

GENERAL ORDINANCE NO. 30-09

AN ORDINANCE
AMENDING CHAPTER 24,
GREEN BAY MUNICIPAL CODE,
RELATING TO FIRE PREVENTION

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

SECTION 1. Section 24.03(4), Green Bay Municipal Code, is hereby amended as follows:

24.03 **OTHER PROVISIONS A PART OF THIS CHAPTER.** This chapter shall consist of the following:

~~(4) State and National Codes Adopted. The following are adopted by reference and made a part hereof, as if fully set forth herein:~~

~~——— Wisconsin Administrative Code Chapters, most recent published version:~~

- ~~(a) Comm 4 Signs for Smoking Areas.~~
- ~~(b) Comm 5 Credentials~~
- ~~(c) Comm 7 Explosive Materials~~
- ~~(d) Comm 9 Manufacture of Fireworks~~
- ~~(e) Comm 10 Flammable and Combustible Liquids~~
- ~~(f) Comm 14 Fire Prevention~~
- ~~(g) Comm 16 Electrical~~
- ~~(h) Comm 18 Elevators~~
- ~~(i) Comm 28 Smoke Detectors~~
- ~~(j) Comm 40 Gas Systems~~
- ~~(k) Comm 43 Anhydrous Ammonia~~
- ~~(l) Comm 50-64 Building and Heating, Ventilation, and Air Conditioning
(built prior to July 1, 2002)~~
- ~~(m) Comm 61-65 Wisconsin Commercial Building (built on or after July 1, 2002)~~
- ~~(n) Comm 66 Uniform Multifamily Dwellings (built prior to July 1, 2002)~~
- ~~(o) Comm 75-79 Existing Buildings~~
- ~~(p) Comm 81-87 Plumbing~~

(4) International Fire Code® 2006 Edition Adopted. The International Fire Code® (“IFC”) 2006 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 109.3 – Insert: SPECIFY OFFENSE: civil ordinance violation
AMOUNT: \$500.00 plus costs
NUMBER OF DAYS: the number of days allowed by law
3. Section 111.4 – Insert: AMOUNT (1): \$500.00 plus costs
AMOUNT (2): \$1000.00 plus costs

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

1. Section 3204.3.1.1: storage of flammable cryogenic fluids in stationary containers is governed by all applicable NFPA standards.
2. Section 3404.2.9.5.1: storage of Class I and Class II liquids in above-ground tanks outside of buildings is governed by all applicable NFPA standards.
3. Section 3406.2.4.4: storage of Class I and Class II liquids in above-ground tanks is governed by all applicable NFPA standards.
4. Section 3804.2: for the protection of heavily populated or congested areas, storage of liquefied petroleum gas is governed by all applicable NFPA standards.

SECTION 2. Section 24.06(2)(d), Green Bay Municipal Code, is hereby amended as follows:

(d) 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 ~~National Fire Protection Association (NFPA) 101, Life Safety Code,~~ **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 Prevention Division~~ **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 3. Section 24.07(2), Green Bay Municipal Code, is hereby amended as follows:

(2) The term “authority having jurisdiction”, as used in Wisconsin Administrative Code or ~~NEPA~~ **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 Prevention Division~~ **Fire Marshal’s office**.

SECTION 4. Section 24.07(3), Green Bay Municipal Code, is hereby amended as follows:

(3) ~~DIVISION. MARSHAL. Fire Prevention Division~~ **Fire Marshal’s office**, 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 5. A copy of the 2006 Edition of the International Fire Code® shall be kept on file with the Green Bay City Clerk.

SECTION 6. The following sections of the Green Bay Municipal Code are hereby repealed:

- 24.10 Compliance with Department of Commerce Rules
- 24.11 Smoking
- 24.13 Smoke Detectors
- 24.14 Open Burning and Emergency Powers of Fire Chief
- 24.15 Handling Readily Combustible Materials
- 24.16 Explosives
- 24.17 Hazardous Chemicals
- 24.18 Flammable and Combustible Liquids
- 24.19 Liquefied Petroleum Gases
- 24.25 Access Boxes
- 24.27 Exits, Maintenance and Lighting of
- 24.35 Fire Extinguishing Equipment
- 24.36 Maintenance of Equipment
- 24.37 False Fire Alarms, and Destroying, Removing, Injuring, or Meddling with Fire Alarm Systems
- 24.38 Special Penalties

24.39 Citation Authority

24.40 Validity

24.41 Penalties

SECTION 7. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Green Bay hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 8. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this 17th day of August, 2009.

APPROVED:

/s/ James J. Schmitt
Mayor

ATTEST:

/s/ Chad J. Weininger
Clerk

KJD:bc

First Reading: 8/3/09

Effective Date: 8/21/09