign shall be placed in a conspicuous place at the main entrance. The sign shall have the following wording:
 

LIMIT \_\_\_\_\_ PERSONS  
 Number
  - b. The number of persons shall be determined by the capacity as permitted by the NFPA 1(20)/NFPA 101
  - c. In no case shall a space be occupied by any number of persons exceeding that for which a suitable number of exits have been provided.
5. Exits
- a. In every place of assembly, all exits shall be properly maintained at all times when the place of assembly is occupied, as specified in NFPA 1, SPS 314.
  - b. In each room in a place of assembly where any table, chair or other furniture is used, the arrangement shall be such as to provide for ready access by aisles to each required exit doorway. Aisles leading directly to such exit doorways shall have no less than the clear width required in NFPA 1(20)/ NFPA 101 and shall not be obstructed by chairs, tables, or other objects.
  - c. All exit-ways in places of assembly shall be clearly marked, and shall be lighted in accordance with DSPS, and WIS SPS 316 and NFPA 70/NFPA 1 (20)
  - d. No draperies, mirrors on doors or similar conditions which obscure exits and make their use difficult in case of fire emergency shall be permitted in any place of assembly.
6. Draperies and Decorations Ref. NFPA 1(20), NFPA 701
- a. In this subsection, "decorative material" shall include curtains, draperies, streamers, surface coverings applied over the building interior finish for decorative or other effect, and also cloth, cotton batting, straw vines, leaves, trees, moss used for decorative effect, and other similar materials but shall not include floor or table coverings, paint or wallpaper applied to the interior surfaces of the building, or window shades.
  - b. No decorative material shall be used in a place of assembly which, as used, can ignite and allow flame to spread over the surface thereof or from which burning particles drop when exposed to a flame test applied to a piece of material and tested in a safe place as follows: the piece shall be held in a vertical position and the bottom edge exposed to a flame from a common match held in a horizontal position, one-half (1/2) inch underneath the piece, and at a constant location for fifteen (15) seconds.
  - c. Treatments used to flameproof decorative materials shall be renewed as often as necessary to maintain the flame resistance as specified in NFPA 701 Standard Methods of Fire Tests for Flame Propagation of Textiles and Films NFPA 101(10.3.1).
7. Open Flames Ref. SPS 314.03(3)
- a. No open flame device shall be used in any place of assembly except that the Fire Chief may permit the following where proper precautions are taken to prevent the ignition of combustible materials or injury to occupants:
    - i. Open flame devices for ceremonial or religious purposes.
    - ii. Gas lighting.
    - iii. Portable cooking equipment fueled by small heat sources which can be readily extinguished by water, such as candles or alcohol-burning equipment.
    - iv. "Flaming sword" or other equipment involving open flames and flamed dishes.
    - v. Candles, with flame protected, on tables for the service of food or beverage.

### **30.21 TENTS Ref. SPS 314.30.30 and NFPA 1 (25)**

1. Permit Required
  - a. A permit shall be required to erect or occupy a tent or air supported structure larger than one hundred eighty (180) square feet in area.
  - b. No permit for any tent or air supported structure used by members of the same family for recreational purposes.
  - c. The provisions of the SPS 14.30, and NFPA 1 (25), shall also be complied with.
  - d. The Fire Chief shall issue an annual permit for such structures upon presentation of the required fee, if any, and certification by the applicant that the standards and requirements of this section shall be complied with on any installation with which the applicant is directly or verbally associated.
2. Flame-proofing required
  - a. The material of all tents and air supported structures, except ropes and safety nets, shall be effectively flame-proofed, and a certificate shall be submitted to the Fire Chief from a recognized laboratory or licensed engineer showing that the tent or air supported structure has the required flame resistance. Due to deterioration and lack of permanency in flame-proofed materials, the required flame resistance of the materials shall be maintained at its original level.
3. Hazardous Occupancy Prohibited.
  - a. No tent or air supported structure shall be used for motion picture performance using nitrocellulose film, or for any hazardous occupancy such as the storage and handling of flammable and combustible liquids or any readily combustible material.
4. Fire extinguishers shall be provided according to NFPA 1 (25.1.6) SPS 314.

### **30.22 TENTS- AIR SUPPORTED STRUCTURES**

1. A permit shall be required to erect or occupy a tent or air supported structure larger than one hundred eighty (180) square feet.
2. Any tent or air structure smaller than one hundred eighty (180) square feet shall also comply with the following regulations.
3. No permit for any tent or air supported structure used by members of the same family for a recreational purpose is required.
4. The material of all tents and air supported structures shall be flame-proofed with verification provided.
5. Smoking shall be prohibited in any tent or air supported structure. "NO SMOKING" signs shall be conspicuously posted.
6. No fireworks, open flames, or any device emitting flame or fire may be used in or immediately adjacent to any tent or air supported structure.
7. Fire extinguishers shall be required in every tent or air supported structure as required by the Fire Department.
8. Hay, straw, wood chips or any other flammable material may not be used in a tent or air supported structure except upon special permission from the Fire Chief.
9. Flammable liquids may not be stored in any tent or air supported structure or within fifty (50) feet of said structure.
10. No cooking shall be allowed in any tent or air supported structure.
11. Liquefied petroleum gases may not be stored in any tent or air supported structure.
12. Rapid access for ambulance and Fire Department personnel shall be maintained at all times around the tent or air supported structures.
13. Any unforeseen condition that presents a fire hazard or would contribute to the rapid spread of fire, or would delay or interfere with the rapid exit of persons from the tent or air supported structure, or would

interfere with or delay the extinguishment of a fire shall be immediately abated, eliminated or corrected as ordered by the Fire Chief.

14. Exit signs shall be conspicuously posted above the exits or one side of the tent shall be left open.

### **30.30 OPEN BURNING NFPA 1, 10 and SPS 314**

1. Intent: To ensure the safety of life and property from fire caused by burning in the open air.
2. No person, firm, or corporation shall burn or cause to be burned in the open air: leaves, garden refuse, treated, or painted wood, paper, refuse, construction debris, or other combustible material except as described herein.
3. Open burning is the process of burning any materials where the products of combustion pass directly into the air without going through a chimney or stack.
4. Except as provided in sub-sections B or C, open burning is prohibited in the City of Beaver Dam.
5. Fires that are allowed under sub-section C are to be attended at all times by a responsible adult with immediate access to a garden hose attached to a functioning water supply, and/or a fire extinguisher within the immediate vicinity.
6. The City of Beaver Dam Fire Department shall have the authority to prohibit any or all fires when atmospheric conditions or local circumstances make such fires extraordinarily hazardous. No burning will be allowed if wind conditions will cause smoke, embers, or other burning materials to be carried towards any building or other combustible material, nor any time the wind is in excess of ten (10) miles per hour.
7. Fires are to be at least fifteen (15) feet from any building structure, fence, or combustible material.
8. If smoke from any fire shall create a nuisance for neighboring property owners the fire shall be extinguished immediately upon the complaint of the neighboring property owner of any smoke nuisance at the discretion of the Police or Fire Departments.
9. Outdoor Burning allowed
  - a. Gas and charcoal grills. Gas and charcoal grills manufactured for the purpose of cooking food are approved cooking devices. A "grill" is defined as: "A cooking utensil on which food is exposed to red heat (as from charcoal or gas) between bars." The operation of outdoor grills, fireplaces, and related cooking equipment for food is allowed.
  - b. Only the burning of dry non-treated wood is acceptable. No lawn clippings, construction materials, garbage, brush, or other yard waste is permitted.
10. Recreational fires
  - a. Recreational fires are defined as small campfires on private property, small fires confined to pits, portable fire pits, portable fireplaces, and chimineas.
  - b. Requirements for having a recreational fire that comply with the City of Beaver Dam Municipal ordinance regulating such fires are as follows:
    - i. All fireplaces/chimineas units may only be used on concrete or other non combustible surfaces. The use of a unit on a wooden deck, porch, patio, or under an overhang is prohibited.
    - ii. No portable outdoor fireplace may be located within fifteen (15) feet of any building or combustible structure. No person may use a portable outdoor fireplace above the ground floor on premises occupied as a multi-family dwelling, hotel, motel, boarding house, dormitory, bed and breakfast establishment, commercial or industrial building. No person may use a portable outdoor fireplace on the ground or ground floor deck, patio or sidewalk which is beneath any balcony, stairway or similar outdoor projection from a multi-family dwelling, hotel, motel, boarding house, dormitory, bed and breakfast establishment, commercial or industrial building. In this section, "multifamily dwelling" means any building containing three (3) or more dwelling units.
    - iii. Material for recreational fires shall not include rubbish, garbage, recyclable items, trash, any material made of or coated with rubber, plastic, leather, or petroleum based materials,

and shall not contain any flammable or combustible liquids. Only the burning of dry non-treated wood is acceptable. No lawn clippings, construction materials, garbage, brush, or other yard waste is permitted.

- iv. All recreational fires shall be attended at all times by at least one responsible person of age eighteen (18) or older. The fire must be completely extinguished before the fireplace is left unsupervised.
- v. The renter/lessee of any rented/leased property must provide signed documentation from the legal property owner giving permission to have a recreational fire on that property.
- vi. The property owner and/or person who have started any recreational fire shall hold the City harmless from any and all such liability for any damage caused by a recreational fire.
- vii. Any party who has started or maintains a recreational fire as defined herein shall pay any and all costs incurred by the Fire Department for any service related call as a result of a recreational fire not in compliance with the requirements of this ordinance.
- viii. When weather conditions warrant, the Fire Chief or the Department of Natural Resources may declare a burning moratorium on all open burning and temporarily suspend previously issued burning permits for open burning.
- c. The Fire Chief, or designee, may issue permits for burning at special events.
- d. This subsection does not prohibit fires set by the City's Fire Department for practice and instruction of firefighters or for testing fire equipment.
- e. Prohibited practices for multi-family and/or multi-level buildings: The use of charcoal or gas grills located on combustible balconies or within ten (10) feet of combustible patios on ground floors is prohibited. In this section, "multifamily dwelling" means any building containing three (3) or more dwelling units. NFPA 1 (10 and 69), NFPA 58, SPS 314
- f. The penalty for violating this section of the Fire Prevention Code shall be in accordance with the rates as set in the Beaver Dam Municipal Bond Schedule.

### **30.40 SMOKE AND CARBON MONOXIDE DETECTORS SPS 321.09 Standard**

1. All dwelling units shall meet SPS 321.09-Smoke Detectors and SPS 321.097-Carbon Monoxide Alarms requirements.

### **30.41 BUILDING NUMBERS**

1. All occupancies, whether residential, commercial, or industrial, shall have their street number posted on the building so emergency personal can readily identify the premises. These numbers shall contrast with their background. The approved number is to be mounted so as to be plainly legible and readily visible from the road. The minimum size of the building number shall be at least four (4) inches. Ref. NFPA 1 (10)
2. Locations with more than one occupancy shall have each Suite labeled with alphabetic identifiers. (i.e. Suite A). Exceptions may be made for residential complexes of 3 or more.

### **30.50 MISCELLANEOUS PROVISIONS**

1. Decorative Materials
  - a. Decorative materials such as flammable window draperies, curtains, streamers, surface coverings applied over the building interior finish for decorative acoustical or other effect, and also cloth



cotton batting, straw vines, leaves, trees and plastics used for decorative effect, except floor coverings and ordinary window shades, shall not be permitted in the following occupancies:

- i. Assembly, NFPA 1 (20)
    - ii. Educational, NFPA 1 (20)
    - iii. Residential Facilities, NFPA 101, NFPA 1 (20)
  - b. In such buildings, fabric decorations where used shall be flame-proofed and so maintained by the owner or occupant of the building.
  - c. Where carpeting is used for purposes other than floor covering, such as attached to walls, ceilings and similar uses, the carpeting must be approved by the Fire Prevention Bureau of the City of Beaver Dam as having a flame resistant or similar characteristic. This carpeting must have an approved flame spread rating when tested in accordance to the manufacturer's specifications.
2. Waste Materials
  - a. No owner, agent, or occupant of any building situated within the city shall be allowed to accumulate, any waste materials such as paper, hay, straw, rags or other waste materials of a combustible nature unless stored as provided in subsection 2. The Fire Prevention Bureau shall order the immediate removal of such accumulated combustible waste material from any building or premises when in their opinion such storage would create a fire hazard. Ashes, when kept in basements or buildings under this section shall be placed in fireproof bins, areas, or containers. NFPA 1 (19)
  - b. Combustible cuttings, disposal of waste, cloth, paper or other waste shall be cleaned up and removed from the building at the close of each days work, and shall be stored in a separate fireproof storage building, or in a metal container with cover or in a metal lined box with cover or in a fireproof vault or room.
3. Gas Shut-off, Gas Appliances
  - a. Every gas supply main shall have a service cock outside of the building, so placed and maintained that it can be shut off at any time without entering the building. The use of flexible armored gas tubing shall be limited to portable devices and no more than four (4) feet of length of such tubing shall be used as a connection to any portable device. There shall be but one shut-off valve and that shall be on the gas pipe to which such tubing is attached.
4. No Smoking.
  - a. It shall be unlawful to light a match or other flame-producing device or to smoke, carry a lighted cigar, cigarette, or pipe in any retail mercantile establishment, except in areas approved for such purposes by the Fire Prevention Bureau. It shall be the duty of the person in charge of such establishment for the enforcement of the regulations of this section.
  - b. Smoking is prohibited in all rooms or parts of buildings which contain flammable liquids in open containers or in which the vapors from flammable liquids in open containers or in which the vapors from flammable liquids are present, or in which flammable liquids are used in any manufacturing process.
  - c. In all areas where smoking is prohibited suitable signs lettered "NO SMOKING" shall be displayed.
  - d. Any person who by smoking or attempting to light or to smoke cigarettes, cigars, pipes or tobacco in which lighter or matches are employed, who shall in a careless, reckless or negligent manner whether willfully or want only or not, set fire to any bedding, furniture, curtains, draperies, house or any household furnishings, or any part of any building, shall be guilty of violating this chapter.
5. Welding, Cutting, and Other Hot Work. NFPA 1 (41)
  - a. Any person under this section desiring to perform welding, cutting or other hot work for cutting any metal on any building shall first make application for permission to do so to the Fire Prevention Bureau. The application for such permission shall set forth the location of the premises where the work is to be done and a description of the work to be done.
  - b. This section shall not apply to business establishments when such welding, cutting, or other hot work is used in connection with regular business operations. Such establishments shall use the same precautions to prevent fires as required of persons who must obtain a permit.

### **30.60 NO PARKING IN DESIGNATED FIRE LANES BD Ordinance CD62-4**

1. Prohibited
  - a. In any area where unusual fire requirements may exist, the Fire Chief or designee may designate areas as fire lanes. Parking of motor vehicles or obstruction of designated fire lanes is prohibited.
2. The Fire Chief or designee may designate such areas by notice in writing to the owner or occupant.
3. Right of appeal
  - a. Any owner or person who is aggrieved with the ruling or decision of the enforcing officers in any matter relative to the interpretation or enforcement of any of the provisions of this Chapter may appeal the decision or interpretation to the Board of Appeals by serving notice of appeal upon the City Clerk or secretary of the Board, in writing, within thirty (30) days of the date of the rendition of the decision or interpretation. Such written notice shall be accompanied with the application fee payable to the City of Beaver Dam. Regardless of the outcome of the appeal such fee shall be retained by the City of Beaver Dam and no refund of such fee or any portion thereof shall be granted. The Board may affirm, reverse, or modify the order, ruling, or decision of the enforcing officer.
4. Owner to mark lanes
  - a. The owner of such property shall appropriately mark such lane by yellow curb and install red on white signs stating "NO PARKING FIRE LANE". NFPA 1 (18) SPS 314.03

### **30.62 PENALTY PROVISIONS**

1. Penalty. Any person who shall violate any provisions of Chapter 30 shall upon conviction of such violation, forfeit the amount indicated in the City of Beaver Dam Bond Schedule, together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in county jail until said forfeiture and costs are paid, not exceeding ninety (90) days.
2. Second offense and continued violations shall be subject to 22-55 of the Municipal Codes.
3. Each day of violation shall constitute a separate offense. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Fire Inspector constitute a defense.

### **APPENDIX A: LIST OF STANDARDS AND PUBLICATIONS**

The abbreviations preceding these standards and publications shall have the following meaning and are the organizations issuing the standards and publications listed.

American National Standards Institute – “ANSI”  
 25 West 43rd Street  
 New York, New York 10036

American Society of Mechanical Engineers – “ASME”  
 345 East 47th Street  
 New York, New York 10017

Compressed Gas Association – “CGA”  
 4221 Walney Road, 5th Floor  
 Chantilly VA 20151-2923

Knox Company – “Knox”  
17672 Armstrong Avenue  
Irvine, California 92614-5728

National Fire Protection Association – “NFPA”  
1 Batterymarch Park  
P.O. Box 9101 Quincy, MA 02269-9101

Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20540

Underwriter's Laboratories, Inc. – “UL”  
333 Pfingsten Road  
Northbrook, IL 60062-2096

State of Wisconsin  
Department of Safety and Professional Services  
PO Box 8935  
Madison 53708-8935

International Building Code (IBC)  
International Code Council  
500 New Jersey Avenue  
6th Floor  
Washington DC 20001