

GENERAL ORDINANCE NO. 12-19

**AN ORDINANCE
AMENDING AND CREATING SECTIONS OF CHAPTER 24,
GREEN BAY MUNICIPAL CODE,
RELATING TO FIRE PREVENTION CODE**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DO ORDAIN AS FOLLOWS:

SECTION 1. Section 24.02(4), Green Bay Municipal Code, is hereby amended to read:

(4) Where existing structures have components or systems that fail to comply with the current requirements of this ordinance, such existing conditions shall be brought into compliance with the current code at such time where there is a change of use or occupancy type, ~~a change of ownership~~, an addition is made to such premises, or remodeling of 50% of the value of the structure, not including value of the property, is made over a four-year period.

SECTION 2. Section 24.03(4), Green Bay Municipal Code, is hereby amended to read:

(4) (Amd. GO 36-12) International Fire Code® ~~2009~~ **2015** Edition Adopted. (Rep. & Rec. GO 30-09) **The most current edition and any subsequent editions, as amended from time to time, of the** The International Fire Code® ("IFC") ~~2009~~ **2015** Edition is hereby adopted and by reference made part of this Chapter as if fully set forth herein.

(a) The following sections contained within the IFC are hereby revised:

1. Section 101.1 – Insert: City of Green Bay
2. Section 109.~~34~~ – Insert: SPECIFY OFFENSE: civil ordinance violation
AMOUNT: ~~\$500.00~~ **1000.00** plus costs
NUMBER OF DAYS: the number of days allowed by law
3. Section 111.4 – Insert: AMOUNT (1): ~~\$500.00~~ **250.00** plus costs
AMOUNT (2): \$1000.00 plus costs

(b) The geographic limits referred to in certain sections of the ~~2006~~ **2015** International Fire Code® are hereby established as follows:

1. Section ~~3204.3.1.1~~ **5704.2.9.6.1**: storage of ~~flammable cryogenic fluids in stationary containers~~ **Class I and Class II liquids in above-ground tanks outside of buildings** is governed by **ATCP 93 and** all applicable NFPA standards.

2. Section ~~3404.2.9.5.1~~ **5706.2.4.4**: storage of Class I and Class II liquids in above-ground tanks ~~outside of buildings~~ is governed by **ATCP 93 and** all applicable NFPA standards.

3. Section ~~3406.2.4.4~~ **5806.2**: storage of Class I and Class II liquids in ~~above-ground tanks~~ **flammable cryogenic fluids in stationary containers** is governed by **ATCP 93 and** all applicable NFPA standards.

4. Section ~~3804.2~~ **6104.2**: for the protection of heavily populated or congested areas, storage of liquefied petroleum gas is governed by **ATCP 93 and** all applicable NFPA standards.

~~(5) Where the requirements of the State Code and the express provisions of this chapter conflict, the stricter requirements shall govern.~~

SECTION 3. Section 24.04, Green Bay Municipal Code, is hereby amended to read:

24.04 AUTHORITY. The City of Green Bay Fire Prevention Code shall be enforced by the Chief of the Green Bay **Metro** Fire Department.

SECTION 4. Section 24.06(1), Green Bay Municipal Code, is hereby amended to read:

(1) WHEN TO BE ISSUED. Whenever the Chief finds in any building or upon any premises ~~any of the following~~ dangerous or hazardous conditions or materials which present a clear and present danger due to likelihood of fire or explosion, such materials shall be removed or conditions remedied in a reasonable manner:

- ~~(a) Dangerous or unlawful amounts of combustible or explosive materials.~~
- ~~—— (b) Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive materials.~~
- ~~—— (c) Dangerous or unlawful accumulations of rubbish, waste, paper boxes, shavings, or other flammable materials.~~
- ~~—— (d) Accumulations of dust or waste material in air conditioning or ventilation system or of grease in kitchen or other exhaust ducts.~~
- ~~—— (e) Obstructions of fire escapes, stairs, passageways, doors, or windows which are liable to interfere with the operations of the Fire Department or egress of occupants in case of fire.~~

SECTION 5. Section 24.06(2)(a), Green Bay Municipal Code, is hereby amended to read:

(a) The service of written orders for the correction of violations of this chapter shall be made upon the owner, occupant, or other person responsible for the conditions, either by delivering a copy of same to any person in charge of the premises or by mailing such orders to the owner or other responsible person. ~~This subsection shall not preclude the Chief from issuing orders orally or in such other manner as deemed appropriate under the circumstances.~~

SECTION 6. Section 24.06(2)(d), Green Bay Municipal Code, is hereby amended to read:

(d) (Amd. GO 30-09) The owner of any occupancy identified with a fire code violation will typically have 14 days to correct the deficiencies. Violations that present a significant threat to life, as identified in the International Fire Code ® 2006 Edition, must be corrected immediately. The timeframe to correct deficiencies will be identified on the inspection report or through correspondence from the Fire Marshal's office. Any fire code violation not corrected within the specified time allotment will be warned again, and seven days will be given to correct non-Life Safety Code violations. A third warning for the same uncorrected violation will result in a citation being issued by the Fire Chief or designee.

SECTION 7. Section 24.07, Green Bay Municipal Code, is hereby amended to read:

24.07 DEFINITIONS. **All terms used in this section shall have the meaning as defined in Section 202 of the 2015 International Fire Code, as amended from time to time.**

~~(1) The term "approved", as used in this chapter, means approval granted by the Fire Chief or the highest ranking officer of the Fire Prevention Division under the regulations of this chapter.~~

~~———— (2) The term "authority having jurisdiction", as used in Wisconsin Administrative Code or IFC Codes or Standards adopted herein, means the City of Green Bay, the Fire Department, the Fire Chief, or the highest ranking officer of the Fire Marshall's office.~~

~~———— (3) (Amd. GO 30-09) MARSHAL. Fire Marshal's, a section of the Green Bay Fire Department, which is responsible for fire prevention duties including, but not limited to, code enforcement, conduct of fire inspections, public information work, fire investigation, and other activity which may have as its purpose the prevention of fire and the reduction of life and property losses from fire.~~

SECTION 8. Section 24.08(1), Green Bay Municipal Code, is hereby amended to read:

(1) Fees for Re-inspection. Any person who shall fail or neglect to comply with any lawful order of the Fire Chief or his/her designee issued pursuant to the provisions of this Chapter may be assessed \$30~~50~~ per inspection for compliance inspections in excess of two. Re-inspection fees that are not timely paid shall be entered on the tax roll as a special charge against said lot or parcel of land pursuant to the provisions of Sec. 66.0627, Wis. Stats., for collection and settlement under Ch. 74, Wis. Stats.

SECTION 9. Section 24.09, Green Bay Municipal Code, is hereby created to read:

24.09. RECREATIONAL FIRES, COOKING FIRES AND FIRE PITs.
Recreational fires, barbeque pits, portable fire pits, and portable outdoor fireplaces are permitted on properties zoned residential and occupied by a single- or two-family residence under the following conditions:

1. **Recreational in-ground fire pits shall be at least twenty five (25) feet from any type of a building or structure, combustible material of any form, or property line.**
2. **Recreational fires, barbecue pits, and outdoor fireplaces shall be contained in an area not to exceed three (3) feet wide by three (3) feet long, or a circle larger than three (3) feet in diameter. The flames of the fire shall be no higher than three (3) feet.**
3. **All residential recreational fires and barbecue pits, excluding portable fire pits and outdoor fireplaces as defined, shall be dug into the ground at least six (6) but not more than twelve (12) inches and surrounded on the outside, above ground level, by a non-combustible material extending at least six (6) inches above grade.**
4. **Portable listed and rated fire pits shall be used in accordance with the manufacturer's recommendations and shall be placed on a non-combustible surface that is at least one and a half (1.5) times larger than the size of the portable fire pit. In the absence of manufacturer's recommendations, portable fire pits shall be at least fifteen (15) feet from any type of building or structure, combustible material of any form, or property line.**
5. **Any propane or natural gas fire tables must follow all manufactures specifications. In the absence of manufacturer's recommendations, fire tables shall be at least fifteen (15) feet from any type of building or structure, combustible material of any form, or property line.**

6. All portable fire pits and fire tables must be listed and rated devices. Homemade devices and converted grills are prohibited.
7. Only clean dry wood can be burned. The burning of garbage, trash, refuse, treated wood, painted/varnished wood, plastic, rubber, construction lumber, and flammable liquids, and/or combustible liquids in any form is prohibited. Burning of leaves, yard waste, or brush is prohibited.
8. Burning is prohibited when the wind is in excess of 10 mph as determined by the National Weather Service (<https://www.weather.gov>) or Weather Underground (<https://www.wunderground.com/>).
9. Fire extinguishing equipment shall be readily available as may be necessary for the total control of the fire. Examples include but are not limited to a bucket of water, garden hose, or fire extinguisher.
10. Burning must be attended at all times by a person at least eighteen (18) years of age until the fire has been extinguished.
11. Burning shall not create smoke that causes a public nuisance or a visibility hazard to any form of transportation. Any recreational fire pit shall be extinguished at the request of Fire Department Personnel.
12. When weather conditions warrant, the Fire Chief, may declare a burning ban.

SECTION 10. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 11. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this 1st day of April, 2019.

APPROVED:

Adopted: 4-19-2019

Mayor

ATTEST:

Clerk
KKJ

