

**ORDINANCE GOVERNING  
INVESTIGATION OF FIRES  
TOWN OF MINONG  
ORDINANCE # 13**

**ORDINANCE FOR POLICE POWER OF THE FIRE DEPARTMENT: INVESTIGATION OF FIRES**

**SECTION I PURPOSE:**

The purpose of this ordinance is for the safety of the community and residents of the Town of Minong.

**SECTION II CONDITIONS OF ISSUANCE:**

**Police Authority at Fires.**

1. The Chief and assistants or officers in command at any fire are hereby vested with full and complete 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. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firemen and policemen and those admitted by order of any officer of the Department, shall be permitted to come.
3. The Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire he 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 a fire.

**Fire Inspection Duties.**

1. The Fire Chief shall be the Fire Inspector of the Town of Minong and shall have the power to appoint one or more deputy Fire Inspectors and shall perform all duties required of the Fire Inspectors by the laws of the State and rules of the Department of Industry, Labor and Human Relations, particularly Section 101.14, Wisconsin Statutes.
2. While acting as Fire Inspector pursuant to Sec. 101.14(2), Wis.Stat., the Fire Chief or any officer of the Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the Town of Minong at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code of Ordinances, he may deem necessary and, if such directions be not complied with, to report such noncompliance to the Town Board for further action.
3. The Chief of the Fire Department is required, by himself or by officers or members of the Fire Department designated by him as fire inspectors, 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 and oftener as

the Chief of the Fire Department orders. Each six (6) month period shall begin on January 1, and July 1.

4. Written reports of inspections shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form required by the Department of Industry, Labor and Human Relations. A copy of such reports shall be filed with the Fire Chief.

State Law Reference: Section 101.14(2), Wis. Stats.

### SECTION III VIOLATIONS: GENERAL PENALTY

(a) General Penalty. Except where a penalty is provided elsewhere in this Code, any person who shall violate any of the provisions of this Code shall upon conviction of such violation, be subject to a penalty, which shall be as follows:

1. FIRST OFFENSE –Penalty. Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than Twenty-five dollars (\$25.00) nor more than One Thousand dollars (\$1,000.00) for each such offense, together with the costs of prosecution and, in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.

2. SECOND OFFENSE –Penalty. Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall upon conviction thereof, forfeit not less than Fifty dollars (\$50.00) nor more than One Thousand dollars (\$1000.00) for each such offense, together with costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the County jail until such forfeiture and costs of prosecution are paid, but not exceeding six (6) months.

(b) Continued Violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

(c) Other Remedies. The Town shall have any and all other remedies afforded by the Wisconsin Statutes in addition to the forfeitures and cost of prosecution above.

### SECTION IV VALIDITY

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Whenever any standard code, rule, regulation, statute or other written or printed matter is adopted by reference, it shall be deemed incorporated in a Code of Ordinances as if fully set forth herein and the Town Clerk/Treasurer shall maintain in their office a copy of any such material as adopted and as amended from time to time. Material on file at the Clerk/Treasurer's office shall be considered public records open to reasonable examination by any person during the office hours of the Town Clerk/Treasurer subject to any restrictions on examination as the Town Clerk/Treasurer imposes for the preservation of the material.

SECTION V EFFECTIVE DATE

(A) Code. The code of Ordinances, Town of Minong, Wisconsin when adopted shall take effect as provided by state law.

(B) Subsequent Ordinances. All Ordinances passed by the Town of Minong subsequent to the adoption of the Code of Ordinances, except when otherwise specifically provided, shall take effect from and after their publication.

State Law Reference: Code of Ordinances, Sec. 66.035, Wis Stats.

This ordinance shall be in full force and effective on the \_\_\_\_\_ day of \_\_\_\_\_ 2002, after proper notice and publication of said ordinance according to law.

Filed this \_\_\_\_\_ day of \_\_\_\_\_ 2002

Approved by:  
Town Board – Town of Minong

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
SUPERVISOR 1

\_\_\_\_\_  
SUPERVISOR 2

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2003

\_\_\_\_\_  
Attested By: Town of Minong  
TOWN CLERK