

## CHAPTER 10 FIRE INSPECTIONS AND ENFORCEMENT

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#### 10.01 Chief Responsible.

The Chief of each fire department within the Town shall be responsible for compliance with State fire safety inspection requirements under statutes and administrative codes. The Chiefs may designate assistants to act as inspectors.

#### 10.02 Inspector's Duties.

Inspectors shall report all violations of fire safety statutes, codes or regulations on a standards inspection report form to be approved by the Chiefs. The occupant of the premises inspected shall be personally served with a copy of the inspection report, which shall contain a specific listing of violations.

#### 10.03 Correction Deadline.

All fire safety violations shall be corrected with thirty (30) days after service of the inspection report.

#### 10.04 Re-inspection and Enforcement.

After allowing thirty (30) days for correction of violations, the inspector shall re-inspect the premises. If correction has not been made of all violations reported, the inspector may immediately and without further notice initiate Circuit Court enforcement proceedings through the Town Board's attorney.

#### 10.05 Penalty.

Violations of fire safety which remain uncorrected thirty (30) days after service of the inspection report shall be subject to a forfeiture of not less than One hundred (\$100) Dollars and not more than Five Hundred (\$500) Dollars for each day of violation. The Court may order the forfeiture to take effect as of the first day of violation. In addition, the Court may order the affected premises immediately closed to public use and to remain closed until corrections have been made, and proven to the satisfaction of the Court. If a forfeiture is ordered, the Court shall grant a money

judgment against the violator and in favor of the Town, which shall be docketed and enforced as a civil money judgment.

10.06 Service of Process.

If the affected premises are vacant, or if for some other reason the owner or responsible party cannot be personally served with the inspection report, the inspection report shall be published once as a legal notice in a newspaper of general circulation in the Town. Service shall be deemed made on the day of publication. In addition, copies of the inspection report shall be posted on all entrances and exits on the affected premises.

10.07 Parties Responsible for Compliance.

The person responsible for compliance with all fire safety regulations including statutes, administrative codes, ordinances and inspection reports shall be the person in control of use of the premises. If the person in control cannot be determined or cannot be found, the record owner of the premises shall be the responsible person.

This ordinance shall take effect on the date of its adoption.

10.08 KEY LOCK BOX REQUIRED<sup>1</sup>

(1) Uniform Key Lock Box Established. The Town Board does hereby establish a uniform key lock box system within the Town of Sheboygan Falls by selecting the Knox Box® system of key lock boxes. Any key lock boxes utilized under this ordinance must be fully compatible with the Knox Box® system. The Fire Chief of the Town of Sheboygan Falls shall have the authority to determine the compatibility of any lock box.

(2) Buildings Requiring Key Lock Box. A key lock box shall be installed upon any of the following buildings by the owner or lessee thereof:

(a) All newly constructed commercial buildings or multi-family residential buildings consisting of more than two (2) units;

(b) All existing commercial or multi-family residential buildings consisting of more than two (2) units for which the Town of Sheboygan Falls issues a building permit after the enactment of this ordinance;

(c) All existing and newly constructed buildings with monitored alarm systems.

(3) Installation. The owner or lessee shall obtain and install the key lock box to the right of the main entrance not less than four (4) feet nor more than six (6) feet above ground level unless an alternate location is approved by the Town Fire Chief.

(4) Keys Required.

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<sup>1</sup> Section 10.08 created August 3, 2009 by Ordinance 3 2009/2010.

(a) The owner or lessee of any building subject to this ordinance shall at all times keep the following keys, if applicable, in the key lock box:

- i. Keys to locked points of egress, both interior and exterior;
- ii. Keys to locked mechanical rooms;
- iii. Keys to locked elevator rooms and controls;
- iv. Keys to any fence or secured areas;
- v. Keys to any other locked area for which the Town of Sheboygan Falls Fire Chief notifies the owner or lessee that a key is necessary

(b) All keys shall be clearly labeled.

(5) Assumption of Liability. A failure to provide a required and properly equipped key lock box shall submit the building owner to the assumption of liability for any structural damage in the event of a forced entry by the fire department or law enforcement during an emergency.

(6) Compliance. The owner or lessee of any newly constructed building requiring a key lock box shall comply with this ordinance prior to occupancy. The owner or lessee of any existing commercial building or multi-family residential building consisting of more than two (2) units shall comply with this ordinance prior to the issuance of a building permit from the Town of Sheboygan Falls. The owner or lessee of any existing building with a monitored alarm system shall comply with this ordinance within one (1) year from the date of enactment.

(7) Penalties. Any violation of this ordinance shall be punishable by a forfeiture of not less than \$100.00 nor more than \$500.00, plus costs of prosecution, including reasonable attorney fees to the extent allowable. Each day the violation exists or continues constitutes a separate offense.

Section 2. Severability. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.