

Town Ordinances

Town of Farmington, Wisconsin - Jefferson County



Chapter 5

Fire & Safety

- A Regulating Fires
- B Cost of Spills and Fires
- C Cost Recovery
- D Unsafe Building Ordinance
- E Town Emergency Response Plan

Chapter 5

A. ORDINANCE REGULATING FIRES

The Town Board of the Town of Farmington, Jefferson County, Wisconsin, does hereby ordain as follows:

Section 1. Definitions. In this Ordinance the following words and phrases have the following designated meaning:

A. "Town" means the Town of Farmington.

B. "To control" means to supervise, manage and contain so as not to cause a fire department to act in any way.

C. "Set" means intentionally started.

Section 2. Conduct Prohibited - Fires.

A. No person shall burn or start a fire anywhere within the Town without first notifying the Jefferson County Sheriff's Department of that person's intentions to start a fire. The Sheriff's Department can be reached at their non-emergency telephone #674-7310. Notification shall be made on the same day that the person intends to start a fire. Before a person may start a fire, notification must be given to the Jefferson County Sheriff's Department.

B. No person shall fail to take action reasonably necessary to control any fire which he or she has set anywhere in the Town.

Section 3. Conduct Prohibited - Barrel Burns.

All barrel burns shall be set at least fifty (50) feet away from any building and be covered.

Section 4. Penalties.

A. In the event that a person does not notify the Jefferson County Sheriff's Department as required by this Ordinance, the person shall be fined \$250.00. In the event that a person provides proper notification to the Sheriff's Department but the fire becomes uncontrollable, the person shall be fined \$125.00. Anyone who has a barrel burn that is not covered shall be fined \$50.00. In addition to the fine stated above, that person shall also be responsible for the cost of the fire run.

B. In default of the payment of any of the penalties in this Section by any person who has the ability to pay such forfeiture and costs and penalty assessment, such person shall be confined in the common jail of Jefferson County until such forfeiture, costs and penalties are paid, but in no event shall such confinement exceed thirty days.

Section 5. Enforcement.

This Ordinance may be enforced by town citation as adopted.

Section 6. Severability.

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.

Section 7. Effective Date.

This Ordinance shall take effect and be in full force from and after the date of its passage and publication according to law.

TOWN OF FARMINGTON

CHAPTER 5

B. AN ORDINANCE CONCERNING COSTS OF SPILLS AND FIRES INVOLVING HAZARDOUS AND OTHER MATERIALS

The Town Board of the Town of Farmington, Jefferson County, Wisconsin, does ordain as follows:

SECTION 1.

Every person, firm or corporation using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses or other hazardous materials shall comply with the requirements of Wis. Adm. Code Chapter IND 8 as the same is now in force and may hereafter from time to time be amended.

SECTION 2.

Every person, firm or corporation using, storing, handling or transporting (whether by rail or on the highways or otherwise) flammable or combustible liquids, chemicals, gasses or other hazardous or non-hazardous materials shall be liable to said Town of Farmington for the actual cost of necessary or appropriate labor and materials associated with the use of any extinguishing agent, chemical, neutralizer or similar material or equipment employed by the Town to extinguish, confine, neutralize, contain or clean up any such hazardous or non-hazardous material which is involved in any fire or spill or in the threat of any fire or spill.

SECTION 3.

The provisions of this ordinance are severable and invalidity of any section or part thereof shall not render the entire ordinance invalid.

SECTION 4.

This ordinance shall take effect after its passage and publication as required by law.

Passed and adopted this 3rd day of May , 1983.

Chapter 5

C. ORDINANCE CONCERNING COST RECOVERY FOR FIRE PROTECTION AND ASSISTS BY THE FIRE DEPARTMENT

The Town Board of the Town of Farmington, Jefferson County, Wisconsin, does ordain as follows:

Section 1.

All charges for Fire Protection shall be invoiced by the Town of Farmington to the property owner/responsible party.

Section 2.

All accident assist charges from the Fire Department shall be invoiced by the Town of Farmington to the property owner/responsible party.

Section 3.

The Town of Farmington shall use a monthly invoice system. A copy of the Fire Department report shall be enclosed with first month invoice. If payment is not received or no payment arrangements made after three (3) invoices are sent, the uncollected amount shall be submitted to a collection agency or be put on the property owners tax bill if a Town property owner.

Section 4.

All fires to building structures within the Town of Farmington are exempt from cost recovery for Fire Department services but could be subject to a fine and cost recovery for Fire Department services if improper action was involved as stated in Ordinance Regulating fires, Chapter 5-A.

Section 5.

This Ordinance may be enforced by Town citation as adopted.

Section 6.

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.

TOWN OF FARMINGTON - UNSAFE BUILDING ORDINANCE

THE TOWN BOARD OF THE TOWN OF FARMINGTON does hereby ordain as follows:

Section 1: Title/Purpose

This ordinance is entitled the "Town of Farmington Unsafe Building Ordinance." The purpose of this ordinance is as follows: To regulate unsafe buildings in the Town so as to protect the safety and welfare in the Town.

Section 2: Authority

The Town Board of the Town of Farmington has the specific statutory authority, powers and duties, pursuant to the specific sections noted in this ordinance and by its adoption of village powers under § 60.10, Wis. Stats., to regulate, control, license, register or permit in the Town of Farmington persons **engaged** in certain uses, activities, businesses and operations, to assess these persons with appropriate fees for licenses, registrations or permits as noted herein **and** to enforce, by revocation or penalty, the provisions of these ordinances and the provisions of the licenses, registrations and permits.

Section 3: Adoption of Ordinance

The Town Board of the Town of Farmington has, by adoption of this ordinance, confirmed the specific statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance license, registration and permit ordinances to regulate and control, by ordinance:

- a. persons engaged in certain uses, activities, businesses and operations in the Town of Farmington,
- b. to regulate, by these licenses, registrations and permits, the persons engaged in these uses, activities, businesses and operations at certain locations within the Town of Farmington.
- c. to assess these persons with appropriate fees for the licenses, registrations or permits, and

- d. to enforce, by revocation or penalty, the provisions of these ordinances and the provisions of the license, registration and permit.

Section 4 General Provisions

No person shall cause, allow or permit any person to maintain a dangerous or unsafe building or structure in the Town of Farmington. No person shall cause, **allow** or permit any person to occupy any dangerous or unsafe building or structure in the Town of Farmington. A dangerous or unsafe building or structure, for purposes of this ordinance shall be the following:

Any building that in the opinion of the Town Board is in such a decrepit state of disrepair as to create a. potential safety hazard such as a fire hazard, or a vermin problem, or which building is not reasonably fit for human habitation.

Section 5: Penalty

If any person maintains a dangerous or unsafe building or structure in the Town of Farmington, the Town must first notify the owner of the building that the **owner** has thirty (30) days to correct the unsafe or dangerous condition. If the condition is not timely corrected, the Town Board may correct the unsafe or dangerous condition by any means necessary including the demolition and removal of the unsafe or dangerous building. All costs associated with the correction of the unsafe or dangerous condition including but not limited to the costs of demolition and removal of the unsafe condition shall be the sole responsibility of the owner of the building. If the owner does not pay said costs within thirty (30) days of the provision of the bill, then the charge for correcting the unsafe or dangerous condition shall be placed upon the tax roll of the owner and collected in the same manner as delinquent taxes are collected and shall constitute a lien against the **property**. Further, the owner/violator shall be subject to a fine of not more than \$100.00 per day for each day that the owner has not complied with the order of the Town Board.

Section 6: Modification

Except as modified herein, all other public safety ordinances of the Town of Farmington shall remain in full force and effect

Section 7: Severability

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 8: Effective Date

This ordinance shall be effective upon passage and publication according to law.

TOWN OF FARMINGTON

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JEFFERSON COUNTY

ORDINANCE REGULATING

TOWN EMERGENCY RESPONSE PLAN

The Town of Farmington does hereby adopt the following policy relating to situations whereby public health and safety would be endangered without intervention on the part of the Town of Farmington and are within the jurisdiction of the Town.

The Town Chairman will be the emergency response officer during an emergency situation. In the absence of the Town Chairman, the supervisor with the most seniority will act on the chairman's behalf, followed by the remaining supervisor and finally the Town Clerk.

The Town Emergency Response Officer is responsible for contacting the County Emergency Response Officer when necessary and to coordinate Town and County emergency efforts.

The Town Emergency Response Officer will coordinate all emergency efforts within the Town and will take whatever measures required to insure the health and safety of the Town residents. No Town Board approval of such actions will be required in an emergency situation.

The Town Emergency Response Officer will be provided with alternate communication devices at the Town's expense in preparation of a general communication failure and any other available technologies available to control, avert or reduce the likelihood of an emergency situation.

Events to be considered emergency situations, but not limited to the following: major snowstorms; tornadoes; flooding; loss of communication, utility and financial services; attack on persons or property and any other situation considered capable of significant harm to the Town and its residents.

The Farmington Town Board does hereby support and adhere to this policy to be effective immediately.