

Chapter 14

POLICE AND FIRE PROTECTION

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14.01 APPOINTMENT OF CHIEF OF POLICE AND POLICEMEN. (#706 5/2/89)**(1) CHIEF OF POLICE.**

The Chief of Police shall be appointed by the Mayor subject to confirmation by the Common Council and shall hold office from the date signified in such appointment subject only to removal by the Common Council for cause. The Common Council may, at its option, declare the office of Chief of Police vacant should any incumbent thereof by reason of health or physical disability be prevented from adequately fulfilling the duties of his office for a period exceeding 30 days out of any one year.

(2) POLICEMEN.

Policemen shall be subordinate to the Chief of Police and shall be employees of the Police Department of the City. Policemen shall be appointed by the Mayor, subject to confirmation by the Common Council. The Common Council may make such limitations and related restrictions governing such candidates as the Common Council may deem necessary. The employment of any incumbent as a policeman shall be subject to like optional powers of the Council in connection with his health as is herein before indicated in the case of the Chief of Police.

(3) SALARIES.

The salary of the Chief of Police shall establish annually by Ordinance and approved by the common council.

14.02 BURNING OF RUBBISH.**(1) REGULATION OF BURNERS.**

No person shall build, maintain or operate within the fire district of the City any waste or refuse container, burner or other similar appliance in the fire district, except upon securing a special permit from the Fire Chief, and in an Underwriters approved incinerator or its equivalent, which must be 50 feet from any building. Such approve burner shall be constructed in such a manner that all openings on the sides and on the top thereof may be wholly or securely closed or covered with substantial metal doors or with wire screening, the wires of which shall not be more than one inch across, and the openings shall not be more than one inch across.

(2) TRASH, ETC.

No person shall allow to remain longer than 36 hours or overnight, in any alley, or on any sidewalk or premises within 30 feet of any building, any empty boxes, barrels, rubbish, trash, waste paper, excelsior or other like combustible materials within the City limits.

(3) BURNING ON PUBLIC PROPERTY.

No person shall set fire or burn any leaves, rubbish or debris on any street or alley or other public place in the City at any time.

(4) EMERGENCY PROHIBITION.

At all times of extreme dryness or drought, or because of a deficiency in the water supply, or for reason of any emergency that the Fire Chief deems it necessary, the Fire Chief is hereby authorized to prohibit the setting of any fires to burn rubbish, leaves, dry grass or vegetation, or other debris upon any lands within the Fire District and shall cause

notices to be published in the official newspaper of the City forbidding the setting of fires during such period as the said Fire Chief shall designate.

14.03 FALSE ALARMS.

(1) DECLARATION OF INTENT.

The primary purpose of this ordinance is to reduce the incidents of “false” burglar and holdup, which are preventable or avoidable. This ordinance is also intended to encourage the installation of reliable alarm systems and to ensure that they are well maintained and reliably used. The installation of properly functioning systems, used responsibly, should reduce the number of “false” alarms and reduce the danger to both officers and the public by minimizing the number of times the officers respond in an emergency manner to these false alarms.

(2) DEFINITIONS.

(a) Alarm Systems. As used in this ordinance alarm system shall mean an assembly of equipment and/or devices arranged and intended to signal the presence of a hazard or situation requiring urgent attention and to which the City Police Dept. is expected to respond. In this ordinance the term alarm system shall include the terms holdup alarm, burglar alarm system, automatic holdup system, manual holdup system, direct line system, proprietary system, local alarm system, central station system and answering service.

(b) Alarm user. Means any person on whose premise, commercial or residential, an alarm system is maintained within the City of Chilton. Excluded are alarm systems on motor vehicles unless they are connected to an alarm system at a premise.

(c) Holdup Alarm. Refers to an alarm system signaling a robbery or attempted robbery.

(d) Manual Holdup alarm. Refers to an alarm system in which the signal transmission is initiated by the direct action of the person or persons attacked or by an observer of an attack.

(e) Burglar Alarm System. Means an alarm system signaling an entry or attempted entry into the area protected by the system.

(f) Automatic Holdup Alarm System. Means an alarm system in which the signal transmission is initiated by the action of the robber.

(g) Direct Line System. Means a telephone line leading directly from a central station to the communications center of the Calumet County Sheriff’s Office used only to report emergency signal information on a person to person basis.

(h) Answering Service. Means a telephone answering service providing the service of receiving, on a continuous basis through employees, emergency signals from an alarm system and, thereafter, is expected to immediately relay the

message of the emergency signal (alarm) by live voice to the communication center of the Calumet County Sheriff's Office.

(i) Automatic Dialing Device. Means an alarm system, which automatically sends over regular telephone, lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation the alarm device is designed to detect.

(j) Central Station System. Means a system in which the operation of electrical protection circuits and devices are signaled automatically to, recorded in, maintained and supervised from a central station having trained operators in attendance at all times.

(k) Proprietary System. An alarm system sounding or recording alarm and supervisory signals at a control center located within the protected premise, the control center being under the supervision of the proprietor, or an employee, of the protected premise. If a proprietary system includes a signal, line connected directly, by means of an automatic dialing device, to the alarm panel at the Calumet County Sheriff's Dept., a central station, or answering service. It thereby becomes an alarm system as defined in this ordinance.

The system is also included if the control center receives the alarm signal and, by voice communication via telephone line or by activation of an alarm signal connected to the Calumet County Sheriff's Department, indicates the existence of the alarm. (e.g., the control center receives an indication of a break-in and they telephone the Calumet County Sheriff's Department and, by live voice, tell the dispatcher that they tripped an alarm that sends a signal to an annunciator in the alarm panel.

(l) Local Alarm System. A signaling system which, when activated, causes an audible and/or visual signaling device to be activated in/or on the premise the alarm was intended to protect. If the system was designed and intended to attract the attention of people outside of the building, it shall come under the definition of alarm system.

(m) Person. Means any person, firm, partnership, association, corporation, company, or organization of any kind.

(n) Calendar Year. The calendar year is comprised of a twelve (12) month period, which starts January 1.

(o) Annunciator. Means the instrumentation on an alarm console at the receiving terminal of a signal line which through both visual and audible signals shows when an alarm device at a particular location has been activated or it may indicate line trouble.

(p) False Alarm. Means any of the following:

1. The activation of an alarm system through negligence of the owner, alarm user or lessee of an alarm system or of his or her employees or agents.
2. The activation of an alarm system through mechanical failure or malfunction because of improper maintenance by the alarm user, owner, lessee or his or her employees or agents.
3. The activation of an alarm system because of improper installation by the alarm user, owner, or lessee or their employees or agents or the company which installed the system.
4. The negligence or improper use of the equipment by the alarm user, owner, lessee or employee.
5. False alarm does not include those alarms caused by hurricanes, tornadoes, earthquakes, other violent conditions, or intentionally giving a false alarm as listed in S.S. 941.13.

(3) GENERAL REQUIREMENTS.

Any person having an alarm installed on any business or residence and comes under the definition of alarm user shall, immediately upon the alarm system becoming fully functional, notify the Calumet County Sheriff's Office and the City of Chilton Police Dept. of the following:

- (a) The existence of the alarm and type.
- (b) The name of the alarm company installing and responsible for the maintenance of the alarm system and their phone number
- (c) The name of the alarm user and the phone numbers of two people who can be contacted and will respond to the scene of the alarm to assist officers in checking property. The alarm owner, user or lessee shall also notify the Calumet County Sheriff's Office and the Chilton Police Dept. immediately of any change in the name or phone numbers for their contact people.
- (d) The person on whose premise the alarm system is installed shall contact the Sheriff's Office and the Chilton Police Dept. and advise them of who shall be considered the person primarily responsible for the system.

(4) FALSE ENTRY AND MOTION ALARMS.

- (a) Failure to provide information concerning Section (3) General Requirements shall result in the following:

1. Upon a first offense of the information not having been provided, the alarm user, owner, or lessee shall be sent a letter by the Police Dept. informing them of the provisions of this ordinance.
2. After thirty days of having been notified of the existence of this ordinance, and being given a warning for a first offense, for any second and subsequent offenses a citation shall be issued which shall result in a \$50 forfeiture plus court costs.

(5) FALSE FIRE ALARMS. (#904 6/00)

(a) While it is recognized that private alarm systems can significantly contribute to the protection of persons and property within the City of Chilton and surrounding fire service area, when not properly maintained or due to malfunction or abuse, such systems can cause false alarms, resulting in needless cost and expense to the City in responding to such false alarms, Alarm systems properly maintained and supervised should minimize false alarms and the need to respond to them. Any property owner who experiences more than 3 false alarms at any one address in any calendar year shall be billed \$300.00 for four through six, \$500.00 for seven through nine, \$700.00 for ten through eleven and \$900.00 for twelve and above. Bills not paid will be added to the property tax bill.

(b) EXCEPTION. A false alarm, determined by the Fire Chief or the assistant fire chief to have been caused by circumstances beyond the control of the property owner, shall not be subject to the charge.

14.04 NOTICE OF CHANGE IN OCCUPANCY OF CERTAIN BUILDINGS AND STRUCTURES. (#743 9/3/91)
NOTICE REQUIRED.

The City of Chilton declares that the public welfare and safety is promoted by the Fire Department being made aware of the change of occupancy of certain buildings and structures so that an appropriate and timely fire inspection can be made of such building or structure covered under Chapters 50-64 of the State Building Codes used by or for public assembly, institutional, industrial, multi-family (public spaces thereof), office or mercantile purposes, shall notify the City in writing of any change in occupancy of such building or structure prior to such change.

14.05 RECREATIONAL FIRES.

(1) INTENT. The intent of this section is to establish guidelines for the use and construction of recreational fires and outdoor cooking apparatuses.

(2) DEFINITIONS. (Ord. No. 1049 7/21/09)

(a) Recreational Fire - Any fire such as a campfire or cooking fire, fire pit or portable fire container for the purpose of recreational and personal enjoyment.

(b) Outdoor cooking apparatus - A charcoal grill, gas grill, smoker, camping stove or similar apparatus designed exclusively for the cooking of food.

(c) Structure. (Structure is defined in Municipal Code Chapter 16.03 (2) (bz) Anything erected, the use of which requires more or less permanent location on the ground; or attached to something having a permanent location on the ground. This shall include signs.

(3) GENERAL REQUIREMENTS. Recreational fires shall comply with the following requirements:

(a) No recreational fire shall be closer than twenty (20) feet from any structure.

(b) No recreational fire shall be in an area larger than 42 inches by 42 inches.

(c) Any pit used for a recreational fire shall have a minimum depth of 10 inches and shall be covered when not in use. This pit shall be surrounded on the outside by a noncombustible material such as concrete block or rock for a 12-inch width all around the perimeter.

(d) All recreational fires shall be contained within the pit or other container in which the combustible material is located.

(e) All recreational fires shall be supervised at all times by at least one person who age is 16 years or older. If not supervised, such recreational fire must be extinguished.

(f) Combustible material used in recreational fires shall not include rubbish, garbage, treated wood, hazardous materials, flammable or combustible liquids, vinyl, plastic or rubber materials.

(g) Police Personnel shall have the right to require any fire to be immediately extinguished if the smoke is offensive to surrounding residents or creates a hazardous condition.

(h) Recreational fires utilizing a portable fire container shall be located on the ground, asphalt, concrete, gravel and paver bricks.

(i) Recreational fires are permitted between the hours of
1:00 PM to 10:00 PM Sunday – Thursday
1:00 PM to midnight Friday and Saturday
Any day/evening preceding a federal holiday: 1:00 PM to midnight

(4) OUTDOOR COOKING FACILITIES.

The requirements described in section (3) for recreational fires shall not apply to any outdoor cooking apparatus. Such apparatus shall only be used outdoors at ground level.

14.06 FIRE INSPECTIONS. (Ord. 1045 4/21/09)

(1) The frequency of fire inspections conducted by the City of Chilton Fire Department shall be at least once per calendar year, provided the interval between those inspections does not exceed fifteen (15) months, as provided by the Wisconsin Administrative Code, Fire Prevention, Chapter Comm 14.01 (11) (6b).

14.07 PENALTY.

Any person who violates any provision of this chapter shall be subjected to a penalty as provided by Sec. 20.04 of the Municipal Code