

CHAPTER XVII

FIRE INSPECTION

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CHAPTER XVII

FIRE INSPECTION

17.01 Purpose and Authority. The purpose of this Chapter is to establish fire inspection requirements within the Village of West Salem as mandated by Wis. Stat. Sec. 101.14(2) and to designate the authority responsible for conducting such inspections. This Chapter applies to all public buildings and places of employment located within the Village.

17.02 Adoption of State Law. The Village adopts by reference the provisions of Wis. Stat. Sec 101.14 and all applicable administrative rules of the Wisconsin Department of Safety and Professional Services relating to fire inspections, fire prevention, and the elimination of fire hazards.

17.03 Designation of Inspecting Authority.

(A) **Fire District Authority.** The Village of West Salem hereby designates the Fire Chief of the West Salem Volunteer Fire Department, or a duly authorized representative, as the inspecting authority for purposes of conducting fire inspections within the Village.

(B) **Delegation.** The Fire Chief may delegate inspection duties to certified fire inspectors employed or contracted by the Fire District.

(C) **Village Oversight.** Nothing in this Section limits the Village's authority to enforce this Chapter or issue citations for violations occurring within the Village.

17.04 Inspection Frequency.

(A) **General Requirement.** Pursuant to Wis. SPS 314.01(13)(b), all public buildings and places of employment within the Village shall be inspected for fire hazards at least once in each calendar year, with additional inspections as required by Wis. Stat. Sec. 101.14(2). In no case shall the period between inspections exceed fifteen (15) months.

(B) **Semiannual Inspections.** Buildings or occupancies identified by State law or administrative rule as requiring more

frequent inspections shall be inspected twice annually, with at least one inspection occurring during each six-month period.

(C) **Additional Inspections.** The Fire Chief or designee may conduct additional inspections when necessary to address complaints, follow up on violations, or respond to hazardous conditions.

17.05 Entry.

(A) **Right of Entry.** The Fire Chief or authorized inspector may enter any public building or place of employment at reasonable hours for the purpose of conducting fire inspections, as permitted by State law. If entry is refused, the inspector may seek an inspection warrant.

(B) **Special Inspection Warrant.** If consent to enter personal or real properties, not public buildings, or to portions of public buildings not open to the public has been denied, the Fire Inspector shall obtain a special inspection warrant under Wis. Stat. Sec. 66.122 and 66.123.

17.06 Notice of Violations.

(A) **Written Notice.** When fire hazards or violations of applicable fire safety requirements are found, the inspector shall issue a written notice to the owner or occupant specifying the violation and the required corrective action. This order shall be completed by the owner or occupants of such location at the owner's or occupant's expense.

(B) **Delivery of Written Notice.** The service of any such order may be made upon the occupant of any premises to whom it is directed, by either delivering a copy of same to such occupant personally or leaving it with any person in charge of the premises or, in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of such premises. Whenever it may be necessary to serve such an order upon the owner of the premises, such order may be served either by delivering to and leaving with such person a copy of the order or, if such owner is absent from jurisdiction of the officer making the order, by mailing such copy by certified mail to the owner's last known post office address.

(C) **Correction Period.** The notice shall specify a reasonable time for correction based on the severity of the hazard.

(D) **Imminent Hazards.** Conditions posing immediate danger to life or property may require immediate corrective action or temporary closure as authorized by law.

(E) **Records.** The Fire Chief or designee shall keep a record of all inspections with all facts concerning such inspections.

17.07 Fire Inspection Fees and Billing Procedures.

(A) **Authorization to Impose Fees.** The Village of West Salem may authorize the imposition of fees for fire inspections and related reinspections conducted within the Village, including inspections required annually or semi-annually under Wis. Stat. Sec. 101.14(2) and applicable administrative rules. Such fees constitute municipal special charges under Wis. Stat. Sec. 66.0627.

(B) **Delegation to Fire Protection District.** If the Village of West Salem authorizes the imposition of fees for fire inspections, the Fire Chief of the West Salem Volunteer Fire Department, or a duly authorized representative, is designated as the inspecting authority for purposes of determining compliance and identifying the applicable inspection fee in accordance with the fee schedule adopted by the Village Board.

(C) **District Submission of Inspection Records and Fee Determination.** Because the Fire Protection District does not maintain administrative billing staff, the Fire Chief shall, following completion of each inspection or reinspection, submit to the Village Administrator (a) confirmation that the inspection was completed, and (b) the fee category applicable to the inspection based on the Village-adopted schedule. The Fire Chief shall not be responsible for preparing or issuing invoices.

(D) **Village Billing and Collection.** The Village Administrator, or designee, shall prepare and issue all invoices for fire inspection fees and shall collect such fees on behalf of the Village. Unpaid fees may be collected as special charges under Wis. Stat. Sec. 66.0627.

(E) **Remittance to Fire Protection District.** All fire inspection fee revenue collected by the Village under this Section shall be remitted to the Fire Protection District on a schedule established by the Village Administrator, unless otherwise directed by the Village Board.

(F) **Fee Schedule.** The Village Board shall establish fire inspection and reinspection fees by resolution. The Fire Protection District shall apply the Village's fee schedule when identifying the appropriate fee category for each inspection.

17.08 Enforcement and Penalties.

(A) **Enforcement Authority.** The Village Administrator, Fire Chief, Building Inspector, or law enforcement officers may issue citations for violations of this Chapter.

(B) **Penalties.** Penalties for violations shall be as provided in the Village's general penalty section.

(C) **Other Remedies.** The Village may pursue injunctive relief or other remedies permitted by law to abate fire hazards.

17.09 Severability. If any section, subsection, or provision of this Chapter is found invalid, the remainder shall not be affected and shall continue in full force and effect.

17.10 Effective Date. This Chapter shall take effect upon passage and publication as required by law.