

TOWN OF LIBERTY GROVE
ORDINANCE # 2-08
Automatic Fire Sprinkler Systems

The Liberty Grove Town Board, Door County, Wisconsin, does ordain as follows:

Ordinance 1-03, "Automatic Fire Sprinkler Systems", is hereby repealed.

Section 1 – Purpose

The intent of this ordinance is to protect lives and provide an instantaneous and automatic response to a fire outbreak. The instant response is intended to provide a minimum of fifteen (15) minutes of water directed at the source of the fire. Automatic sprinkler systems shall be installed and properly maintained in all new construction and locations hereafter set forth, with installation costs to be borne by the building owner.

Section 2 – Installation

In all buildings the installation of any automatic fire sprinkler system shall be in accordance with NFPA 13 (commercial), "Installation of Sprinkler Systems", or NFPA 13R(multifamily residential), "Installation of Sprinkler Systems in Residential occupancies up to Four Stories in Height"

Section 3 – Monitoring Requirements

All new automatic sprinkler systems installed under this Ordinance shall be monitored by a central monitoring service or and an agency approved by the Fire Department.

Section 4 – Maintenance and Annual Inspection

All automatic sprinkler systems shall be properly maintained for efficient service as specified in NFPA 25, "Inspection, testing and Maintenance of Water-Based Fire Protection Systems". Maintenance shall be the responsibility of the building owner.

Section 5 – Where Required

Automatic sprinkler systems shall be installed and maintained in operable condition in the following new construction and locations:

1. Any building that is of Class 1 or Class 2 fire resistive construction and is 10,000 square feet or more in total area.
2. Any building that is of Class 3, 4, 5 non-fire resistant construction and is 4,800 square feet or more in total area.
3. All commercial transient lodging establishments, identified by the State of Wisconsin.
4. Any building for public assembly designed for simultaneous occupancy of over 100 persons.

5. Any building of three (3) interior stories or more in height regardless of total square foot area.
6. Any building housing a health care facility including hospital facility, nursing home and extended care facility, group care facility or CBRF. Automatic sprinklers shall be installed throughout such buildings regardless of size or type of construction.

Section 6 – High Hazard Occupancy

An automatic sprinkler system may be required for any proposed new building by reason of its construction or combustible occupancy is deemed a severe life or property hazard by the Building Inspector, Fire Chief, or State of Wisconsin.

Section 7 – Exceptions

Automatic sprinkler systems are not required if the Fire Chief determines that the use of water as a fire-extinguishing agent would increase the hazard. However, an automatic fire suppression agent other than water and an automatic smoke detection system shall be installed.

An automatic fire sprinkler system shall not be required in any single family or duplex residential unit(s), or buildings exempted by the State of Wisconsin Building and/or fire prevention codes at the time of plan submittal.

Section 8 – Building in areas without municipal water supply

Any building of a size or use that falls within this article erected within an area not served by the municipal water system shall be constructed to allow for the future installation of a sprinkler system. Once municipal water is available, the building owner shall have ninety (90) days to install an automatic sprinkler system, which conforms to this Ordinance. Buildings that meet the requirements of this Ordinance shall install a Knox box prior to occupancy regardless of the availability of a municipal water system.

Section 9 – Plan Review

No automatic sprinkler equipment shall be installed or altered in any building until plans have been submitted to and approved by the Fire Department. Four copies of the plans and specifications shall be submitted. Conditionally reviewed plans shall be stamped with the date of the review. Review does not constitute compliance. One copy shall be returned to owner, one copy retained by the Fire Department for file use, one copy to the Building Inspector, and one copy retained by the Town office. Failure of the Fire Department to respond with findings from the review within 45 days shall be considered a statement of no objection by the Fire Department to the proposed plans.

Section 10 – Calculations

Calculations shall be submitted with all plans. If a pipe schedule is used, a written report with verified pressure information shall be submitted. The engineer completing such calculations shall stamp and sign the report.

Section 11 – Installation and Inspection Services Required

1. The installation of underground piping shall be inspected and approved by the Fire Department prior to being covered.
2. The installation of the sprinkler system shall be inspected by the fire department prior to the enclosing of wall and ceiling spaces.
3. A hydrostatic test shall be conducted on the system in the presence of a Fire Department representative along with a total final inspection prior to placing the system into service. *These tests should meet NFPA requirements.*
4. The installer shall provide a minimum 24 hour advanced notice for any required installation inspections.

Section 12 – System Requirements

All required building automatic sprinkler systems shall comply with the following:

1. Alarms Bells and Horns. Alarm bells or horns shall be installed on all systems. One bell or horn shall be installed on the inside of the building and a second bell or horn installed on the outside of the building. The external bell or horn shall incorporate an external visual signaling device. The external alarm shall be located above the Fire Department Connection (FDC) subject to approval of the Fire Department. The sprinkler alarm shall be wired into the building alarm system in the building equipped with a local alarm system.

Section 13 – Fire Department Hook-up

The building's internal sprinkler system shall be provided with a Fire Department Connection (FDC) located on the outside of the building in an area accessible to fire equipment. This connection and its location must be installed per NFPA 13, and must have the approval of the Fire Department for final location and termination connection. Such connection is necessary to allow the system to be charged via a hose connection from a pumper truck.

Section 14 – Lock Box Required

A building equipped with an automatic sprinkler system shall be provided with a standard lock box of a type approved by the Fire Chief, who shall also approve the location of the lock box. Properly identified keys to gain access to the building and building automatic sprinkler system shall be maintained in the lock box. Removal of any key by persons other than Fire Department personnel shall be considered in a violation of this Ordinance.

Section 15 – Penalties for Non-Compliance

Failure to comply with any of the provisions of this Ordinance can result in enforcement action being issued. It shall be the duty of the Town Attorney to expeditiously prosecute all such violators after review with the Town Board. A violator shall, upon conviction, forfeit to the Town a penalty of not less than Twenty (\$20) Dollars together with the taxable cost in such action and not more than Five Hundred (\$500) Dollars for each violation together with the cost of prosecution, and every day of violation shall constitute a separate offense. In the event of a default of payment of such forfeiture, the Town has the right to impose a lien against the property of the violator for an amount equal to the forfeiture. In addition, compliance with his Ordinance may also be enforced by injunction order at the suit of the Town.

Section XX– Additions to sprinklered buildings

In the event an owner/developer wishes to add an addition to a building in the town that is currently not protected by an automatic sprinkler system the following shall apply:

1. The building shall be evaluated based on its total proposed size (existing and proposed addition combined), and proposed occupancy.
2. In the event different construction types are used the building shall be evaluated on its least fire resistive construction.
3. If the total proposed building size and/or construction type fall within this Ordinance the entire building must be sprinkled, or if the owner/developer desires to only sprinkle the addition then the addition must be separated from the existing building by no less than a three (3) hour fire wall.

Sec. 14.100 Notice of violations/order for elimination.

- (a) Following the inspections, the Fire Chief shall provide written notices to the owners of buildings inspected of any violations of this Ordinance, including violations of the Wisconsin Administrative Code, and shall order such violations to be removed or corrected.
- (b) The owners of such buildings shall cause the violations to be eliminated or corrected as designated by the Fire Chief within the time set forth by the Fire Chief.
- (c) The service of written orders for the correction of such violations shall be made up on the owner either by delivering a copy of the written orders to the owner or any person in charge of the premises, or by mailing such orders to the owner by certified mail, return receipt requested. This subsection shall in no manner preclude the Fire Chief from issuing oral orders in such manner as deemed appropriate under the circumstances.
- (d) When requesting the Fire Chief shall provide copies of the written notices and citations to the Sister Bay & Liberty Grove Fire board, the Town Attorney and the representative of the firm performing building inspections for the Town.

Sec. 14.101. Penalties for noncompliance.

- (a) Any person who fails to correct the violation complained of by the Fire Chief, within the period of time set forth by the Fire Chief, in violation of Section 14.100, may be required to forfeit not less than \$100.00, nor more than \$500.00.
- (b) A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- (c) Each violation listed in the order for elimination or correction shall constitute a separate violation.

Sec. 14.102. Enforcement.

- (a) This Ordinance may be enforced by the issuance of a citation to any violator of this Ordinance by the Fire Chief, by an authorized designee of the Fire Chief, by any sheriff, or deputy sheriff of the county, by any state officer with police powers or any other duly appointed law enforcement officer of the Town.
- (b) In the alternative, any forfeiture imposed by this Ordinance may be sued for and recovered pursuant to Wisconsin State Statutes Chapter 778 in the name of the Town.
- (c) In addition to any enforcement by forfeiture action, the Town may obtain injunctive relief to prevent, enjoin, abate or remove the violation and may take such other action as is necessary to abate, correct or remove any violations.
- (d) The Fire Chief may call upon the Town's Attorney to assist in the prosecuting of violations of this section of the Ordinance.

Sec. 14.103. Costs of abatement, removal or correction.

- (a) Any and all costs incurred by the Town in the performance of the abatement or correction of any violation of this Ordinance, including costs of injunctive relief, shall be charged to the owners, occupant, person in control of or person responsible for such violation.
- (b) In case of a failure to pay these costs, a statement of such costs shall be filed with the Clerk-treasurer, and any and all costs thereof shall be charged against the real estate upon which the violation was located, shall in a lien upon the real estate, and shall be assessed and collected as a special tax.

Section 16: Severability. If any section or portion hereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

Section 17 – Effective Date

This ordinance shall become effective upon passage and posting according to law.

Adopted at a regular meeting of the Liberty Grove Town Board on the twentieth day of February 2008.

William Casey, Chairman

Nancy Goss, Supervisor

John Mahoney, Supervisor

John Jensen, Supervisor

Ann Miller, Supervisor

I, Walter L. Kalms, Clerk/Administrator of the Town of Liberty Grove, Door county, Wisconsin do hereby certify that the above is a true and correct copy of an ordinance which was adopted on the twentieth day of February, 2008 by the Liberty Grove Town Board.

Dated this 21st day of February, 2008.

Walter L. Kalms, Clerk/Administrator