

# Title 5 Public Safety

## Chapter 01 Law Enforcement

---

### Division 1 Authority

#### 5.01.11 Organization of Police Department

- A. The Onalaska Police Department shall consist of a Chief of Police ("Police Chief") and such other officers, assistants, and patrolmen as from time to time may be appointed, pursuant to the provisions of the Wisconsin Statutes, the ordinances and resolutions of the Common Council, and the rules and regulations of the Police and Fire Commission.

#### 5.01.12 Records and Reports

- A. **Reports.** The Police Chief shall provide reports to the Mayor of the activities of the Department.
- B. **Police Records.** The Department shall keep appropriate records through their Record Management System of the events of the Department as required by Wisconsin Statutes.

#### 5.01.13 General Powers of Police Officers

- A. Every member of the Police Department shall:
1. Familiarize themselves with the ordinances of the City and the Statutes and attend to the enforcement of such ordinances by all lawful means.
  2. Help prevent crimes, misdemeanors and violations of City ordinances, State laws, health orders and protect the health, safety, public peace and order of the City and its inhabitants.
  3. Report all street and sidewalk obstructions, unlighted street lamps, unlawful street signs or signals, and defective or dangerous streets and sidewalks to the appropriate City department.
  4. Maintain order at the scene of a fire or any other fire response within the City or any act of disobedience/civil unrest.
  5. 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.
  6. Perform such other lawful duties as ordered by the Chief of Police or their authorized designee.

#### 5.01.14 Responsibilities of Chief of Police

- A. **Duties.** In addition to the duties imposed upon them elsewhere in this Code of Ordinances, the Police Chief shall:
1. Have command of the Police Department on administrative matters, subject to the direction of the Mayor.
  2. Ensure maintenance of 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. The Police Chief shall submit or cause to be submitted to the various agencies such reports and summaries as are required by Wisconsin Statutes or ordinances and shall participate in voluntary programs designed to improve law enforcement and public safety.
  3. Submit such reports and comply with such administrative procedures and policies as may be prescribed by the Mayor and Common Council relative to fiscal and administrative matters.
  4. Have exclusive 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. The Police Chief shall supervise the preparation and presentation of annual reports and budgets for the Police Department. They 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. They 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 Police Chief 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/Evidence.** The Police Chief shall be the custodian of all property/evidence and shall be responsible for the safekeeping, lawful disposition and accurate record of the same. They shall see that all property is returned to its lawful owner or otherwise disposed of according to the applicable statutes.

#### 5.01.15 Rules and Policies for the Police Department

- A. The Police Chief shall establish and promulgate Rules of Conduct, Directives and Policies and Procedures and prescribe such duties for individual members as deemed necessary for the effective and efficient command and operation of the Department; provided no such Rules of Conduct, Directive or Policy Procedure duties or assignment shall be in conflict with the statutes, ordinances and approved City personnel rules and regulations.

#### 5.01.16 Personnel

- A. The Police Chief shall comply with all provisions of the Law Enforcement Standards Board in regard to background investigations. The Police Chief shall be adequately informed of the activities of the Department and be assured that the duties of its subordinates are properly discharged. The Police Chief 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, policies and procedures, and rules of the Department.

#### 5.01.17 Police Chief's Responsibility for Training

- A. The Police Chief is responsible for the training of all members of the Department. The Police Chief shall cause adequate and progressive programs of training to be organized and conducted to prepare Department members in the knowledge, procedures, and techniques of their duties and responsibilities. The Police Chief may delegate the administration of such training programs to the Assistant Chief or such other Department personnel as may be appropriate. The Police Chief shall insure that, within budgetary limitations, members of the Department attend training courses, seminars, and conferences necessary to maintain and improve their job skills and professional knowledge. The Police Chief shall encourage Department members to further their education in Law Enforcement through study, special courses, college attendance, extension programs, and independent readings.

#### 5.01.18 Onalaska Police Reserve

- A. **Establishment.** There shall be established within the corporate limits of the City of Onalaska a volunteer organization to be known as the Onalaska Police Reserve, the members thereof to be appointed by the Chief of Police and to serve without pay for their services.
- B. **Purpose.** The primary purpose of the Onalaska Police Reserve is to augment the regular police force in case of emergency, and members shall serve whenever it is necessary to provide additional personnel for special events and community functions within the City.
- C. **Authority.** The authority of the Onalaska Police Reserve, as well as its objectives, organizational chart, qualifications for membership, structure, membership, officers and pertinent information, rules and requirements shall be controlled by a set of bylaws and procedures duly passed by the Onalaska Police Reserve Executive Board. The Chief of Police or their designee shall have the authority to command, train, control and supervise the police reserve.
- D. **Executive Board.** The Executive Board shall consist of the Commander, Deputy Commander, Reserve Sergeants, Professional Standards Sergeant and one (1) sworn Officer of the Onalaska Police Department. The Commander, Deputy Commander and sworn Officer are appointed by the Chief of Police with input from the Onalaska Police Reserve Executive Board. The Reserve Sergeants are appointed by the Professional Standards Sergeant subject to approval by the Chief of their designee.

## Chapter 02 Fire Protection

---

### Division 1 Authority

#### 5.02.11 Fire Department Organization

- A. **Organization.** The Onalaska Fire Department shall consist of a Fire Chief and such other officers and firefighters as from time to time may be appointed pursuant to the provisions of national standards, Wisconsin Statutes and regulations, the ordinances and resolutions of the Common Council, and rules and regulations of the Police and Fire Commission.

#### 5.02.12 Impeding Fire Equipment Prohibited

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

#### 5.02.13 Police Power of the Department; Investigation of Emergencies

##### A. Police Authority at Fires.

1. The Fire Chief, assistants and officers in command at any emergency are hereby vested with full and complete police authority at emergencies. 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 an emergency.
2. The Fire Chief may prescribe certain limits in the vicinity of any emergency within which no persons, excepting firefighters and police officers and those admitted by order of any officer of the Department, shall be permitted to come.
3. The Fire Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from an emergency or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire the Fire Chief shall have the power to cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Department during the progress of an emergency.

##### B. Fire Inspection Duties.

1. The Fire Chief shall be the Chief Fire Inspector of the City of Onalaska and shall have the power to appoint one (1) or more Fire Inspectors each of whom 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, particularly Section 101.14, Wis. Stats.
2. While acting as Fire Inspector pursuant to Sec. 101.14(2), Wis. Stats., the Fire Chief, or any designee, shall have the right and authority to enter any building or upon any premises in the City of Onalaska at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code of Ordinances, they 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 their duty to give such directions for the abatement of such conditions as they shall deem necessary and, if such directions are not complied with, to report such noncompliance to the Fire Chief for further action.
3. The Fire Chief or any designees are required, 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 in six (6) months in all of the territory served by the Fire Department. Each six (6) month period shall begin on January 1 and July 1 of each year.
4. Written reports of inspections shall be made and kept on file in the office of the Fire Chief in the manner and form required by the Department of Professional and Safety Services.

#### 5.02.14 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 emergency, without the consent of the Fire Department official in command.
- B. **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 or bypass the police/fire apparatus without the consent and authority of the Fire Chief or any police officer.
- C. **Utilities Near Hydrants.** It shall be unlawful for any person, firm, business or corporation to install any above ground utilities or any portion of said utilities within eight (8) feet of any fire hydrant.

- D. **Plantings, Mailboxes and Other Items Near Hydrants.** It shall be unlawful for any person, firm, business, or corporation to place any planting, mailboxes or other items within eight (8) feet of any fire hydrant at any time.

#### 5.02.15 Firefighters May Enter Adjacent Property

- A. **Entering Adjacent Property.** It shall be lawful for any firefighter 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 firefighter in the discharge of their duty, the person so offending shall be deemed guilty of resisting firefighters 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 their 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.

#### 5.02.16 Duty of Bystanders to Assist

- A. Every person who shall be present at an emergency shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance 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.

#### 5.02.17 Interference with Use of Hydrants Prohibited

- A. 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.

#### 5.02.18 Fire District Limit

- A. **Districts Designated.**
1. City of Onalaska.
  2. Those municipalities or areas thereof for which the City provides fire service under contract.
- B. **Code Requirements.** All buildings erected within the fire district limits shall comply with the State Building Codes/Standards.

## Chapter 03 Fire Prevention Code; Hazardous Materials

---

### Division 1 Standards

#### 5.03.11 Adoption of International, National, and State Codes/Standards

- A. The following provisions of International, National and State Codes/Standards, as from time to time amended, are incorporated herein by reference:
1. International Building Code (IBC);
  2. National Fire Protection Association (NFPA) Codes and Standards which include, but is not limited to, NFPA 1 Uniform Fire Code; NFPA 101 Life Safety Code; and NFPA 5000 Building Code;
  3. Chapter SPS 101 – Regulation of Industry, Buildings, and Safety;
  4. Chapter SPS 307 – Explosives and Fireworks;
  5. Chapter SPS 308 – Mines, Pits and Quarries;
  6. Chapter SPS 309 – Anchoring and Securing of Movable Soccer Goals;
  7. Chapter SPS 314 – Fire Prevention;
  8. Chapter SPS 314 – Appendix;
  9. Chapter SPS 316 – Electrical;
  10. Chapter SPS 318 – Elevators, Escalators, and Lift Devices;
  11. Chapter SPS 328 – Smoke Detectors and Carbon Monoxide Detectors;
  12. Chapter SPS 330 – Fire Department Safety and Health Standards;
  13. Chapter SPS 361 – Administration and Enforcement;
  14. Chapter SPS 362 – Buildings and Structures;
  15. Chapter SPS 363 – Energy Conservation;
  16. Chapter SPS 364 – Heating, Ventilating and Air Conditioning;
  17. Chapter SPS 365 – Fuel Gas Appliances;
  18. Chapter SPS 366 – Existing Buildings;
  19. Chapter SPS 366 – Appendix;
  20. Chapters SPS 375-379 – Buildings Constructed Prior to 191;
  21. Chapter SPS 375 – Definitions and General Requirements;

22. Chapter SPS 376 – Factories, Office and Mercantile Buildings;
23. Chapter SPS 377 – Theaters and Assembly Halls;
24. Chapter SPS 378 – Schools and Other Places of Instruction; and
25. Chapter SPS 379 – Apartment Houses, Hotels and Places of Detention.

### 5.03.12 Onalaska Fire Prevention Local Codes/Standards

#### A. Means of Egress.

1. Required exit signs shall be illuminated at all times.
2. At every required exit doorway, and whenever otherwise required to clearly indicate the direction of egress, an approved exit sign shall be provided from all areas.
3. In the interior stairways, the floor level leading directly to the exterior shall be clearly indicated.
4. All exit aisles shall be maintained clear and unobstructed and be a minimum of thirty-six (36) inches wide.
5. Exit hardware shall be maintained.
6. Every door which serves as a required exit door or an exit access door serving any area, room, public passageway, stairway or building that can accommodate one hundred (100) persons, shall have such fastenings or hardware that can be opened from the inside by pushing against a single bar or plate.
7. Every exit door, exit access door, and egress paths to those doors shall be free from obstructions. Doors shall be unlocked when the building is occupied. No locking hardware requiring a key, padlock, chains, or other non-approved locking devices shall be used.
8. Storage is not permitted on rescue platforms.

#### B. Fire Protection Systems.

##### 1. Fire Extinguishers.

- a. **Where required.** In all buildings and structures provided for under the Fire Codes of the State and the City, a minimum size of 3-A: 40-B:C fire extinguisher shall be installed in a visible and easily accessible location.
- b. Fire extinguishers shall be serviced and tagged annually and have the appropriate six (6) year maintenance and twelve (12) year hydro test if required.
- c. Fire extinguishers shall not be obstructed or obscured from view.
- d. Handheld fire extinguishers not housed in cabinets, shall be installed on supplied hangers or brackets.
- e. Fire extinguishers weighing less than forty (40) pounds shall be installed so that the top is no more than five (5) feet above the floor.
- f. Clearance between the bottom of the extinguisher and the floor shall never be less than four (4) inches.

##### 2. Fire Alarms and Smoke Detectors.

- a. The building owner shall be responsible for ensuring that the fire alarm and smoke detection systems are maintained in an operable condition at all times.
- b. Operational tests are required monthly.
- c. Fire alarm panels shall be kept locked at all times to prevent tampering.
- d. Records of testing and maintenance are required to be maintained.
- e. Landlords shall be responsible for all batteries and maintenance of smoke detectors in their buildings.
- f. A detailed plan of the facility and alarm system components shall be readily available near the main entrance by the annunciator panel or other area approved by the Fire Department.
- g. A detailed floor plan shall be submitted in an electronic format to the Fire Department for the purpose of pre-planning in the event of an emergency at the occupancy.

##### 3. Automatic Fire Sprinkler Systems.

- a. All fire sprinkler systems shall be inspected and maintained in accordance with (IAW) NFPA 25.
- b. Noted deficiencies by contractors shall be corrected.
- c. Complex systems with three (3) or more risers shall have a diagram in the sprinkler room indicating area covered.
- d. Fire Department Connection (FDC) shall have a five (5) inch storz connector for demands larger than five hundred (500) Gallons Per Minute (GPM).
- e. FDC shall not be located more than two hundred (200) feet from a fire hydrant.
- f. Water supplies for occupancies requiring additional water as specified in NFPA 1142 Table G.4.2 (b), (c), (d), and (e), may require additional water sources on site.
- g. All inlets to the FDC shall be installed so that they face the fire apparatus access road.
- h. A weatherproof horn/strobe alarm shall be installed above the FDC connection to indicate a water flow.
- i. All fire sprinkler systems shall be monitored.

- j. All fire sprinkler systems shall be serviced and tagged annually with a copy of the test record in a plastic sleeve at the main riser.
  - k. The Fire Department shall be notified if the system is shut off or impaired.
  - l. There shall be a minimum of eighteen (18) inches of clearance below all sprinkler heads.
  - m. Sprinkler heads shall be kept free of accumulation of dust, dirt, paint or other substances that may impair its operation.
  - n. Any defective, painted, or damaged sprinkler heads are required to be immediately replaced upon finding.
  - o. Companies installing, servicing, or testing fire sprinkler systems shall submit records of such work to the Onalaska Fire Department for review.
  - p. The Fire Chief may approve the removal of a non-required system based on their discretion. If approved, all components of the system shall be removed.
4. **Standpipe Systems.**
- a. Standpipe systems may be required in new commercial and residential structures that are three (3) stories in height and shall be required in structures that are four (4) or more stories in height. The Authority Having Jurisdiction ("AHJ") or their designee shall approve all systems.
  - b. An automatic water supply for a wet standpipe system shall be designed to provide not less than the flowing capacity from top outlets at not less than sixty-five (65) pounds per square inch (psi) flowing pressure for a period of thirty (30) minutes; five hundred (500) GPM for a single standpipe; seven hundred fifty (750) GPM for two (2) interconnected standpipes; and one thousand (1,000) GPM for larger systems.
  - c. All standpipe and hose systems shall be inspected and maintained in accordance with the NFPA 25 Standard.
5. **Inspection, Testing, Maintenance, Interferences, Tampering or Removal of All Fire Protection Equipment.**
- a. **Fire Protection System.** All approved devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish or control a fire, control or manage smoke and products of a fire or any combination thereof.
  - b. Owner or operators shall be responsible for the condition of all their fire protection systems and any other firefighting equipment.
  - c. Owners or operators of all fire protection systems and any other firefighting equipment shall maintain the systems in good operating condition.
  - d. All fire protection systems and other firefighting equipment shall be inspected, tested, and maintained in accordance with the adopted standards and good engineering practices.
  - e. The local Fire Department shall be notified whenever any fire protection system or any other firefighting equipment is shut down or impaired and when it is placed back in service. The owner shall arrange for immediate and continual servicing or repair of the impaired fire protection system or firefighting equipment until it is placed back in operation.
  - f. No person shall interfere with, tamper with or remove any fire protection system, emergency lighting system, fire hydrant, or any other firefighting equipment without first obtaining a written approval from the Fire Chief.
- C. **Commercial Cooking Equipment.**
- 1. The hood, exhaust, and fire protection systems shall meet the requirements set forth in NFPA 96 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations and the Wis. Adm. Code.
  - 2. Cooking equipment involving vegetable oil or animal fats shall be protected by a Class K rated portable fire extinguisher provided within thirty (30) feet travel distance.
  - 3. Automatic fire extinguishing systems shall be serviced every six (6) months and after activation of the system. All systems shall be tagged and records maintained.
  - 4. The actuation of commercial cooking equipment fire suppression system shall automatically shut down the fuel and/or electrical power supply to the cooking equipment and activate the buildings fire alarm system. Reset shall be manual. A written record shall be maintained and available to the AHJ.
  - 5. Hoods, grease-removal devices, fans, and ducts shall be cleaned to prevent the accumulation of grease. Cleaning shall be recorded and such records shall be maintained on the premises.
  - 6. Excess grease and dirt shall not be allowed to accumulate on the equipment or on or in any part of the hood system.
  - 7. Companies servicing or cleaning hood systems shall submit the service or maintenance records to the Onalaska Fire Department at least quarterly for review.
  - 8. Noted deficiencies by contractors shall be corrected.
- D. **Electrical.**
- 1. Extension cords shall not be substituted for permanent wiring placed under doors or floor coverings and may not be attached to any building or structure.

2. The front of electrical service equipment (panels) shall have a clear working space of not less than thirty (30) inches in width, thirty-six (36) inches in depth, and seventy-eight (78) inches in height.
3. Extension cords shall be of a three (3) prong U/L approved grounding type when used in conjunction with devices equipped with three (3) prong grounding type attachment plugs.
4. Multi-outlet assemblies, surge protectors and re-locatable power taps may not be attached to any structure or permanently mounted to any surface unless listed for the purpose. Multi-outlet assemblies, surge protectors and re-locatable power taps may not be daisy chained.

**E. Knox Box.**

1. A Knox box shall be installed on all new mercantile, commercial, & business occupied buildings. Multi-unit residential structures that have restricted access through locked doors and have a common corridor for access to living units shall be equipped with a Knox box approved by the Fire Department.
2. The Knox box shall be installed in a location that is approved by the Fire Department and shall be installed prior to the issuance of any Occupancy Permit.
3. Location: The Knox box shall be at or near the recognized public entrance of a building, five (5) to seven (7) feet from the ground. No steps, displays, signs, or other fixtures, structures, or protrusions shall be located around or under the box as to limit its access.
4. All required Knox box(s) shall be installed and have the proper keys prior to the issuance of an Occupancy Permit.

**F. Fire Doors.**

1. Listed closing devices and hardware shall be maintained on all fire doors.
2. All horizontal or vertical sliding and rolling fire doors shall be inspected and tested annually to check for proper operation and full closure.
3. Resetting of the release mechanism shall be done IAW the manufacturer's instructions.
4. A written record shall be maintained and shall be available to the AHJ.

**G. Miscellaneous.**

1. Fire apparatus access roads shall not be obstructed in any manner.
2. **Grills.** For other than one-and two family dwellings, no hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose, shall be used or kindled on any balcony or under any overhang portion or within ten (10) feet of any structure. Listed electrical ranges, grills, or similar apparatus shall be permitted. (See NFPA 1; 2006; p.142)
3. Flammable liquids are not allowed to be stored in basements.
4. Exterior doors shall be labeled when hazardous materials or conditions are present to alert emergency personnel.
5. The AHJ may require signs labeling interior doors, e.g. mechanical rooms (utilities).
6. **Large Box Commercial.**
  - a. For all large retail, wholesale, and warehouse commercial facilities that exceed twenty thousand (20,000) square feet, a floor plan shall be approved by the Fire Department showing the locations of wing stacks, end caps, or other islands of product that may be positioned in aisles.
7. **Fire Wall Identification Sign Requirements.**
  - a. **General.** The sign shall consist of three (3) circles arranged vertically on the exterior wall, marking the location of the firewall and centered on the firewall. The circles shall either be affixed directly to the surface of the building or may be placed on a background that is affixed to the building.
  - b. **Size of circle.** Each circle shall be the same size. The diameter of the circle shall be at least one and one-half (1 ½) inch (38 mm), but no greater than two (2) inches (51 mm).
  - c. **Spacing.** The circles shall be spaced an equal distance apart. The distance measured from the top of the uppermost circle to the bottom of the lowermost circle shall be no more than twelve (12) inches (305 mm).
  - d. **Color.** The color of the circle shall be red, amber (orange – yellow) or white. The color of the circle shall contrast with the color of the background.
8. **Pallets and Combustible Storage.**
  - a. Pallets shall not be stored closer than thirty (30) feet from a building or in piles higher than twenty (20) feet.
  - b. The owner or occupant of any commercial property shall have an approved plan by the Fire Department for outside storage of combustible/salvage materials.

**H. Application.** All non-residential structures in the City of Onalaska are subject to Section 5.3.12.A-G and 5.3.12.J.

**I. Application to Residential Rental Properties With Three (3) Or More Units.**

1. All residential rental properties are subject to 5.3.12.A-G of this Section.
2. Residential rental properties shall also comply with the following:
  - a. Dryers shall be vented outside with rigid or semi-rigid pipe.
  - b. Dryer pipes shall be cleaned and inspected annually or as needed.

- c. Self-closing fire doors shall be tested and maintained.
  - d. Required Knox boxes by the AHJ shall have keys to access the building and alarm panel. At no time shall an alarm panel door be left unlocked.
- J. **Penalties.** Any person who shall violate any provision of this Chapter for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not more than Two Thousand Dollars (\$2,000.00) each day a violation exists shall constitute a separate offense.

### 5.03.13 Disclosure of Hazardous Materials and Infectious Agents; Reimbursement for Cleanup 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.** A bacterial, mycoplasmal, fungal, parasitic or viral agent and arboviruses.
2. **Hazardous materials.** 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 flash-point and flammable limits of the hazardous substance;
  - h. Any permissible exposure level, threshold limit value or other established limit value for exposure to a hazardous material;
  - i. The stability of the hazardous substance;
  - j. Recommended fire extinguishing media, special firefighting procedures and fire and explosion hazard information for the hazardous material;
  - 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; and
  - 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; and
  - h. Procedures 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.

#### 5.03.14 Recovery of Costs

- A. Every person, firm or corporation, storing, handling or transporting flammable or combustible liquid, chemicals, gasses or other hazardous materials shall comply with the requirements of OSHA 29 Code of Federal Regulations 1910, EPA 40 Code of Federal Regulations 311, and Chapter Comm. 10, WI Admin. Code, as the same are 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.

#### 5.03.15 Charges for Fire Department Services and Calls

- A. In addition to the Fire Chief's powers and duties, the Fire Chief shall charge for Fire Department services and fire calls, including calls involving vehicles owned by nonresidents, as authorized by Sec. 62.13(8), Wis. Stats. It shall be the responsibility of the Common Council to set the rates of the Fire Department services and fire calls on the City's Fee Schedule, after consideration of the fees as recommended by the Police and Fire Commission. The purpose of such fees shall be to compensate the Onalaska Fire District for fire inspection, plan review, field inspection work and other Fire Department Services. Such fees shall not exceed the limits established by Sec. 66.0628, Wis. Stats. and other applicable laws. No fee shall be charged for City of Onalaska work in relation to municipal property. Upon nonpayment of the fee, the amount due may be placed on the tax roll as a special charge pursuant to Sec. 66.0627, Wis. Stats.

## Chapter 04 Regulation of Alarm Systems

---

### Division 1 Introductory Provisions

#### 5.04.11 Title

- A. This Chapter shall be known as the City of Onalaska Alarm Systems Ordinance.

#### 5.04.12 Declaration of Purpose

- A. The purpose of this Chapter is to provide minimum standards and regulations applicable to burglar, fire and holdup alarm systems, alarm business and alarm users. Both society in general and public safety in particular will be aided by providing a useful and usable system of private security which properly balances quick response by law enforcement with minimization of law enforcement time spent on alarms which are false or otherwise not the intended function of private security systems.

#### 5.04.13 Definitions

- A. Within this Chapter, the following terms, phrases and words and their derivations have the means given herein.
  1. **Alarm Business.** Any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm systems.
  2. **Alarm System.** An assembly of equipment and devices or single device such as a solid state unit which relays and signals the presence of a hazard requiring urgent attention and to which the Police or Fire Department is expected to respond. Excluded from this definition and from the coverage of this Chapter are alarm systems used to alert or signal persons within the premises in which the alarm system is located of an attempted, unauthorized intrusion or holdup attempt or fire.
  3. **Answering Service.** A telephone answering service providing among its services the service of receiving on a continuous basis through trained employees emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the dispatch center of the Police or Fire Department.
  4. **False Alarm.** The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of their employees or agents or other undetermined cause. False alarm does not include alarms caused by tornadoes or other violent climatic conditions.
  5. **Central Station.** An office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits.

6. **Subscriber.** A person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.

#### 5.04.14 Administrative Rules

- A. The Chief of Police shall promulgate such rules as may be necessary for the implementation of this Chapter. Such rules shall require the approval of the Common Council and shall be open to inspection by the public.

---

## Division 2 General Provisions

#### 5.04.21 Automatic Dialing Devices

- A. No person shall interconnect any automatic dialing device to a Police or Fire Department primary trunk line. No person shall permit such devices, which were installed prior to the effective date of this Chapter, to remain interconnected from any property owned or controlled by that person. Such devices may be connected to a central station or an answering service. Relaying messages so received to the Police or Fire Department shall only be done person to person on the telephone line.

#### 5.04.22 Direct Connections to the Police Department

- A. Direct connections to the Police or Fire Department are prohibited.

#### 5.04.23 Testing

- A. No alarm business or alarm system designed to transmit emergency messages to the Police Department shall be tested or demonstrated without prior notification and approval of the Police Department dispatcher. Alarm businesses or alarm system owners or lessors will be advised on proper test procedure.
- B. No alarm system relayed through intermediate services to the Police Department will be tested to determine the Police Department's response without first notifying the appropriate authority. However, the Police Department may inspect or test on-site alarm systems authorized under this Chapter.
- C. Alarm systems shall be in compliance with all pertinent response policies of the Police Department.

#### 5.04.24 Notification

- A. When the service provided by an alarm business to its subscribers is disrupted for any reason by the alarm business or the alarm business becomes aware of such disruption, it shall promptly notify its subscribers by telephone that protection is no longer being provided. If, however, the alarm business has written instructions from its subscriber not to make such notification by telephone during certain hours, the alarm business may comply with such instructions.

#### 5.04.25 Fee for Answering Alarms

- A. **Generally.** Each false alarm requires response of public safety personnel, involves unnecessary expense to the City, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the City. Such false alarms constitute a public nuisance and must be abated.
- B. **Intentional.** No person shall intentionally cause the activation of a burglar/fire alarm device knowing that no criminal activity, fire or other emergency exists.
- C. **False Alarms; Administrative Charges.** Any person, business, corporation or other entity having permissible alarm system with alarm device(s) at one or more locations in accordance with this Chapter shall pay to the City a charge for false alarms responded to by the Police or Fire Department according to the City of Onalaska Fee Schedule. This Subsection is intended to impose a strict liability on the person, business, corporation or other entity responsible for alarm connection to either the police alarm panel or to alarm receiving firm to which the Police or Fire Department have responded and shall be applied regardless of the cause of the false alarm excepting those alarms excluded from the definition of "False Alarm."
- D. **Other Violations.** Any person, corporation or other entity violating this Chapter in any manner, shall be subject to General Penalty Forfeiture as provided in Title 1 of this Code. When any premises located in the City is owned, leased or occupied by two (2) or more persons as joint tenants, tenants in common, joint lessees, or in any other manner, each person shall see that the provisions of this Chapter are complied with, and each person may be subjected to a penalty on violation of this Section.
- E. **Default of Payment for Forfeiture and/or Costs.** On default of payment of forfeiture and/or costs under the immediately preceding Subsections D., such person or responsible officer of the violating corporation or other entity shall be confined in the county jail until the same be paid but not to exceed a length of time specified by the court which length of time shall not exceed six (6) months. Upon nonpayment of the fee, the amount due may be placed on the tax roll as a special charge pursuant to Sec. 66.0627, Wis. Stats.

#### 5.04.26 City Liability

- A. The City of Onalaska shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this Chapter, including, but not limited to, any defects in an alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms.

#### 5.04.27 Permits for Private Alarm Systems

- A. **Permit Required.** A permit is required for each private alarm system on premises within the City. There shall be a permit fee as set forth in the City of Onalaska Fee Schedule. A permit must be applied for within thirty (30) days of installation of the private alarm system.
- B. **Interior Alarms.** A permit under this Chapter is not required for an alarm system which gives a signal, visual or audible or both, solely within the interior of the building in which it is located.
- C. **Issuing Authority.** The Chief of Police shall issue the permits.
- D. **Application.** Application for permit required under this Chapter shall be filed with the Chief of Police. The Chief of Police shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the permit application. The Chief of Police shall deny a permit if the alarm system for which it is sought does not comply with this Chapter.
- E. **Appeal.** Any person required by this Chapter to have a permit who has been denied such a permit by the Chief of Police shall have a right to appeal that decision to the Common Council. The procedure for this appeal shall be as set forth in Section 5.04.28.C.

#### 5.04.28 Revocation of Permits

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

## Chapter 05 Emergency Management

---

### Division 1 Authority

#### 5.05.11 Emergency Management Definitions

- A. The term Emergency Management 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 mitigate, prepare and respond for, and recover from disasters caused by a terrorism or other hostile action or by health emergency, fire, flood or other natural causes.
- B. The term National Incident Management System (NIMS) shall mean a comprehensive, national approach to incident management that is applicable at all jurisdictional levels and across functional disciplines. The intent of NIMS is to:
  - 1. Be applicable across a full spectrum of potential incidents and hazard scenarios, regardless of size or complexity.
  - 2. Improve coordination and cooperation between public and private entities in a variety of domestic incident management activities.
- C. The term Incident Command System (ICS) shall mean a standardized, on-scene, all-hazard incident management concept. ICS allows its users to adopt an integrated organizational structure to match the complexities and demands of single or multiple incidents without being hindered by jurisdictional boundaries.

#### **5.05.12 Joint Action Ordinance**

- A. Joint Action Ordinance of the Board of Supervisors of La Crosse County providing for a County-Municipal joint action emergency government plan of organization adopted by said County Board on the 16th day of March, 1972. A copy of said County ordinance is on file with the City Clerk and made a part hereof, by reference, and is hereby ratified and accepted by the City of Onalaska. This ratification and acceptance of the Joint Action Ordinance shall constitute a mutual agreement between the City of Onalaska and the County of La Crosse as provided by said Joint Action Ordinance.
- B. The County Emergency Management Coordinator, appointed and employed by the La Crosse County Board, is hereby designated and appointed Emergency Management Coordinator for the City of Onalaska subject to the conditions and provisions as set forth in the Wisconsin Statutes and the La Crosse County Joint Action Ordinance.

#### **5.05.13 Utilization of Existing Services and Facilities**

- A. In preparing and executing the City's Emergency Operation Plan (EOP), the City's Emergency Management Director(s) (EMDs) 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 of 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.

#### **5.05.14 Declaration of Emergency**

- A. The Emergency Management Team shall take action in accordance with the Emergency Operation Plan (EOP) only after the declaration of an emergency and issuance of the official disaster warning. Declaration of emergency shall be made by the Governor, the Mayor or, in their absence, by the City Administrator or President of the Common Council. 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.

#### **5.05.15 Emergency Regulations**

- A. Whenever necessary to meet an Emergency Government emergency for which adequate regulations have been adopted by the Common Council, the Mayor and, in their absence, the City Administrator or 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 the cooperation in Emergency Government activities. Such proclamation shall be posted in three (3) public places and may be rescinded by resolution of the Common Council.

#### **5.05.16 Obstruction of Emergency Management Organization**

- A. No person shall willfully obstruct, hinder or delay any member of the Emergency Management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this Section or violate any order, rule, regulation or plan issued pursuant to the authority contained in this Section. Any person who shall violate any provision of this Section shall, upon conviction thereof, be subject to a penalty as provided in Section 1.1.17 of this Code.