

CHAPTER 9

MISCELLANEOUS REGULATIONS AND PROCEDURES

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9.01 FIRE NUMBERS

(1) Fire/Address Signs. All lots and parts of lots in the Village on which a structure is located shall be numbered in accordance with the requirements of Richland County Emergency Management.

(2) Applications. Applications for fire signs shall be made to the Village Clerk on forms furnished by the Village. All fire sign fees, if any, required under this section shall be established, from time to time, by Village Board resolution. New signs and installation shall be provided without charge.

(3) Shape, Placement and Installation of Signs.

- (a) All fire signs and posts shall remain the property of the Village. The Village Board or its designee will be responsible for assigning fire numbers and installing new or replacement fire signs.
- (b) The address sign unit shall consist of a sign blade, which is mounted vertically on a signpost with associated hardware or a fiberglass composite sign. The sign blade shall have the address number enumerated on both sides. The sign plate, post, and hardware shall meet the minimum specifications of this section.
- (c) Sign blades or fiberglass composite signs shall have a blue background with white numbers. Numbers and the blue background of the sign blade or fiberglass composite sign shall be fully reflective. Address numbers shall not be less than four inches in height.
- (d) Sign blades shall be manufactured of a 24 X 7 inch aluminum sign with holes to accommodate two attachment bolts. Fiberglass composite signs will be 72 inches in length and the post color will be white.

- (e) Sign posts shall be six and one-half feet in height, one and one-half pounds per foot and either painted green enamel, powder coated or galvanized U-channel in order to allow for two-sided viewing. A minimum of 30 holes shall be on each post with diameters of $\frac{3}{8}$ " to $\frac{1}{2}$ " beginning on center at one inch from the top of the post. Attachment bolts shall consist of two $\frac{5}{16}$ " X 1 $\frac{1}{2}$ " threaded hex bolts and two $\frac{5}{16}$ " hex nuts.
 - (f) New address sign blades shall be installed so that the blade is perpendicular to the roadway. The sign blade shall be installed within five to 15 feet from the roadway and within five to ten feet from the driveway serving the addressed property. The sign blade shall be installed within four to five feet from ground level. The sign unit shall be clearly visible from the roadway with no obstructions.
 - (g) The Village, or the Village's designee, shall be responsible for the physical placement of the address sign.
- (4) Obligations of Property Owners. The property owner shall be responsible for:
- (a) Maintaining unobstructed visibility and general maintenance of the address sign.
 - (b) Notifying the Village of any damaged, missing or deteriorated address signs.
 - (c) Paying the cost of replacement for damaged, missing or deteriorated address signs and the installation costs.
 - (d) Once a sign has been installed, it shall not be removed except by a Village official. Diggers hotline shall be contacted before installation of any address sign.

(5) **Penalty.** Any person, firm, or corporation who violates, disobeys, neglects, omits or refuses to comply with this section or who resists the enforcement of any of its provisions, or who moves, removes or tampers with any fire sign or fire sign post shall, upon conviction, forfeit not less than \$50.00 nor more than \$250.00 together with the cost of prosecution and, in default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the County Jail of Richland County until said forfeiture and costs are paid not-to-exceed 30 days for each violation. Each day that a violation continues to exist shall constitute a separate offense.

9.02 FIRE PROTECTION

(1) Purpose. The purpose of this section is the adoption of certain Wisconsin Administrative Code Chapters and National Fire Protection Association (NFPA) Codes and Standards to provide rules and regulations to improve safety of the public by promoting the control

of fire hazards; regulating the installation, use and maintenance of equipment, the use of structures, premises, and open areas providing for the abatement of fire hazards; and setting forth standards for compliance to achieve these objectives.

(2) Application. This section shall apply equally to both public and private property. It shall apply to all new structures and their occupancies including buildings, structures, and equipment, and except as otherwise specified, to existing structures and their occupancies including buildings, structures, and equipment, which constitute a clear and present hazard to life or to property.

(3) Safety and Professional Services Codes Adopted. The following chapters of the Wisconsin Department of Safety and Professional Services Administrative Code are adopted by reference in their entirety and made part of this section.

- (a) Chapter SPS 307 - Explosive Materials and Fireworks.
- (b) Chapter ATPC 93 - Flammable, Combustible and Hazardous Liquids.
- (c) Chapter SPS 314 - Fire Prevention
- (d) Chapter SPS 316 - Electrical.
- (e) Chapter SPS 320 - Administration and Enforcement
- (f) Chapter SPS 321 - Construction Standards
- (g) Chapter SPS 332 - Public Employee Health and Safety
- (h) Chapter SPS 340 - Gas Systems
- (i) Chapter SPS 361 - Administration and Enforcement
- (j) Chapter SPS 362 - Buildings and Structures
- (k) Chapter SPS 363 - Energy Conservation
- (l) Chapter SPS 364 - Heating, Ventilating and Air Conditioning
- (m) Chapter SPS 365 - Fuel Gas Appliances
- (n) Chapter SPS 366 - Existing Buildings
- (o) Chapter SPS 314 - Appendix
- (p) Chapter SPS 366 - Appendix

(4) NFPA Standards and Codes Adopted. The following standards and codes of the National Fire Protection Association are adopted by reference in their entirety and made part of this section.

- (a) NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems.
- (b) NFPA 58, Liquefied Petroleum Gas Code.
- (c) NFPA 72, National Fire Alarm and Signaling Code.

(5) Edition Adopted. The editions of the orders and codes of the Wisconsin Administrative Code, Rules of the Department of Safety and Professional Services, and NFPA Standards and Codes hereby adopted are that latest edition most currently in effect along with all future revisions and amendments thereto.

(6) Copies Available. A copy of all orders, codes, and standards adopted herein shall be maintained on file in the office of the Fire Chief.

(7) Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with any of the provisions of this section are hereby repealed. In the event of a conflict amongst any of the provisions of this section, the more specific provision shall control.

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

(9) Enforcement. It shall be unlawful for any person to violate this section, to permit or maintain such violation, to refuse to obey any provision thereof, or to fail or refuse to comply with any such provision or regulation except as variation may be allowed by action of the Village of Boaz in writing. Proof of such unlawful act or failure to act shall be deemed prima facie evidence that such act is that of the owner. Prosecution or lack thereof of either the owner or the occupant shall not be deemed to relieve the other.

(10) Penalties. Any person, firm, corporation, or other legal entity who violates, disobeys, neglects, omits or refuses to comply with or who resists the enforcement of any of the provisions of this section, shall forfeit not less than \$25.00 nor more than \$400.00, together with the costs of prosecution, and if such forfeiture is not paid, may be imprisoned until such judgment is paid, but not to exceed 90 days. Every day of violation shall constitute a separate offense. This provision shall supersede all penalty provisions set out in any Wisconsin Administrative Code adopted by reference in this section.

9.03 CHARGES FOR FIRE PROTECTION AND FIRE DEPARTMENT EMERGENCY SERVICES

(1) Authority. Pursuant to the authority set forth in Section. 66.0627 Wisconsin Statutes, the Village of Boaz hereby establishes the following policy and procedure for the payment of fire protection and fire department emergency service costs billed to the Village of Boaz by the Richland Rural Fire District.

(2) Liability For Service Costs. The owners of real estate, the owners of personal property located permanently or temporarily within the Village of Boaz and individuals within the Village for which or to whom fire protection services and/or other fire department emergency services are provided by the Richland Rural Fire District shall be liable to the Village for the costs of the fire protection service and other fire department emergency services as billed to the Village by the Richland Rural Fire District. The current schedule for such costs is as hereinafter set forth. Any changes in the costs hereafter imposed by the Richland Rural Fire District shall be deemed incorporated herein by reference as of the effective date of such changes.

(3) Current Cost Schedule.

- (a) The current schedule for such costs is as follows:
 - (i) Basic fire protection service call: \$800.00 per hour up to one (1) hour
 - (ii) Fire call time in excess of 1 hour: \$600.00 per hour or part of an hour
 - (iii) Fire Department duty crew: \$600.00 per hour or part thereof
 - (iv) EMS Lift Assistance: \$200.00
- (b) Charges begin when the call is received by the fire department and continue until the equipment dispatched is back in service at the fire station.

(4) Billing And Payment Procedure. The costs of fire protection services and other fire department emergency services as set forth above shall be billed by the Village Clerk's office as follows:

- (a) Services furnished to real properties.
 - (i) The costs of fire department services furnished to real estate or improvements to real estate shall be billed to the owner of the property to which the services were provided at the address shown for such owner in the records of the Richland County Treasurer. Such bills shall be due and payable to the Village Treasurer within 60 days after mailing of the bill. No interest will be charged on past due bills, except that interest as provided by law shall apply to unpaid special charges which have been imposed as a special charge on a tax bill.
 - (ii) The costs of fire department services rendered to real property remaining unpaid as of November 1 of any year shall be imposed as a special charge against the real estate to which the fire protection service was provided and shall be placed on the tax roll as a delinquent special charge pursuant to Section 66.0627 of the Wisconsin Statutes. The mailing of the bill by the Village Clerk's office shall constitute notice of the special charge.
- (b) Services furnished to other than real properties.
 - (i) If services were furnished to a motor vehicle, such as a vehicle fire, or to other movable property, to the owner(s) of the vehicle or property involved in the incident. For vehicle fires upon state highways, the Village and the District shall cooperate to recover any funds that may be available from the state pursuant to Wis. Stat. sec. 61.65(8).

- (ii) If services were furnished in any other situation, to the person to whom or for whose benefit the services were rendered.
 - (iii) Such bills shall be due and payable to the Village Clerk/Treasurer within 60 days after mailing of the bill.
- (c) Collection of Unpaid bills.
- (i) Any charges billed to the Village by the Richland Rural Fire District for fire protection service or other fire department emergency services provided to property other than real property may be recovered by court action against the owner of such property.
 - (ii) Any charges billed to the Village by the Richland Rural Fire District for fire protection service or other fire department emergency services to rendered to real property for which a lien is not imposed or, if imposed, is adjudged invalid, may be recovered by court action against the owner of such real property

(5) Severability Of Provisions. The provisions of this section are hereby declared to be severable. Should any section or provision of this chapter or any application thereof be adjudged invalid, such adjudication shall not affect the validity of the remaining portions of this section.

9.04 ACCESS TO, DESTRUCTION AND PRESERVATION OF PUBLIC RECORDS

(1) Designation of Legal Custodian of the Records of the Village. The Village Board hereby designates the Village Clerk as the official legal custodian of the public records of the Village. It shall be the responsibility of the Village Clerk to carry out all duties and responsibilities imposed upon the Village and the legal custodians by the Wisconsin Public Records Law, as set forth in ss. 19.31 to 19.39, Wis. Stats. The Village of Boaz adopts the Wisconsin Municipal Records Schedule for the retention and destruction of Village records. The Village Clerk shall be responsible for the timely response to any request for access to the public records, the release of the public records of the Village, the conditions under which records may be inspected and the collection of costs for the location and reproduction of such records.

(2) Designation of Deputy Legal Custodian. The Village President is hereby designated as deputy legal custodian to act as legal custodian in the absence of the Village Clerk.

(3) Notice to all Employees. It is directed that all employees of the Village be informed, in writing, of the designation of the legal custodian and the deputy legal custodian of the public records of the Village. Employees shall be further informed of the duties of the official legal custodian and shall also be made aware of the other requirements and provisions of this section.

(4) Powers and Duties of the Official Legal Custodian. All requests for the release, inspection and/or reproduction of public records of the Village shall be directed or referred to the Village Clerk, who is hereby vested with full legal power to make all necessary decisions relative to the release, inspection and reproduction of public records and is further granted all authority necessary to carry out all duties and responsibilities required by either the Wisconsin Public Records Law or this section. The Village Clerk shall establish hours when persons shall have access to records maintained by the Village. The Village Clerk shall prepare and post a notice to the public regarding access to public records, pursuant to ss. 19.34, Wis. Stats.

(5) Fee Schedule Regarding the Costs of Locating and/or Reproducing Records and Property of the Village. The cost of reproduction shall be set forth in the official fee schedule on file at the Village Office plus mailing and location costs, if location costs exceed \$50.00. It is intended that this fee schedule shall cover the payment of the actual, necessary and direct costs incurred in locating a document (if the cost exceeds \$50.00) or in providing any person with a reproduction of any of the records of the Village. Prepayment of fees is required if the fee exceeds \$5.00.

(6) Preservation of Records. The records of the Village shall be retained and preserved by the legal custodian, as required by all applicable laws, and no records shall be destroyed without the prior written approval of the legal custodian. Further, no record of the Village shall be destroyed after the receipt of a request for such record until after the request is granted or until any dispute concerning the request has been completely and finally resolved.

(7) Destruction of Obsolete Public Records.

- (a) General Records Schedule Adopted. The Village of Boaz hereby adopts, by reference, the Wisconsin Municipal Records Schedule (hereinafter, "Records Schedule"), pertaining to the retention and destruction of public records, and approved by the State of Wisconsin Public Records Board (hereinafter, "Records Board") on August 27, 2018. A copy of the Records Schedule will be kept on file in the Village Clerk's office and made available for public viewing during regular office hours.
- (b) Utility Records. The Village hereby adopts, by reference, the Wisconsin Public Service Commission Record Schedule per attachment A, Docket 05-US-114, pertaining to the retention and destruction of public utility records. The Village Clerk may destroy the records of any municipal utility of which he or she is legal custodian and which are considered obsolete per the PSC Record Schedule.
- (c) Other Records. In the event the Village creates a record not contemplated by the Records Schedule, the Village may, subject to the Records Board's prior approval, either adopt an applicable records retention schedule set

forth by the Records Board, if available, or create its own retention schedule pertaining to the record.

- (d) Notice Required. Prior to the destruction of any public record described above, at least 60 days' notice shall be given to the State Historical Society.
- (e) Limitation. This section shall not be construed to authorize the destruction of any public records after a period less than prescribed by statute or State administrative regulation.
- (f) Recordings of Meetings. In the event the Village Clerk determines to tape record meetings for the Clerk's use in preparing minutes of such meetings, the tape recording may be destroyed no sooner than 90 days after the written minutes have been approved and published.

9.05 MUNICIPAL CITATIONS

(1) Violations of ordinances of the Village shall be enforced by the issuance of a Municipal citation.

(2) The Municipal Citation shall contain the following information:

- (a) The name and address of the alleged violator.
- (b) Factual allegations describing the alleged violation.
- (c) The time and place of the offense.
- (d) The section of the Code violated.
- (e) A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so.
- (f) The time at which the alleged violator may appear in court.
- (g) A statement which in essence informs the alleged violator:
 - (i) That a cash deposit based upon the deposit schedule established by the Village Board as a part of this section may be made and which, if made, shall be delivered or mailed to the Clerk of the Circuit Court for Richland County, Wisconsin, at the Courthouse in the City of Richland Center, Wisconsin, prior to the time of the scheduled court appearance.

- (ii) That if a deposit is made, no appearance in court is necessary unless he is subsequently summoned.
 - (iii) That if a cash deposit is made and the alleged violator does not appear in court, he will be deemed to have entered a plea of no contest or, if the court does not accept the plea of no contest, a summons will be issued commanding him to appear in court to answer the complaint.
 - (iv) That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture or the alleged violator may be found in default and judgment may be rendered against him for the amount of the forfeiture set forth.
- (h) A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under par. (g) above has been read. Such statement shall be sent or brought with the cash deposit.
- (i) Such other information as the Village deems necessary.

(3) The Village Board may use a citation form that meets the requirements of subs. (2) and (6) of this section or such other form as the court may require.

(4) The schedule of cash deposits for use with citations issued under this section shall be as adopted by the Village Board from time to time and such schedule shall be on file in the office of the Village Clerk. There is hereby adopted by reference as though fully set forth herein a schedule of deposits, a copy of which is attached hereto and made a part hereof. Deposits shall be in cash, money order or certified check to the Village Clerk, an authorized law enforcement officer or the Clerk of Courts for Richland County, Wisconsin, who shall provide a receipt therefor.

(5) Any law enforcement officer employed by the Village is hereby authorized to issue citations under this section.

(6) Section 66.0113, Wis. Stats., as the same may be amended from time to time, is hereby adopted and incorporated herein by reference.

(7) This section does not preclude the Village Board from adopting any other ordinance or providing for the enforcement of any law or ordinance relating to the same or other matter. The issuance of a citation hereunder shall not preclude the Village of Boaz or any authorized officer thereof from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.