



CITY OF BARABOO COMMON COUNCIL AGENDA
 Council Chambers, 101 South Blvd., Baraboo, Wisconsin
 Tuesday, February 11, 2020, 7:00 P.M.

Regular meeting of the City of Baraboo Common Council, Mayor Mike Palm presiding.

Notices Sent To Council Members: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Alt, Kierzek, and Thurow.

Notices Sent To City Staff, Media And Other Interested Parties: Admin. Downing, Atty. Truman, CDA Dir. Cannon, Clerk Zeman, DPW Dir./Engineer Pinion, Finance Dir. Haggard, Fire Chief Stieve, Library Dir. Bergin, Parks & Rec. Dir. Hardy, Police Chief Schauf, Street Super. Gilman, Utility Super. Peterson, Treasurer Laux, the Baraboo News Republic, WBDL, 99.7FM, Citizen Agenda Group, Media Agenda Group, *Cale Good*

1. **CALL TO ORDER.**
2. **ROLL CALL AND PLEDGE OF ALLEGIANCE.**
3. **APPROVAL OF PREVIOUS MINUTES.** (*Voice Vote*): January 28, 2020
4. **APPROVAL OF AGENDA.** (*Voice Vote*)
5. **COMPLIANCE WITH OPEN MEETING LAW NOTED.**
6. **PRESENTATIONS** – *None Scheduled*
7. **PUBLIC HEARINGS** – *None Scheduled*
8. **PUBLIC INVITED TO SPEAK.** (*Any citizen has the right to speak on any item of business that is on the agenda for Council action if recognized by the presiding officer.*)
9. **MAYOR'S BUSINESS:**
 - The Mayor would like to congratulate Cale Good, Building & Grounds Maintenance Technician on his 20th anniversary with the City of Baraboo. Congratulations Cale!
10. **CONSENT AGENDA.** (*Roll Call*)
 - CA-1...Approve the accounts payable to be paid in the amount of \$_____
 - CA-2... Approve the alcohol Operator's Licenses for those listed in the attached Resolution for this item.
 - CA-3...Approve the Conditional Operator's License (alcohol) for Styles Grant.
11. **ORDINANCES ON 2ND READING.**
 - SRO-1...Approve repealing Planned Development Overlay zoning district that was approved on October 8, 2019 to convert the existing office building located at 1208 9th Street to a Family Day Care Center and revert the zoning to its original underlying B-3 Highway Oriented Business zoning classification as requested by Karla and Josh Reinhardt, LC.
12. **NEW BUSINESS – RESOLUTIONS.**
 - NBR-1...Approve the City entering into a Shared Lateral Agreement for temporary sewer and water lateral connection for a new professional office building to be built at 908 8th Street.
 - NBR-2...Approve the Meter Reading Agreement with the Village of West Baraboo

NBR-3... Approve Request from Robert Hasse & Elizabeth Hudson to allow for Excessive Household Animals (allowing three dogs).

NBR-4... Adopt the Meeting Room Reservation Policy for the Municipal Building.

13. **NEW BUSINESS – ORDINANCES**

NBO-1... Approve Revisions to Chapter 5, Fire Department, of the Baraboo Municipal Code.

NBO-2... Approve amending the Official Fee Schedule Fire Department permit fees.

14. **ADMINISTRATOR AND COUNCIL COMMENTS.** *(Comments are limited to recognition of City residents and employees, memorials, and non-political community events; discussion of matters related to government business is prohibited.)*

- Finance Director, Cynthia Haggard will be featured on 99.7fm radio to address the Baraboo Transit System on Wed. Feb. 12th.

15. **REPORTS, PETITIONS, AND CORRESPONDENCE.** The City acknowledges receipt and distribution of the following:

- **Reports:** January, 2020 Building Inspection

- **Minutes from the Following Meetings:**

Copies of these meeting minutes are included in your packet:

Finance.....	1-28-2020	BEDC.....	1-2-2020
Airport.....	1-7-2020, 1-29-2020	Plan Comm.....	1-21-2020

Copies of these meeting minutes are on file in the City Clerk's office:

Emergency Mgmt.....	11-21-2019	Public Arts.....	12-12-2019
Library.....	12-3-2019, 1-28-2020	Park & Recreation.....	1-6-2020, 1-13-2020
CDA	12-3-2019, 1-7-2020		

- **Petitions and Correspondence Being Referred:** None

16. **ADJOURNMENT.** *(Voice Vote)*

Brenda Zeman, City Clerk

For more information about the City of Baraboo, visit our website at www.cityofbaraboo.com

February 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9	10	11	12	13	14	15
	Park & Rec	Finance Council				
16	17	18	19	20	21	22
	Presidents' Day SCDC PFC	Plan Library	BID	UW Campus		
23	24	25	26	27	28	29
	Public Safety	Finance Council	Ambulance	Public Arts Emergency Mgt.		

PLEASE TAKE NOTICE - Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format should contact the City Clerk at 101 South Blvd., Baraboo, WI or phone (608) 355-2700 during regular business hours at least 48 hours before the meeting so reasonable arrangements can be made to accommodate each request.

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, January 28, 2020 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Alt, Kierzek, Thurow
Council Members Absent:

Others Present: Chief Schauf, Clerk Zeman, Adm. Downing, Atty. Truman, C. Haggard, T. Pinion, A. Goetz, D. Helms, Darren Hornby (Chamber of Commerce), Ben Bromley (Chamber of Commerce), members of the press and others.

The Pledge of Allegiance was given.

Moved by Kolb, seconded by Wedekind and carried to approve the minutes of January 14, 2020.

Moved by Ellington, seconded by Alt and carried to approve the amended agenda, moving the congratulations for Allison Goetz to the presentations.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS

- The Mayor presented the Baraboo GEM Award to Mary Dressen.
- The Mayor congratulated Community Service Officer Allison Goetz who will be retiring after 20 years with the Baraboo Police Department. We wish Allison a very happy retirement!
- Darren Hornby presented the Baraboo Area Chamber of Commerce Annual Report.

PUBLIC HEARINGS – None Scheduled

PUBLIC INVITED TO SPEAK – No one spoke

MAYOR'S BUSINESS

- 2020 Census Reminder

CONSENT AGENDA

Resolution No. 19-154

THAT the Accounts Payable, in the amount of \$481,819.67 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Moved by Wedekind, seconded by Kolb and carried that the Consent Agenda be approved-9 ayes.

ORDINANCES ON 2ND READING

Moved by Ellington, seconded by Kolb and carried unanimously to approve the 2nd reading of **Ordinance No. 2540** revising Ordinance §7.02(2)(b)2 to provide for No Parking Any Time on the north side of Sauk Avenue, from a point 650 west of the centerline of Industrial Court to a point 800 feet west of the centerline of Industrial Court.

Moved by Petty, seconded by Ellington and carried unanimously to approve the 2nd reading of **Ordinance NO. 2541** amending §8.05 of the City Code regarding Snow and Ice Removal.

NEW BUSINESS – RESOLUTIONS**Resolution No. 19-155**

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT, the two current Grade 3 positions in Finance be increased to Grade 4 with a change in position title from “Office Assistant-Accountant” to “Finance Assistant-Accountant” be approved, with a January 1, 2020 effective date.

Moved by Wedekind, seconded by Petty and carried that **Resolution No. 19-155** be approved-9 ayes.

Resolution No. 19-156

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the City’s Employee Personnel Policy and Procedure Handbook is updated as follows:

- Section 3.04, Family and Medical Leave Act (“FMLA”)
 - Eliminate unnecessary language and instead incorporate and refer to the required federal and state language re: employee usage of FMLA
 - Redefine the 12-month period from the current definition of a calendar year to a 12-month look-back period.
- Section 3.08, Holidays
 - Addition of Martin Luther King Jr. Day as a paid City Holiday.

Moved by Petty, seconded by Kent and carried that **Resolution No. 19-156** be approved-9 ayes.

ADMINISTRATOR AND COUNCIL COMMENTS

- Congratulations to the Street Department on a job well done, both plowing and snow removal for the downtown.
- Congratulations to the Finance Department, realizing a cost savings with the purchase of new Baraboo Transit vans for 2020.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** December 2019 – Treasurer & Fire Dept.
- **Minutes from the Following Meetings:**

Finance/Personnel Committee–Dennis Thurow Committee Room, #205

January 14, 2020

Members Present: Petty, Thurow, Kent

Absent:

Others Present: Mayor Palm, Adm. Downing, E. Truman, B. Zeman, M. Hardy

Call to Order –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law. Moved by Kent, seconded by Thurow to approve the minutes of December 10, 2019 and carried unanimously. Moved by Kent, seconded by Thurow to approve the agenda and carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Kent, seconded by Thurow to recommend to Council for approval of the accounts payable for **\$7,744,795.87**. Motion carried unanimously.
- b) **Approve Bike Wisconsin to use the Civic Center for overnight camping on the evening of June 18, 2020 and set fees at \$620** M. Hardy explained that this is the third year that Bike Wisconsin has requested the Civic Center for an overnight stay. This event includes about 100 bikers; they enjoy their stop in Baraboo and visiting the downtown area. This needs approval because 1) they are camping on City property and 2) the full rental for the Civic Center would be \$1,240 and the Park & Recreation Commission is recommending \$620 as a fee. This fee more than covers our expenses. Motion by Kent, seconded by Thurow to recommend to Council for action. Motion carried unanimously.

Informational Items

- a) City Attorney reported on insurance claims:
 - i. Claim settlement for \$320.73 with Deb Dunke for motor vehicle damage

Adjournment – Moved by Kent, seconded by Thurow and carried to adjourn at 6:28pm.

- **Copies of these meeting minutes are on file in the Clerk's office:**

Police & Fire Comm.	11-18-19	UW Campus	12-19-19
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- **Petitions & Correspondence Being Referred:** Letter from Matt & Joan Hart regarding Elizabeth Street road condition – The Mayor has referred this to Public Safety Committee.

CLOSED SESSION

Moved by Ellington, seconded by Kolb, to go into Closed Session. If there is a majority vote to go into Closed Session, the Mayor will announce that the Council will go into Closed Session according to §19.85(1)(e), Wis. Stats, for the purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (deliberate the City's investment of public funds in and contractual arrangement with the Baraboo District Ambulance Service).

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Alt, Kierzek, Thurow
 Council Members Absent:
 Others Present: Mayor Palm, Adm. Downing, Atty. Truman, Clerk Zeman

OPEN SESSION

Moved by Wedekind, seconded by Kolb, to go into Open Session. The Mayor announces that the Council will return to Open Session as per §19.85(2), Wis. Stats., to address any business that may be the result of discussions conducted in Closed Session.

ADJOURNMENT

Moved by Kolb, seconded by Petty, and carried on voice vote, that the meeting adjourn at 8:11pm.

Brenda Zeman, City Clerk

CA – 1

RESOLUTION NO. 2019 -

Dated: February 11, 2020

The City of Baraboo, Wisconsin

<i>Background:</i>
Fiscal Note: (Check one) [] Not Required [] Budgeted Expenditure [] Not Budgeted
<i>Comments</i>

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Accounts Payable, in the amount of \$ _____ as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Offered By: Consent

Approved by Mayor: _____

Motion:

Certified by City Clerk: _____

CA - 2

RESOLUTION NO. 2019 -

Dated: February 11, 2020

The City of Baraboo, Wisconsin

Background: In order to be in full compliance with State Law, the City recently amended Chapter 12, Intoxicating Liquor and Fermented Malt Beverages. Because of this change, the Administrative Committee is now required to review all Operator License applications and make a recommendation to Council.

The Police Department will complete a background check prior to the issuance of all Operators License.

An Operator License, also known as a “Bartender’s License”, is valid for no more than a 2-year period, expiring on June 30th. A Conditional Operators License is valid for a period of one year, expiring on June 30th. A Temporary Operators License is for an event and valid for no more than 14 days.

The Operator Licenses listed below were recommended to Council for approval at the February 3, 2020 Administrative Committee meeting.

Fiscal Note: (check one) Not Required Budgeted Expenditure Not Budgeted
Comments:

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the City Clerk be authorized to issue the following Operator’s Licenses:

- Brittney Saxby, Baraboo Burger Company
- Vicki Weyh, Bump’s

Offered by: Administrative Comm. **Approved by Mayor:** _____

Motion:

Second:

Certified by Clerk: _____

The City of Baraboo, Wisconsin

Background: In order to be in full compliance with State Law, the City recently amended Chapter 12, Intoxicating Liquor and Fermented Malt Beverages. Because of this change, the Administrative Committee is now required to review all Operator License applications and make a recommendation to Council.

The Police Department will complete a background check prior to the issuance of all Operators License.

An Operator License, also known as a “Bartender’s License”, is valid for no more than a 2-year period, expiring on June 30th. **A Conditional Operators License is valid for a period of one year, expiring on June 30th.** A Temporary Operators License is for an event and valid for no more than 14 days.

The Conditional Operator License listed below was recommended to Council for approval at the February 3, 2020 Administrative Committee meeting.

Fiscal Note: (check one) Not Required Budgeted Expenditure Not Budgeted
Comments:

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the City Clerk be authorized to issue the following Conditional Operator’s License:

- Styles Grant, Get N Go

Offered by: Administrative Comm. **Approved by Mayor:** _____

Motion: _____

Second: _____ **Certified by Clerk:** _____

NBR - 1

RESOLUTION NO.

Dated: February 11, 2020

The City of Baraboo, Wisconsin

Background

The City has been contacted by a local resident who wishes to develop vacant property located at 908 8th Street. The intent is to build a new professional office building on the property, however there is no sewer or water service to the property. Given that the parcel is on 8th Street, a busy State highway and major arterial, closing the highway to connect services would be unnecessarily inconvenient to motoring traffic. Further, reconstruction of the roadway is slated for 2024. It is therefore recommended that the property be allowed to have a temporary sewer and water lateral connecting with the neighboring property (American Family Insurance at 904 8th Street) until the roadway is reconstructed, at which time proper connections to the City's water and sewer will be required.

The proposal was reviewed by the Public Safety Committee on January 27, 2020, which provided a favorable recommendation to Council.

Note: (√one) [X] Not Required [] Budgeted Expenditure [] Not Budgeted
Comments:

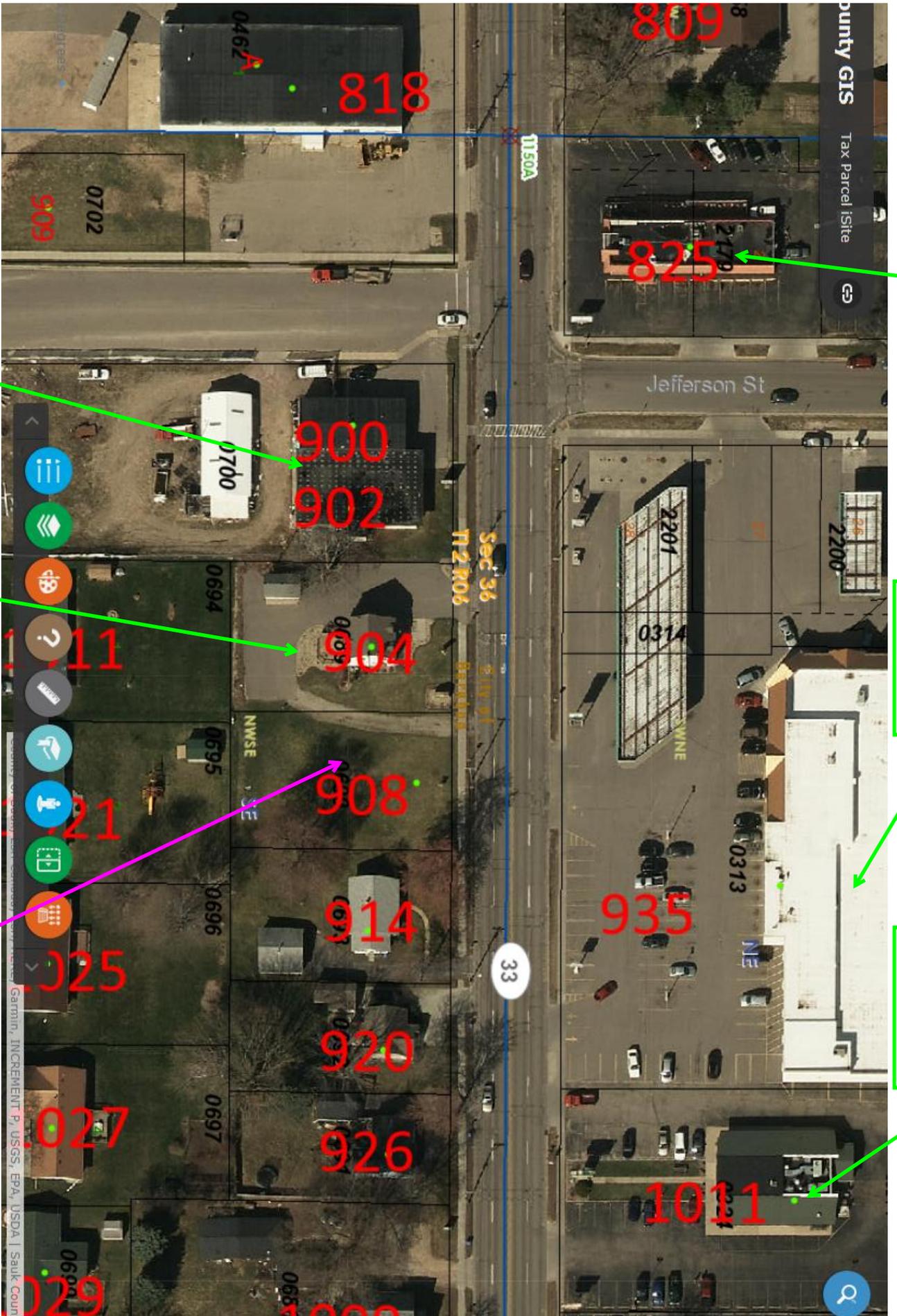
NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the property owner of 908 8th Street is hereby permitted to have a temporary sewer and water lateral connection with the neighboring property, located at 904 8th Street, until 8th Street is reconstructed, at which time the proper single parcel connections will be required, and

THAT the City Administrator and City Clerk shall be authorized to execute an agreement memorializing the above permissions.

Offered by: Public Safety Committee
Motion:
Second:

Approved: _____
Attest: _____



Jose's

Pierce's Market Express

Four Star Restaurant

Schadde Plumbing

American Family Insurance

Proposed Professional Office Building

818

825

900
902

904

908

914

920

926

0702

11

21

25

27

29

809

935

1011

33

Sec 36
T12 R06

City of Boulder

NWSE

SE

Garmin, INCREMENT P, USGS, EPA, USDA | Sauk County

County GIS Tax Parcel Site

Jefferson St

AGREEMENT FOR 908 8th STREET, BARABOO, WI

THIS AGREEMENT is made by and between the City of Baraboo, a Wisconsin municipal corporation with a mailing address of 101 South Blvd, Baraboo, WI 53913 (“**City**”) and Collaborative Properties, LLC, having a mailing address of PO Box 36, Baraboo, WI 53913 (“**Owner**”). The City and the Owner may be jointly referred to herein as the “**Parties**.”

RECITALS

WHEREAS, the Owner has informed the City of plans to develop currently vacant property located at 908 8th Street, Baraboo, WI 53913 (“**Property**”), which does not have sewer or water service, into a professional office building; and

WHEREAS, the Property is located on a busy State highway and major arterial running through the City, slated for reconstruction in 2024, and closing the highway to connect sewer and water service would be unnecessarily inconvenient to motoring traffic; and

WHEREAS, the Owner has entered into an agreement with a neighboring property owner of 904 8th Street allowing the Owner to temporarily connect water and sewer laterals to existing laterals serving 904 8th Street; and

WHEREAS, the Common Council has adopted Resolution _____ allowing the Owner to have a temporary sewer and water lateral connecting the Property to the neighboring property’s laterals until the reconstruction of 8th Street (STH 33) occurs, at which time the Owner agrees to install and pay for the proper connections to the City’s water main and sanitary sewer main under 8th Street.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the Parties agree as follows:

TERMS

1. **Term**. The effective date of this Agreement shall be on the date of full execution by both Parties. This Agreement shall expire on the date a permanent and lawfully installed sewer and water connection is made from the Owner’s Property to the City’s water main and sanitary sewer main.
2. **City’s Agreement**. The City agrees to allow the Owner to temporarily connect their sewer and water laterals serving the Property to the neighbor’s existing sewer and water laterals serving the building at 904 8th Street, contingent on the Owner’s compliance with the terms of this Agreement.
3. **Owner’s Responsibility**. The Owner understands and agrees that the temporary connection of the sewer and water laterals shall be permitted only until the scheduled reconstruction of 8th Street (STH 33), which is currently slated for 2024. The Owner agrees to work with the City to have permanent sewer and water laterals installed and connected to the City’s sanitary sewer main and water main located under 8th Street at the Owner’s sole expense.
4. **Owner’s Breach**. Failure of the Owner to comply with the terms contained herein may result in the City taking legal action against the Owner including, but not limited to, civil penalties and abatement costs.
5. **Termination**. This Agreement may be terminated by the Owner at any time prior to the Owner developing the Property by the Owner providing written notice of termination to the City.
6. **Indemnification**. The Owner hereby agrees to discharge and defend the City, its officers, agents, employees and assigns from any and all claims for injury, disability, loss, or property destruction that may occur to anyone as a result of this Agreement, excepting when caused by the negligence or misconduct of the City, and the Owner accepts full responsibility and agrees to indemnify and hold harmless the City and its officers, agents, employees and assigns for

any alleged injury or damage to any person or property that may occur because of this Agreement, including reasonable costs of defending such claims, excepting when caused by the negligence of the City.

- 7. Notice. All notices required by this Agreement shall be in writing and deemed delivered when given (i) upon hand delivery, or (ii) three (3) business days following deposit in the United States mail, postage prepaid. Notices shall be addressed to:

If to City: City Engineer
 City of Baraboo
 101 South Blvd.
 Baraboo, WI 53913

If to Owner: Collaborative Properties, LLC
 PO Box 36
 Baraboo, WI 53913

- 8. Transfer; Amendments; Assignment. This Agreement shall not be transferred, amended or assigned without the prior written approval of both parties.
- 9. Interpretation; Enforcement; Venue. The construction, interpretation and enforcement of this Agreement shall be by the laws of the State of Wisconsin and venue shall be in Sauk County Circuit Court.
- 10. Conflict. If any part of this Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void, insofar as it is in conflict with said laws, and the remainder of the Agreement shall remain in full force and effect.

City of Baraboo

Kennie Downing, City Administrator

Date

Brenda Zeman, City Clerk

Date

Collaborative Properties, LLC, Owner

Misty Muter, Member

Date

Chris Sommerfield, Member

Date

RESOLUTION NO. 2019-

Dated: February 11, 2020

The City of Baraboo, Wisconsin

Background: The Village of West Baraboo has been in the process of converting their water meters and automated remote meter reading system, very similar to the system we are currently using. The Village could replicate the infrastructure we are using but has approached the City about “sharing” our existing equipment. Staff has confirmed that our existing equipment is capable of reading all of the meters in the Village and met with our vendor to verify that our system can support both communities without compromising the security of the system or our respective data.

Although both communities have agreed with this arrangement, the Village of West Baraboo reportedly has to obtain approval from the Wisconsin Public Service Commission.

The City Attorney will complete final review of Agreement and any minor changes necessary to satisfy the PSC.

Fiscal Note: (4 one) Not Required Budgeted Expenditure Not Budgeted
Comments

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the Water Meter Reading Agreement between the City of Baraboo and the Village of West Baraboo is hereby approved and the Mayor and City Clerk are authorized to sign the same.

Offered by:
Motion:
Second:

Approved: _____
Attest: _____

RESOLUTION NO. 2019 -

Dated: February 11, 2020

The City of Baraboo, Wisconsin

Background The City of Baraboo allows a maximum of two dogs per household. Additional dogs are allowed only if the Common Council grants a special exemption that is based on "either a change in household circumstances or a need for an additional animal due to a disability in the household." §12.13(14)(b), Baraboo Municipal Code.

Robert Hasse & Elizabeth Hudson of 938 Council Street are requesting the Common Council grant them a special exemption to be able to keep three dogs in their residence. According to Robert & Elizabeth, they had the 3 dogs prior to moving into the City. When they bought their house in July of 2018, they were not aware of the two dogs per household limit. The Administrative Committee reviewed this request and unanimously recommended the Common Council grant a special exemption allowing three dogs in the residence of Robert Hasse & Elizabeth Hudson.

Note: (✓one) [x] Not Required [] Budgeted Expenditure [] Not Budgeted

Comments:

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin, that:

The Common Council grants a special exemption to Robert Hasse & Elizabeth Hudson allowing them to keep three dogs in their residence until one of the three dogs passes, after which time they will be allowed to keep no more than two dogs in their residence. The exemption also requires Robert & Elizabeth to remain in compliance with §12.12(12) of the Baraboo Municipal Code for the duration of the time the three dogs are kept in the residence.

Offered by: Administrative Committee

Motion:

Second:

Approved: _____

Attest: _____

NBR-4

RESOLUTION NO. 2019 -

Dated: February 11, 2020

The City of Baraboo, Wisconsin

Background

The City encourages the public’s use of the meeting rooms in the Municipal Building so long as the use does not interfere with the normal functions or safety of the building. To provide guidance and direction to both staff and the public, it is recommended that Council adopt a policy explaining room usage and reservations, including:

- Who can reserve meeting rooms/How meeting room reservations are made
- The cost for reserving rooms
- What is allowed and not allowed in meeting rooms
- Allowing for restitution in the event of damages

The policy was reviewed at the February 3, 2020 Administrative Committee meeting, where it was unanimously recommended for approval.

<i>Note: (√one)</i>	<i>[X] Not Required</i>	<i>[] Budgeted Expenditure</i>	<i>[] Not Budgeted</i>
<i>Comments:</i>			

NOW, THEREFORE, BE IT RESOLVED by the **Common Council of the City of Baraboo, Sauk County, Wisconsin:**

THAT the Common Council hereby adopts the Municipal Building – Meeting Room Reservation Policy, which shall be in full force and effective on the date of adoption.

Offered by: Administrative Committee

Approved: _____

Motion:

Second:

Attest: _____

CITY OF BARABOO POLICY	TITLE: 16 of 42 MUNICIPAL BUILDING – MEETING ROOM RESERVATION POLICY	
TARGET AUDIENCE: City Employees; Community Groups; General Public	POLICY SOURCE: City Administrative Department	POLICY LOCATION: City Website, City Clerk
DATE APPROVED BY COUNCIL: XXXX	DATE AMENDED BY COUNCIL:	ATTORNEY REVIEW: XXXX

SECTION I- PURPOSE

- 1.1 PURPOSE.** The City of Baraboo encourages the use of the meeting rooms in the Municipal Building, located at 101 South Boulevard in Baraboo, when the use does not interfere with the normal function of the building and when the use conforms to the guidelines of this Policy.

Meeting rooms are available for use by groups and for the presentation of informational, educational or recreational programs. Meeting rooms are intended for use by larger groups, and therefore a minimum attendance requirement may be imposed.

The City does not advocate or endorse the viewpoints of meetings or meeting room users, and meeting room users must not publicize their event in any manner that implies that it is sponsored, co-sponsored, endorsed or approved by the City unless permission to do so has been given in advance by the City Administrator.

SECTION II - POLICY

2.1 GENERAL RESERVATION TERMS.

- 2.1.1 Advance reservations are required to use a meeting room, and the individual making the reservation must agree to abide by this Policy and all other applicable laws and regulations, in addition to agreeing to indemnify the City.
- 2.1.2 Individuals may request a specific meeting room; however, rooms will be assigned by City staff based on the size of group and room availability.
- 2.1.2 First preference for reservations will be for City sponsored and associated meetings and programs. Second preference will be to other government agencies. Third preference shall be for local non-profit/community groups.
- 2.1.3 Eating and drinking is prohibited in all meeting rooms without prior written authorization from the City Administrator or designee. The decision to allow food and/or drinks is in the sole discretion of the City Administrator or designee.
- 2.1.4 Meeting rooms must be left in a clean and orderly condition after their use. For example, garbage must be properly disposed of, table/chairs returned to the position they were in prior to the use, and audiovisual equipment must be properly stored. City staff must be informed immediately of any damage that occurs to City property during the use of a meeting room. See also: Sections 2.3.2 and 2.3.3.
- 2.1.5 Temporarily or permanently attaching items to the walls, doors and fixtures in meeting rooms is prohibited.
- 2.1.6 The City retains the right to monitor all meetings, programs and events conducted on the premises and in meeting rooms to ensure compliance with this Policy and other applicable laws and regulations.
- 2.1.7 City staff must have free access to meeting rooms at all times and no entry or exit door may be locked or barred.
- 2.1.8 Meetings must be held during regular building hours.
 - 2.1.8.1 With advance notice to the City Administrator or designee, special accommodations may be made for meeting room usage outside of regular building hours; however, any City costs associated with the use of a room outside of regular business hours, such as staffing to ensure the building is secure after the meeting room use, will be the sole responsibility of the applicant and the prepayment of the costs may be required.

- 2.1.9 The City, as determined by the City Administrator or designee, retains the absolute right to deny a reservation request.
- 2.1.10 The City, as determined by the City Administrator, Fire Chief, Police Chief or City Engineer or their respective designees, may terminate a reservation at any time for any reason deemed to be safety related.
- 2.1.11 A violation of this Policy may result in a reservation being terminated, the violator being removed from the building, the individual or group being unable to make future room reservations, and any other lawful recourse available to the City.

2.2 PROHIBITED USE OF ROOMS. The following uses of City meeting rooms is strictly prohibited:

- 2.2.1 Use that involves the sale, advertising, solicitation (including the solicitation of donations and gifts) and/or promotion of products and services, including political rallies and fundraisers.
- 2.2.2 Personal and family meetings and parties.
- 2.2.3 Use that requires a fee of any kind, including entrance fees or participation fees, with the exception of fees associated with participating in City sponsored or related functions.
- 2.2.4 Use intended, directly or indirectly, to obtain clients or customers for a for-profit service or company.
- 2.2.5 Use that involves illegal activity and/or activity that may pose a safety risk to persons or property, including any activity that involves combustible materials or any other device or object that may trigger a smoke alarm or sprinkler system.
- 2.2.6 Use that supports, advocates for, encourages or results in any discriminatory practice or activity, whether done intentionally or unintentionally, including, but not limited to, meetings that are not open to an individual based on the individual's age, race, creed, physical or mental disability, religion, gender, gender identity or sexual orientation.
- 2.2.6 Any other use that the City reasonably believes will violate the purpose or intent of this Policy.

2.3 FEES.

- 2.3.1 Except as otherwise described in this Policy relating to City costs, reservations are free of charge
- 2.3.2 If City staff provides cleanup of a room after use, a minimum fee of \$25 will be charged to the individual who signed up for the use of the room. The total fee amount will depend on the actual cost of cleaning. Any fee charged must be paid within 30 days of the date of the City's invoice or interest in the amount of 1.5% per month shall accrue.
- 2.3.3 Damage to City property, whether accidental or otherwise, that is caused by a person attending a meeting held in a meeting room shall be the sole responsibility of the individual who signed up for the use of the room. The City's actual costs to repair any damages, plus any applicable administrative costs and fees, shall be charged to the individual with payment due within 30 days of the date of the City's invoice or interest in the amount of 1.5%/month shall accrue.

NBO-1
The City of Baraboo, Wisconsin

Background: Chapter 5 of the Baraboo Municipal Code deals exclusively with the Fire Department, including, but not limited to, its organization, budget and the powers and duties of the Fire Chief. After many months of work, revisions were reviewed by the Public Safety Committee and are being recommended to the Council for approval.

The significant revisions are:

- Updates referencing the incorporation of the proper state statutes and administrative regulations
- Elimination of unnecessary codes and condensing duplicated codes
- Creating a permitting requirement for fire performances (e.g., fire jugglers, fire-eaters, etc.)
- Prohibiting open burning unless the Fire Chief issues a permit – note that recreational/cooking fires are still allowed without a permit
- Clarifying the permitting process for permits issued pursuant to Chapter 5

Fiscal Note: (check one) Not Required Budgeted Expenditure Not Budgeted
Comments:

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

1. Chapter 5 of the Baraboo Municipal Code is amended as follows:

5.01 AUTHORITY TO PROVIDE FIRE PROTECTION. (xxxxx)

~~Pursuant to state statute (62.13-(8)(a), Wis. Stat., the City of Baraboo has established a Fire Department to provide fire prevention and protection services for the Baraboo residents, visitors and investors.~~

~~**FIRE DEPARTMENT MISSION:** Baraboo Fire Department is committed to providing professional fire prevention and emergency services.~~

~~**THE FOLLOWING SERVICES ARE PROVIDED TO THE COMMUNITY:**~~

~~Local and State fire and life safety code inspections~~

~~Fire Investigations~~

~~Public fire safety/prevention education~~

~~Fire suppression services~~

~~Hazardous Materials response at Operations Level only~~

~~Specialized rescue including, vehicle extrication, confined space rescue, trench rescue, cold water/ice rescue and high angle rescue~~

~~Limited surface water rescue~~

5.02 DEFINITIONS. (xxxxx) As used in this Chapter, the following words and terms shall have the following meanings:

- (1) "ATCP" means the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (2) "Bonfire" means a large, open fire kindled and maintained to mark a public event, celebration or similar occurrence, which only uses dry, untreated and unpainted wood as the burning material.
- (3) "Burning" mean the kindling or maintaining of a fire that has hot ashes or cinders or is giving heat, or still glowing or giving light, or a fire that is still smoldering or giving off smoke, or a fire that has not been completely extinguished.
- (4) "Code" means the Municipal Code for the City of Baraboo.
- (5) "Fire Chief" means the Fire Chief of the City of Baraboo.
- (6) "Fire Department" means the City of Baraboo Fire Department.

(7) "Fire lane" means a part of a public or private parking lot or private driveway or private road which is designated as a fire lane and designed to provide access for fire trucks to any building or location and which lanes meet the following minimum specifications:

- a. Not less than 24 feet wide at any point.
- b. Curves and turnarounds shall be designed for a 40 foot turning radius.
- c. Dead end lanes more than 300 feet long shall provide for a turn around that is T-type, hammerhead, cul-de-sac, or curved driveway at the closed end of the lane.
- d. The surface shall be paved with bituminous or concrete or other approved similar all weather material and shall be of sufficient strength to support City firefighting equipment.

(8) "Fire hydrant" means a hydrant satisfying the specifications contained in Subch. II, Baraboo Water Utility, of Ch. 13 of this Code

(9) "Fire performance" means any act including, but not limited to, fire juggling, fire tossing, fire eating, fire dancing, etc., that occurs inside or outside of a building in a public or private place that use utilizes fire.

(10) "Open burning" means burning occurring outside of a building.

(11) "Recreational fires" and "cooking fires" both mean open burning for outdoor recreation and/or cooking purposes in an enclosure designed specifically for ember and flame containment, excluding a barrel, such as rocked-in pits, fireplaces, or barbecue grills which use only charcoal, propane gas or dry, untreated and unpainted wood as the burning material, and which satisfy the conditions set forth in Section 5.13, below.

5.032 COMPOSITION OF DEPARTMENT. (xxxxx)

-ORGANIZATIONAL STRUCTURE.

(1) The Department shall be known as the "City of Baraboo Volunteer Fire Department" and shall consist of the Fire Chief, a First, Second and Third Assistant Fire Chief, a Captain for each company, a Secretary-Treasurer and such subordinates as may be authorized by the Council. The Baraboo Fire Department shall be made up of a combination of full-time, part-time and paid-per-call firefighters. The staff levels of full-time, part-time and paid-per-call shall be reviewed at appropriate intervals by the Common Council. The Fire Chief shall make recommendations for appropriate staffing levels to maintain the mission of the Fire Department Mission.

(2) -FIRE CHIEF - APPOINTMENT. Pursuant to §S- 62.13(3), Wis. Stats., the Fire Chief shall be appointed by the Police and Fire Commission and shall hold office during good behavior, subject to suspension or removal by the Commission for cause.

(3) OTHER OFFICERS; SUBORDINATES OTHER OFFICERS AND SUBORDINATES. Pursuant to §62.13(4) Wis. Stats. other Fire Department officers and subordinates shall be appointed by the Fire Chief subject to confirmation by the Police and Fire Commission. Commission a- And as authorized by Common Council.

(4) The Fire Chief shall develop Policies, Operating Guidelines and other rules and regulations regard ing the operation of the department that conform to the spirit of best practice in the modern day fire service as well as in compliance with this chapter. All members of the fire department shall have access to policies, guidelines, rules and regulations and train

ing

5.02 ORGANIZATION. The Department, by 2/3rd vote of the members, shall adopt bylaws for the control, management, and government and for the regulation of business and proceedings of the Department, subject to the approval of the Council. The Department's organization and internal regulation shall be governed by this chapter and by such bylaws as adopted by the Department and approved by the Council, except as otherwise prohibited by law and this Code.

5.043 POWERS AND DUTIES OF FIRE CHIEF. (xxxxx) APPOINTMENTS.

(1) (1) DISCIPLINARY ACTION; DISCIPLINARY ACTION. The Fire Chief shall have the power to suspend, demote, ex el or otherwise discipline members of the Fire Department, subject to appeal to the Police and Fire Commission, as provided in by §62.13(5), Wis. Stats.

(2) DEPARTMENT BUDGET. The Fire Chief shall file with the City's Finance Director, pursuant to the City's regular budgeting cycle, an City Clerk, by the 1st of each year, a detailed estimate of the appropriations needed for the conduct of the Fire Department during the ensuing fiscal year.

(3) - GENERAL SUPERVISION. The Fire Chief shall have the general supervision of the Fire Department, which supervision shall be subject to and not conflict with this chapter, the policies, guidelines, procedures, rules or

regulations of the Fire Department. The Fire Chief shall be responsible for the safety of the members of the Fire Department.

(4) ~~_____~~ -PRESIDING OFFICER. The Fire Chief or designee shall preside at all meetings of the Fire Department, call special meetings, preserve order, decide all points of order that may arise, and enforce a rigid observance of this chapter and the policies, guidelines, procedures, rules and regulations of the Fire Department.

(5) ~~_____~~ COMMAND OF FIREFIGHTING OPERATIONS. The Fire Chief shall be present at all fires, if possible, and have complete command and entire responsibility for all fire fighting operations, plan the control of the same, direct the action of the companies fire fighters when they arrive at a fire, observe that every company fire fighter does his/her duty, grant leaves of absence at a fire when he/she may deem it proper, and see that the fire apparatus is kept in proper condition at all times.

(6) ~~Reports - Council~~. REQUIRED REPORTS.

a. The Fire Chief or designee shall keep records of all incident responses made by the Fire Department. The Fire Chief or designee shall report all fire incident responses to the National Fire Incident Reporting System (NFIRS) as required by the Wisconsin Administrative Code SPS 314. Additionally, all other reports as required by State Statute or Administrative Code shall be completed.

~~Department of fire record book of every fire to which the Department was called and shall enter in such book the location of the fire, the time the alarm was received, the cause of the fire, where the fire started, the cause of delay, if any, in responding, the amount of insurance carried on buildings and contents, estimated fire loss, the time the fire was extinguished, the names of the members responding and general remarks.~~

The Fire Chief shall submit a monthly written report to the Common Council listing the previous month's incident responses and fire prevention inspections/activities. Furthermore, a monthly report, whether written or verbal, shall be given to the Public Safety Committee on any pertinent information including, but not limited to, operations, membership, apparatus, equipment or training, within the fire Department. ~~He shall also report to the Council, not later than October 1 of each year and at such times as he deems desirable, relative to the conditions of various pieces of apparatus and appurtenances, budget recommendations for the coming year, the number of fires occurring since the previous report and the date of the same and loss occasioned thereby, the total number of active members in the Department, and resignations and expulsions from the Department. He shall also report upon the drill and training program of the Department, together with other pertinent information including recommendations for such improvements as he deems proper and necessary for the operation of the Department.~~

b.

(7) ENFORCEMENT OF FIRE PREVENTION ORDINANCES. The Fire Chief shall enforce all Wisconsin State Laws, Administrative Codes and City Ordinances pertaining to fire protection and fire prevention. ~~and shall keep citizens informed on fire prevention methods and on the activities of the Department.~~ The Fire Chief shall oversee the fire prevention program for citizens.

~~and shall keep citizens informed on fire prevention methods and on the activities of the Department.~~

(8) POLICIES AND GUIDELINES. The Fire Chief shall develop policies, procedures, and other rules and regulations regarding the operation of the Fire Department that conform to the spirit of best practice in the modern day fire service as well as in compliance with this chapter. All members of the Fire Department shall have access to policies, procedures, rules and regulations and train on same.

~~APPARATUS INVENTORY. He shall keep an inventory of all apparatus and equipment and an inventory of all hose showing dates and results of tests on each length, which shall be individually numbered.~~

(9) OTHER DUTIES. The Fire Chief shall perform such other duties as are usually incumbent on the commanding officer of the Fire Department.

FIRE CHIEF. Pursuant to §S. 62.13(3), Wis. Stats., the Fire Chief shall be appointed by the Police and Fire Commission and shall hold office during good behavior, subject to suspension or removal by the Commission for cause.

(2) OTHER OFFICERS, SUBORDINATES. Pursuant to §62.13(4), Wis. Stats., other officers and subordinates shall be appointed by the Fire Chief, subject to confirmation by the Police and Fire Commission.

~~5.04 **DISCIPLINARY ACTION.** The Fire Chief shall have the power to suspend, demote, expel or otherwise discipline members of the Department, subject to appeal to the Police and Fire Commission, as provided in §62.13(5), Wis. State.~~

~~5.05 **DEPARTMENT BUDGET.** The Fire Chief shall file with the City Clerk, by October 1st of each year, a detailed estimate of the appropriations needed for the conduct of the Department during the ensuing fiscal year.~~

5.06 POWERS AND DUTIES OF CHIEF.

~~(1) **GENERAL SUPERVISION.** The Chief shall have the general supervision of the Department, which supervision shall be subject in all respects to the rules and regulations established by the Commission and the bylaws of the Department. He shall be responsible for the safety of the members of the Department.~~

~~(2) **PRESIDING OFFICER.** The Chief shall preside at all meetings of the Department, call special meetings, preserve order, decide all points of order that may arise, and enforce a rigid observance of this chapter and the bylaws.~~

~~(3) **COMMAND OF FIRE FIGHTING OPERATIONS.** The Chief shall be present at all fires, if possible, and have complete command and entire responsibility for all fire fighting operations, plan the control of the same, direct the action of the companies when they arrive at a fire, observe that every company does its duty, grant leaves of absence at a fire when he may deem it proper, and see that the fire apparatus is kept in proper condition at all times.~~

~~(4) **REPORTS TO THE COUNCIL.** The Chief shall submit a written report to the Council not later than October 1 of each year, and at such times as he deems desirable, relating to the conditions of various pieces of apparatus and appurtenances, budget recommendations for the coming year, the number of fires occurring since the previous report and the date of the same and loss occasioned thereby, the total number of active members in the Department, and resignations and expulsions from the Department. He shall also report upon the drill and training program of the Department, together with other pertinent information, including recommendations for such improvements as he deems proper and necessary for the operation of the Department.~~

~~(5) **ENFORCEMENT OF FIRE PREVENTION ORDINANCES.** He shall enforce all fire prevention ordinances of the City and the State laws and regulations pertaining to fire prevention and shall keep citizens informed on fire prevention methods and on the activities of the Department.~~

~~(6) **FIRE RECORD BOOK.** He shall keep a fire record book of every fire to which the Department was called and shall enter in such book the location of the fire, the time the alarm was received, the cause of the fire, where the fire started, the cause of delay, if any, in responding, the amount of insurance carried on buildings and contents, estimated fire loss, the time the fire was extinguished, the names of the members responding and general remarks.~~

~~(7) **APPARATUS INVENTORY.** He shall keep an inventory of all apparatus and equipment and an inventory of all hose showing dates and results of tests on each length, which shall be individually numbered.~~

~~(8) **DUTIES AS COMMANDING OFFICER.** He shall perform such other duties as are usually incumbent on the commanding officer of the Fire Department.~~

5.0754 CONTROL AND CARE OF APPARATUS AND EQUIPMENT. (XXXXX)

~~(1) (4) The Fire Chief shall have control of all apparatus and equipment used by the Fire Department and shall be responsible for its proper care and maintenance. All apparatus and equipment shall be inventoried and information kept on file. Emergency repairs may be authorized by the Fire Chief pursuant to the City's Purchasing Policy.~~

~~(4)(2) Where required, all apparatus and equipment shall be tested at the recommended intervals and records of such tests shall be kept on file.~~

~~(32) No equipment or apparatus shall be used for any purpose except for fire fighting incident response that is within the City limits fire protection area, or in training therefore, except:~~

~~a. Pursuant to mutual or automatic aid agreements approved by the Common Council after the Fire Chief has given his/her recommendations on such use, and/or~~

~~b. With the prior written approval of the Fire Chief or designee, such apparatus may be used for nonemergency purposes within the City an approved area approved by the Fire Chief. The Chief shall,~~

5.0856 POLICE POWER OF DEPARTMENT. (XXXXX)

- (1) POLICE AUTHORITY AT FIRES. The Fire Chief and his assistants or subordinate officers in command at any fire are hereby vested with full and complete police authority at fires. Any officer of the Fire Department may cause the arrest of any person failing to give the right of way to the Fire Department in responding to a fire.
- (2) CONTROL OF FIRES. The Fire Chief or subordinate officers in command at any fire may prescribe certain limits in the vicinity of any fire within which no persons excepting firemen-firefighters and policemen-police officers and those admitted by order of any officer of the Fire Department shall be permitted to enter. The Fire Chief or subordinate officers in command at any fire may cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire he/she may order the removal or destruction of any property necessary to prevent the further spread of the fire. He/she may also cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Fire Department during the progress of a fire.
- (3) ENTERING PREMISES. Any fireman-firefighter while acting under the direction of the Fire Chief or other officer in command may enter upon the premises adjacent to or in the vicinity of any building or other property then on fire for the purpose of extinguishing such fire and if any person shall hinder, resist or obstruct any fireman-firefighter in the discharge of his/her duty as is herein before provided the person so offending shall be deemed guilty of resisting firemen-firefighter in the discharge of their duties.
- (4) DUTIES OF BYSTANDERS. Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or removing or guarding property. Such officer may cause the arrest of any person refusing to obey said orders.
- (5) INJURY TO EQUIPMENT PROHIBITED. No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the City and no vehicle or railroad equipment shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, track or other place to be used at any fire or alarm of fire without the consent of the Fire Department official in command.
- (6) DESTRUCTION OF PROPERTY TO PREVENT THE SPREAD OF FIRE. During the progress of any fire, the Fire Chief or designee(s) shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire; provided that it is inevitable that, unless such property is removed or destroyed other property is in danger of being of being destroyed by fire.

5.0967 FIRE PREVENTION. (1727 04/27/94, XXXXX)

(1) STATE CODES ADOPTED. Except as otherwise specifically provided in this Code Chapter, the statutory provisions of ~~Section~~ §101.14, Fire Inspections, Prevention, Detection and Suppression, Wis. Stats., Wisconsin Administrative Code SPS 314 and the following chapters of the Wisconsin Administrative Codes are hereby adopted by reference and made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statute or code provision incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions or modifications of the statutes and codes incorporated herein are considered to be made a part of this Code in order to secure uniform statewide regulation:

	ATCP	
93	Flammable, Combustible and Hazardous Liquids	
	ATCP 94	Petroleum and Other Liquid Fuel Products
	ILHR 7SPS 307	Explosives
ILHR 10	Flammable and Combustible Liquids	
	ILHR 11	Liquefied Petroleum Gases
	ILHR 12	NFPA 54 National Fuel Gas Code
	ILHR 13	Compressed Natural Gas
	ILHR 14	Fire Prevention
	ILHR 16SPS 316	Wisconsin State Electrical Code Article 700 and Article 400 of the National Electrical Code
	SPS 318	Elevator Code
	ILHR 28SPS 328	Smoke Detectors
	ILHR 51	Definitions and Standards
	ILHR 52	General Requirements
	ILHR 53	Structural Requirements
	ILHR 54	Factories, Office, and Mercantile Buildings
	ILHR 55	Theaters and Assembly Hall
	ILHR 56	Schools and Other Places of Instruction
	ILHR 57	Residential Occupancies
	ILHR 58	Places of Detention

ILHR 59	Hazardous Occupancies
ILHR 60	Child Day Care Facilities
ILHR 61	Community-Based Residential Facilities
ILHR 62	Specialty Occupancies
ILHR 64	Heating, Ventilation, and Air Conditioning
NFPA 704	Identification of the Fire Hazards of Materials
NFPA 231D	Storage of Rubber Tires

(2) FIRE CHIEF TO BE FIRE INSPECTOR. The Fire Chief shall hold the office of Fire Inspector with power to appoint one or more Deputy Fire Inspectors, who shall perform the same duties and shall have the same powers as the Fire Inspector.

~~(3) INSPECTION DUTIES. It shall be the duty of the Fire Chief to provide for the inspection of every public building and place of employment to determine and cause to be eliminated any fire hazard or any violation of any law relating to fire hazards or to the prevention of fires, to the extent required by §101.14, Wis. Stats. and Ch. ILHR 14 Wis. Adm. Code, and the Chief shall further make and keep on file written reports of such inspections as may be required by the Wisconsin Department of Industry, Labor and Human Relations.~~

(34) CORRECTION OF VIOLATIONS. Whenever any fire inspection reveals a violation of this Code, the Fire Inspector ~~Inspector or Deputy Fire Inspector~~ shall personally deliver, email, or send by certified mail, return receipt requested, a written compliance order to the owner of the property and to the occupant if the property is occupied by a person not the owner thereof, giving said persons a reasonable time, not to exceed sixty (60) calendar days, to correct all violations. If a violation is not corrected within the grace period allowed, a second written compliance order shall be personally delivered, emailed or sent by certified mail, return receipt requested, to the same persons giving said persons an additional grace period, not to exceed thirty (30) calendar days, to correct the violations. If any violation is not corrected within the grace period allowed by the second order, a citation may be issued to the owner and to the occupant of the property, or to an agent as provided for by Chapter 25 of this Code.

a. Each individual violation on a property and each day any such violation continues after the grace period allowed in the second notice shall constitute a separate offense.

b. If the compliance order is not referred to the Department of ~~Industry, Labor and Human Relations~~ Safety and Professional Services for further action, an action to abate such nuisance may be commenced by the City as provided in §10.07 of this Code.

c. Nothing herein shall be interpreted to mean that a citation cannot be issued immediately upon the finding of a violation of this Code, subject to the discretion of the Fire Inspector or Deputy Fire Inspector, based upon the seriousness of the offense, prior similar offenses, or for other reasonable reasons.

~~(45) CITATION AUTHORITY. The Fire Chief, Deputy Fire Inspectors and City Police Officers shall be authorized to issue citations for violations of this section Chapter using the uniform citation method set forth in §9.27 of this Code.~~

(65) SPECIAL CHARGES FOR INSPECTIONS FOR NON-COMPLIANCE. A special charge as provided in the City's Official Fee Schedule, §1.90, Official Fee Schedule shall be imposed for the second and each subsequent inspection where the inspection reveals that the owner or occupant of the property has not corrected the violations contained in the compliance order. The owner and occupant, or agent thereof as provided for by Chapter 25 of this Code, of each property inspected shall be jointly and personally liable for the charge. If the charge is not paid within thirty (30) calendar days of the date of billing, an additional administrative collection charge of 10 percent (10%) of the charge shall be added to the amount due, plus interest shall accrue thereon at the rate 1 percent (1%) per month until paid and such charge shall be extended upon the current or next tax roll as a charge against the inspected property for current services, as provided in §66.0627, Wis. Stats.

(76) ENTERING ON PREMISES. No person shall deny a Fire Inspector or Deputy Fire Inspector free access to any property within the City at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct a Fire Inspector or Deputy Fire Inspector in the performance of his/her duty or refuse to observe any lawful direction given by the Inspector. The Fire Chief shall be deemed a peace officer for the purpose of applying for, obtaining and executing a special inspection warrant pursuant to §66.0119, Wis. Stats.

~~(4)(7)~~ (7) DISCLAIMER ON INSPECTIONS. The purpose of the inspections under this section is to comply with the fire inspection provisions of the State codes. The inspections and the reports, findings and orders issued after such inspections are not intended as, nor are they to be construed as, a guarantee. In order to advise owners, occupants and

other interested persons, a disclaimer shall be included in each inspection report as follows: "The findings of the inspection contained herein are intended to report conditions of non-compliance with Code provisions that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed premises. The City makes no warranty or representation, expressed or implied that its inspection of the property has discovered all fire code violations or all fire hazards or that this report contains a complete list of all fire code violations existing on the property inspected herein."

(89) ~~_____ LICENSE OR PERMIT WITHHELD.~~ No license shall be granted or renewed for the operation of any trade, profession, business or privilege for which a license is required by any provisions of this Code nor shall any occupancy permit under ~~Chapter~~ 14 of this Code be issued for any property that contains any outstanding violation of this section.

(940) ~~_____ VIOLATION AND PENALTY.~~ Any person who violates, disobeys, neglects, omits or refuses to comply with, or resists the enforcement of any of the provisions of this section shall be subject to a penalty as provided in ~~Ch. ILHR 14SPS 314 Adm. Code and/or §25.04 of this Code, whichever is greater.~~

~~5.10 _____ INFLAMMABLE MATERIALS PROHIBITED.~~ Within the business district, no person shall permit any waste paper, empty boxes, excelsior or similar or other inflammable materials to collect or remain upon the premises owned or occupied by said person, on the outside of any building or placed in any public street or alley unless the same shall be contained within a covered, fireproof container.

~~5.11 _____ GASOLINE, BENZINE, NAPHTHA, ETC.~~ All gasoline stations, bulk gasoline storage facilities, and any facility for storing benzene, naphtha, or any other volatile liquid shall be constructed and maintained in conformity with the regulations prescribed by the State Statutes and the rules and regulations of the State Department of Industry, Labor and Human Relations.

5.0842 GUNPOWDER. (Renumbered only XXXX) No person shall keep or store more than 10 pounds of gunpowder at any place within the City without the written permission of the Fire Chief. Any dealer permitted to keep at his place of business in excess of 10 pounds of gunpowder shall not keep more than 200 pounds at any one time, and such gunpowder shall be kept in a safely constructed box painted yellow with the word "POWDER" printed or painted thereon in black letters not less than 5 inches in height and equipped with handles so that the same may be readily moved in case of fire, and such box shall be kept in such part of the dealer's place of business as may be directed by the Fire Chief.

5.0943 DYNAMITE. (Renumbered only XXXX) No person shall keep or store within the City any nitroglycerine, dynamite, giant powder or other explosives more violent than gunpowder without the written permission of the Fire Chief or otherwise than in accordance with the conditions prescribed in such permission as granted and in no case shall more than 50 pounds of any such explosive be stored or kept within 300 feet of any dwelling or other occupied building. The Fire Chief may direct the placement and the manner of keeping the same and the precautions to be observed in connection therewith.

~~5.14 _____ RIGHT OF WAY.~~ The officers and members of the Fire Department, with their fire equipment of every kind, when going to or are on duty at a fire, shall have the right of way over all other vehicles upon City streets, and the operator of any other vehicle, whether motor or otherwise, upon the approach of such fire apparatus, shall immediately drive such other vehicle as far as possible to the right of the fire and shall keep such vehicle still until such fire apparatus shall have passed. Except when actually responding to a fire alarm or other emergency call, or when on duty at a fire, the apparatus and vehicles of the Fire Department shall, however, have no special right of way or other privileges of any kind, but shall be subject to all traffic regulations applicable to other vehicles.

5.1045 TRAFFIC LAWS APPLY TO VOLUNTEERS. (Renumbered only XXXXX) All volunteer firemen/firefighters, when responding to an fire call/incident call in a private vehicle, shall comply with all traffic regulations.

5.1146 EMERGENCY ALARM SYSTEMS. See §12.14 of this Code. (1833 09/26/95, Renumbered only XXXXX)

5.12 _____ RESERVED (xxxx)

5.17 _____ SOCIAL ACTIVITIES.

~~(1) SOCIAL CLUB.~~ Members of the Department may organize a social club provided that social activities are not funded from City funds.

5.18 _____ SMOKE DETECTOR. (1485 12/8/87, 1586 03/12/91) The statutory provisions of §101.145, Wis. Stats., entitled Smoke Detectors, and the Wis. Adm. Code regulating smoke detectors are hereby adopted and by reference made a part of this Code with the same force and effect as though set forth in full. Any future amendments, revisions or modifications of the statutes and Wis. Adm. Code regulating smoke detectors are intended to be made a part of this

~~section. Failure to comply with any of the provisions of such regulations shall constitute a violation of this section, punishable according to the penalties provided in this chapter.~~

~~5.1319~~ **REGULATION OF OPEN BURNING.** (1935 04/14/98, XXXX)

~~(1) OPEN BURNING PROHIBITED.~~

~~a. Except as otherwise provided in this Section, no person shall burn or cause to be burned any leaves, grass, wood, rubbish, waste, recyclable paper products, recyclable cardboard, painted wood, pressure treated lumber, and/or any material made of in whole or in part or coated with rubber, plastic, leather or petroleum based materials, and/or products containing flammable materials or other combustible material.~~

~~b. An Open Burning Permit may be issued by the Fire Chief or designee for prescribed vegetation management purposes subject to reasonable conditions to mitigate fire hazards. The fee for an Open Burning Permit shall be as set forth in the City's Official Fee Schedule, §1.90, as set by the Common Council. Applications for a permit must be submitted to the City Clerk at least seven (7) calendar days prior to the burning. Supervision and inspection costs shall be billed to the owner of the property upon which supervision or inspection is required. Open Burning Permits shall apply to individual parcels or occupancies and are not transferable from person to person, parcel to parcel or occupancy to occupancy; however, Open Burning Permits may encompass multiple parcels under common ownership if part of a common vegetation management project.~~

~~(1) DEFINITIONS.~~

~~(a) "Burning" shall mean the kindling or maintaining of a fire that has hot ashes, embers or is, with heat, or still glowing or giving light, or a fire that is still smoldering or giving off smoke, or a fire that has not been completely extinguished.~~

~~(b) "Open burning" shall mean burning done outside of a Building.~~

~~(c) "Recreational fires" and "cooking fires" shall mean open burning for outdoor recreation and/or cooking purposes in an enclosed structure specifically for an entertainment, including, but not limited to, charcoal, such as rock-in-pits, fireplaces, or barbecue grills which use only charcoal, propane gas or dry, untreated and unpainted wood as the burning material, and which satisfy the conditions set forth in sub- (3).~~

~~(d) "Bonfire" shall mean a large, open fire kindled and maintained to mark a public event, celebration or similar occurrence, which only uses dry, untreated and unpainted wood as the burning material. A fire permit from the Fire Department is required for a bonfire.~~

~~(2) CONDITIONS OF PERMITTED OPEN BURNING. Except as permitted in sub. (3), no person shall kindle or maintain any open burning unless such open burning complies with the conditions set forth in this subsection:~~

~~(a) The hours of open burning shall be restricted to even calendar days within the prescribed hours, unless otherwise expressly authorized by the Fire Department. During all other hours and times, all burning authorized under subsection (2) shall be completely extinguished.~~

~~(b) No burning shall be kindled or maintained during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban.~~

~~(c) Only dry grass, leaves, garden vegetative matter, brush and untreated and unpainted wood which is suitable for burning shall be used as the burning material, except permitted bonfires shall only use dry, untreated and unpainted wood as the burning material.~~

~~(d) No burning shall be kindled or maintained on or within any street, sidewalk, tree bank, alley, parking lot, drainage ditch, park, public place or public right-of-way, unless otherwise expressly authorized by the Fire Department.~~

~~(e) The fuel for igniting such burning shall consist of dry material or commercially available products designed for lighting fires.~~

~~(f) All such burning shall be constantly supervised and personally attended by a responsible adult until the fire is completely extinguished. The person in charge of the fire shall have fire extinguishing equipment or materials available at all times and easily accessible for immediate use.~~

~~(g) Burning, under this subsection, shall not be kindled or maintained in a barrel.~~

~~(h)~~ Whenever burning is undertaken in a pile, the maximum size of the burning material shall be four feet in diameter, measured horizontally, and three feet measured vertically, and the pile of material being burned shall be at least 15 feet away from any combustible material, combustible wall or partition, exterior window opening, exit, access or exit unless otherwise expressly authorized by the Fire Department.

~~(i)~~ No burning shall be maintained so that flames exceed 4 feet in height.

~~(j)~~ No burning shall be kindled or maintained so as to cause a public nuisance prohibited by Ch. 10 of the Code.

~~(k)~~ All such burning shall be conducted on a non-combustible surface.

(32) REGULATION OF RECREATION FIRES AND COOKING FIRES. Recreational fires and cooking fires shall be exempt from the conditions set forth in subc. (2), are permitted so long as they provided, however, recreational fires and cooking fires shall comply with each of the following conditions:

~~a.~~(a) Burning, under this subsection, shall not be kindled or maintained in a barrel.

~~(b)~~b. No burning shall be kindled or maintained on or within any street, sidewalk, treebank, alley, parking lot, drainage ditch or public right-of-way.

~~(c)~~c. No burning shall be maintained such that the flames exceed ~~4~~ four feet in height.

~~(d)~~d. No burning shall be maintained so as to cause a public nuisance prohibited by Ch. 10 of the Code.

~~(e)~~e. Except for barbecue, gas, and charcoal grills, any other burning receptacle, enclosure or pit shall be no greater than 30 inches in diameter at its greatest width.

~~(f)~~f. All such burning shall be constantly supervised and personally attended by a responsible adult until the fire is completely extinguished. The person in charge of the fire shall have fire extinguishing equipment or materials available at all times and easily accessible for immediate use.

~~g.~~
Except for barbecue, gas, and charcoal grills, no burning shall be kindled or maintained during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban.

~~(h)~~h. Whenever a portable fireplace or grill is located on a combustible surface, such as a wooden patio or deck, a non-combustible material shall be placed under and around the fireplace or grill for a distance of at least 24 inches on each side thereof.

~~(i)~~i. In relation to one and two family dwellings, except for barbecue, gas, and charcoal grills, no such burning shall be undertaken within 15 feet of any combustible material, combustible wall or partition, exterior window opening, exit access or exit unless authorized by the Fire ~~Department~~ Chief. (2353 01/25/11)

~~(j)~~j. In buildings with three or more dwelling units, no burning shall be undertaken within 25 feet of any combustible material, combustible wall or partition, exterior window opening, exit access or exit unless authorized by the Fire ~~Department~~ Chief.. (2118 05/27/03, 2353 01/25/11)

~~(k)~~k. In buildings with three or more dwelling units, regardless of type or size, no barbecue, gas, charcoal or electric grill, or any other burning receptacle shall be stored or used on balconies above the first floor, under any overhangs or within 10 feet of the structure. (2118 05/27/03, 2353 01/25/11)

~~(3)~~ ~~(4)~~ — BONFIRES REGULATED. No person shall kindle or maintain any bonfire without first obtaining a Bonfire pPermit from the Fire ~~Department~~ Chief or designee and each such permit shall be subject to the conditions established by the Fire Department. Applications for a permit must be submitted to the City Clerk at

least seven (7) calendar days prior to the bonfire. The permit fee shall be as set forth in the City's Official Fee Schedule, §1.90, as set by the Common Council.

(4) FIRE PERFORMANCE. No person shall engage in any fire performance without first obtaining a Fire Performance Permit from the Fire Chief or designee, at his or her discretion, and each permit shall be subject to the conditions established by the Fire Department. Applications for a permit must be submitted to the City Clerk at least fourteen (14) calendar days prior to the performance. The permit fee shall be as set forth in the City's Official Fee Schedule, §1.90, as set by the Common Council.

~~The bonfire permit fee is set forth in the City's Official Fee Schedule, §1.90.~~

~~BURNING OF CERTAIN MATERIALS PROHIBITED. No person shall kindle or maintain open burning where the burning material is recyclable paper products, recyclable cardboard, rubbish, garbage, trash, refuse, painted wood, pressure treated lumber, and/or any material made of in whole or in part or coated with rubber, plastic, leather or petroleum-based materials, and/or products containing flammable materials.~~

(65) EXCEPTIONS TO BURNING REGULATIONS. The following fires for burning shall be exempt from the provisions of ~~§§(subs. (12) and (43), above:~~ (2118 05/27/03)

a. ~~(a)~~ Fires conducted inside of a building, including, but not limited to, fireplaces and incinerators.

b. ~~(b)~~ Fires conducted to remove frost from the ground by public utility companies, City employees, cemeteries, and building contractors.

c. ~~(c)~~ Small open flames for welding, acetylene torches, safety flares, heating tar or similar applications.

d. ~~(d)~~ Fires conducted for training or instruction of fire-fighters by the City Fire Department or for the testing of fire equipment by the City Fire Department.

e. ~~(e)~~ Any fire expressly authorized in writing by the Fire Chief. An Exception to Burning Regulations permit issued by the Fire Chief shall be subject to the conditions established by the Fire Department. The fee for an Exception to Burning Regulations Permit shall be as set forth in the City's Official Fee Schedule, §1.90, as set by the Common Council. ~~See Official Fee Schedule, §1.90 for burning permit fee. (2118 05/27/2003)~~

(6) EMERGENCY REGULATIONS. The Fire Chief may, when necessary, declare a "Emergency Condition of Fire Hazard" for a specified period of time and, during such time, no burning shall be permitted unless done or controlled by the Fire Department. In addition, during such declared fire emergency period, the Fire Chief may prohibit the use of the following:

a. Fireworks as defined by §167.10(1), Wis. Stats.

b. Any of the items included under §167.10(1)(e), (f), (i), (j), (k), (l), (m), and (n), Wis. Stats.

c. Any other device that may pose a fire hazard.

(7) OPEN BURNING PROHIBITED WHEN WIND EXCEEDS EIGHT (8) MILES PER HOUR. No person shall kindle or maintain any open burning within the City whenever the wind speed exceeds eight (8) miles per hour as measured by a portable wind meter device approved by the Fire Chief. Before taking any enforcement action under this ~~sub§(9) section, a law enforcement officer, the Fire Chief, or Fire Inspector~~ the Fire Chief or his/her designee shall first order the violator to completely extinguish the open burning. A citation shall not be issued if the open burning is immediately extinguished after the order to do so has been given. No person shall continue to maintain any open burning after being ordered to completely extinguish the burning as provided in this Section. (2146 04/13/2004)

(98) PERMIT REQUIREMENTS. All permits required under this Section must meet the minimum City licensing and permitting standards of §12.01 and shall require the permittee to indemnify the City of Baraboo.

~~ENFORCEMENT AND BONFIRE PERMIT FEE. The Fire Chief, Fire Inspector, and Police Officers of the City shall be authorized to enforce the provisions of this Section. (Re-numbered only per 2146 04/13/2004)~~

~~(9) ENFORCEMENT. The Fire Chief and his/her designee(s) and Police Officers of the City shall be authorized to enforce the provisions of this Section. (Renumbered only per 2146 04/13/2004)~~

~~(10) RECOVERY OF ABATEMENT COST. The City has determined that a violation of this section creates a public nuisance or a hazard to the public safety. Therefore, in addition to any other penalty imposed by this code for a violation of this section, if the Fire Department is dispatched to a fire caused as a result of any act, omission, condition, or thing that constitutes a violation of this §5.19section, the person causing, permitting, or maintaining such occurrence, may be charged a fee to cover the City's cost for responding (to such public nuisance. Any such fee shall be charged as set forth in the City's Official Fee Schedule, §1.90City of Baraboo's Official Fee Schedule. The charge shall be collected as a debt and, if the charge is not paid within thirty (30) calendar days of the date of billing, an administrative collection charge of ten percent (10%) of the charge shall be added to the amount due, plus interest shall accrue thereon at the rate of one percent (1%) per month until paid. If the owner of the property where the public nuisance occurred caused, permitted, or maintained such public nuisance, such charge shall be extended upon the current or next tax roll, to the extent allowed by law. (2118 05/27/2003, Re-numbered only per 2146 04/13/2004)~~

~~SEVERABILITY. If any Section, Subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any Court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof, and to this extent, the provisions of this Ordinance shall be severable. (2118 05/27/2003, Renumbered only per 2146 04/13/2004)~~

5.14 FIRE LANES AND FIRE HYDRANTS (1870 05/14/96, 2002 01/11/2000, ~~XXXXX~~)

(1) FIRE LANES AND FIRE HYDRANTS REQUIRED. Fire lanes and fire hydrants shall be required in accordance with this section on public or private property used for assembly, commercial, educational, industrial, institutional, or multi—family dwelling purposes, and on private property containing residential developments consisting of three or more dwelling units to which access is provided from a public street by a private road or driveway where any dwelling unit is set back more than fifty (50) feet from the paved portion of the public street. Fire lanes may also be designated on those private roads where it is found by the Fire Chief that such access is necessary for ~~fire fighting~~ fire fighting equipment and apparatus. No building permit shall be issued without compliance with the terms of this section if any part of the area being developed contains any of the uses or conditions described in this section.

~~In this Section:~~

~~(a) "Fire Chief" means the Fire Chief of the City of Baraboo.~~

~~(b) "Fire lane" means a part of a public or private parking lot or private driveway or private road which is designated as a fire lane and designed to provide access for fire trucks to any building or location and which lanes meet the following minimum specifications:~~

- ~~1. Not less than 24 feet wide at any point.~~
- ~~2. Curves and turnarounds shall be designed for a 40-foot turning radius.~~
- ~~3. Dead end lanes more than 300 feet long shall provide for a turn around that is T-type, hammerhead, cul-de-sac, or curved driveway at the closed end of the lane.~~
- ~~4. The surface shall be paved with bituminous or concrete or other approved similar all-weather material and shall be of sufficient strength to support City fire fighting equipment.~~

~~(c) "Fire hydrant" means a hydrant satisfying the specifications contained in Subch. II, BARABOO WATER UTILITY, of Ch. 13 of this Code.~~

~~(2) LOCATION AND MAINTENANCE OF FIRE LANES AND FIRE HYDRANTS. Fire lanes and fire hydrants shall be located where necessary to provide fire protection to all buildings and premises within the City as determined by the Fire Department. In all cases, a fire hydrant shall be located within 350 feet from each building to be served by the hydrant and all hydrants shall be accessible to fire lanes. All existing and new fire hydrants located on private property shall be routinely inspected, repaired, tested, and maintained by the owner thereof as specified in American Water Works Association Manual 17, Installation, Field Testing and Maintenance of Fire Hydrants, and all fire hydrants shall satisfy the minimum performance requirements established by the City Water Department for City fire hydrants. The City's Water Department and Fire Department personnel shall have open and free access to all fire hydrants upon public and private property within the City at any reasonable time for the purpose of inspecting, repairing, testing, and maintaining fire hydrants. The fire flow test procedures in National Fire Protection Association Ch. 291, Fire Flow Testing and Marking of Hydrants, shall be followed when performing fire hydrant fire flow tests.~~

(3) ~~SNOW REMOVAL.~~ Each owner and/or each occupant of any premises where a fire lane and/or a fire hydrant is required shall be responsible for the prompt removal of snow and ice from a fire lane and for the prompt removal of all snow surrounding each fire hydrant. (2002 01/11/2000)

(4) ~~WRITTEN RECORDS.~~ Written records shall be maintained by the Utility Superintendent showing the installation, inspection, field testing, repair, and maintenance of each fire hydrant within the City. Such records shall be made available for inspection and copying upon request ~~by Fire Department Personnel to the City.~~

(5) ~~(b)~~ ~~DISCLAIMER ON FIRE HYDRANT INSPECTING AND TESTING.~~ The purpose of the inspection and testing of fire hydrants authorized by this Section is to improve the quality of fire protection service within the City. Any inspections and the reports and findings issued pursuant thereto are not intended as, nor are they to be construed as, a guarantee. The findings of any inspection or testing are intended to ascertain conditions that are readily apparent at the time of such inspection or testing and do not involve a detailed examination of all mechanical systems on the entire premises. The City makes no representation or warranty, express or implied, as to the thoroughness or accuracy of any such inspection or testing. The City disclaims, and does not assume, any liability or responsibility whatsoever in the event any error or omission was made by the City as the result of an inspection and/or testing authorized by this Section, whether such errors or omissions result from negligence, accident, or other source or cause. The City shall further not be liable or responsible for damage caused to any fire hydrant while such fire hydrant is being properly tested as required by this Section.

(6) ~~DUTIES AND POWERS OF FIRE CHIEF.~~ All building and project development plans for projects covered by this Section shall be referred to the Fire Chief for examination and approval. If the Fire Chief finds that a proposed fire lane or fire hydrant in a development project does not comply with this Section, the Fire Chief shall be authorized to specify the changes necessary to bring the proposal into compliance. Appeals from orders of the Fire Chief shall be to the Zoning Board of Appeals. The Fire Chief shall inspect the construction of any fire lanes and the placement and specifications of any fire hydrant required by this Section and no occupancy permit shall be issued for any project covered by this Section until the Fire Chief has inspected and approved the fire lanes and fire hydrants.

(75) ~~DESIGNATION AND SIGNAGE FOR FIRE LANES.~~ The owner or occupant of any premises where a fire lane is required under this Section shall designate and mark all fire lanes and shall post appropriate signs indicating the existence of all fire lanes and indicating that no parking is permitted on fire lanes at any time, as specified and approved by the Fire Chief. Signs and markings shall be used in such locations and in such a manner as in the judgment of the Fire Chief will carry out the purposes of this Section and give adequate warning to users of the premises where the fire lanes and fire hydrants are located. Signage and markings shall meet the following minimum standards:

a. ~~(a)~~ ~~Where reasonably feasible, signs shall be erected within 5 feet of the beginning and within 5 feet of the end of the fire lane with spacing between signs not exceeding 75 feet. Each sign shall face in the direction of oncoming traffic and shall be affixed to a stationary pole or object.~~

b. ~~(b)~~ ~~Curb along a fire lane shall be painted yellow and if no curb exists, a 4-inch wide stripe shall be painted the full length of the fire lane. Lanes identified exclusively as fire lanes shall be identified with approved fire lane signs on each side facing forward and the pavement area between the signs shall be striped with 4-inch wide yellow strips.~~

~~(68)~~ ~~OBSTRUCTIONS OTHER THAN MOTOR VEHICLES.~~ No person who is the owner or occupant of a premises required by this Section to maintain a fire lane or a fire hydrant shall place, locate, permit, or allow the placement or location of any obstruction of any fire lane or so as to block access to any fire hydrant. (2027 09/12/2000)

(97) ~~RESTRICTED PARKING IN FIRE LANES.~~— See §7.09 of the Code.

5.15 KEY LOCK BOX SYSTEM (2394 04/23/2013, ~~XXXX~~)

(1) ~~The following structures shall be equipped with a key lock box or a component thereof at or near the main entrance or such other location required by the Fire Chief:~~

- a. Commercial or industrial structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency.
- b. Multi-family residential structures protected by an automatic alarm system, or automatic suppression system, or that have restricted access through locked doors and have a common corridor for access to the living units.
- c. Governmental structures.
- d. Any special facilities or properties that may possess restricted access by the means of a fence, gate or similar device.

~~(4)(2)~~ This ordinance shall not be construed to ~~so as to~~ require a key lock box for the following structures or uses:

- a. One- and two-family dwellings.
- b. Hospitals, nursing homes, jails or other institutional use buildings when on-site staff is available at all times.
- c. Commercial or industrial structures when on-site staff is available at all times.
- d. In the event that any of the structures or uses as set forth in this paragraph install a key lock box system, it shall meet and comply with all the requirements of this ordinance.

~~(3)~~ All newly constructed structures subject to this ~~S~~section shall have the key lock box installed and operational prior to the issuance of a occupancy permit. All existing structures as of the effective date of this ordinance and subject to its provisions shall have one year to install an operational key lock box.

~~(4)~~ The Fire Chief shall designate the type of key lock box system to be implemented within the ~~C~~city and shall have the authority to require all structures as set forth in section (1) of this ordinance to use the designated system.

~~(2)(2)~~ The owner or operator of a structure required to have a key lock box shall, at all times, keep current key(s) in the key lock box, each of which shall be clearly marked so as to indicate it's purposes, that will allow access to the structure. The key lock box shall contain the following keys, as applicable:

- a. Keys to locked points of ingress and egress, whether on the interior or exterior of such buildings.
- b. Keys to locked mechanical rooms.
- c. Keys to locked elevator rooms.
- d. Keys to elevator controls.
- e. Keys to any fence or secured areas.
- f. Keys to any other areas as directed by the Fire Chief or ~~Deputy~~-Fire Inspector.
- g. Keys required by this section shall not ~~i~~nclude keys to individual living units in a multi-family ~~r~~esidential ~~structure.~~
~~structure.~~

~~(6)~~ The Fire Chief shall be authorized to implement rules and regulations for the placement and use of the key lock box system.

~~(7)~~ The ~~Baraboo~~-Fire Department is authorized to share key lock box access with other public safety departments, including the Sauk County Sheriff's Department, the Baraboo Police Department, and the Baraboo Ambulance District, under rules and policies to be established by the Fire Chief.

~~(8)~~ Entry keys shall be updated as necessary and will be checked as part of the fire inspection visits.

~~(9)~~ The owner or operator of a structure required to have a key lock box system shall provide to the ~~Baraboo~~ Fire Department a list each year of the emergency contacts in case of an emergency requiring the use of the key lock box.

~~(3)(10)~~ Any person who owns or operates a structure subject to this section shall be subject to the penalties set forth in §5.30 of this Code for any violations of this section.

5.1622 SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof, and to this extent, the provisions of this ordinance shall be severable. (2118 05/27/2003, Renumbered only per 2146 04/13/2004, Renumbered only XXXXX)

-5.17 thru 5.29 Reserved

5.30 PENALTY. (2002 01/11/2000, 2027 09/12/2000, Renumbered only XXXXX) Any person who violates, disobeys, neglects, omits, or refuses to comply with or who resists the enforcement of any of the provisions of this chapter, or any order, rule, or regulation made hereunder shall be subject to a penalty as provided in §25.04 of this Code. In addition to the payment of a forfeiture, the City Attorney may, in addition to other remedies provided by law, institute appropriate action or proceedings to prevent or enjoin the erection, enlargement, alteration, repair, moving or occupancy of any building or structure located on any premises in violation of this chapter. In any such action, the fact that a permit was issued shall not constitute a defense and each violation and each day a violation continues or occurs shall constitute a separate offense. (2027 09/12/2000)

5.31

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the _____ day of _____, 20____, and is recorded on page _____ of volume _____.

City Clerk: _____

NBO - 2

The City of Baraboo, Wisconsin

<p>Background: As part of the Public Safety Committee’s recent review of proposed changes to Chapter 5, <u>Fire Department</u>, of the Baraboo Municipal Code, the Committee has recommended the Council amend the current fee schedule for Fire Department related permits. The fee amount is propionate to the amount of staff time that is involved in processing the respective permit application.</p>
<p>Fiscal Note: (check one) [x] Not Required [] Budgeted Expenditure [] Not Budgeted Comments:</p>

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

1. Section 1.90, Fee Schedule, of the Baraboo Municipal Code is amended as follows:

- Bonfire Permit - \$50.00 (currently \$25.00)
- Open Burning Permit - \$50.00 (currently \$25.00)
- Fire Performance Permit - \$50.00 (this is a new permit)

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the _____ day of _____, 20____, and is recorded on page _____ of volume _____.

City Clerk: _____

REPORT OF BUILDING INSPECTION
Construction, Plumbing, Electrical, HVAC, Commercial
JANUARY

PERMIT TYPE	2019						2020					
	ISSUED	YTD	EST COST	YTD	FEES	YTD	ISSUED	YTD	EST COST	YTD	FEES	YTD
Commercial, New	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Commercial Addition	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Commercial, Alterations	1	1	\$70,000.00	\$70,000.00	\$235.00	\$235.00	4	4	\$159,000.00	\$159,000.00	\$1,757.00	\$1,757.00
Commercial, Razing	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Residential , New SF	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Residential, New Duplex	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Residential, Additions	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Residential Remodel	4	4	\$34,658.00	\$34,658.00	\$360.00	\$360.00	4	4	\$144,000.00	\$144,000.00	\$545.16	\$545.16
Residential, Razing	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Accessory Building Razing	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Roofing/Siding/Windows	2	2	\$11,000.00	\$11,000.00	\$78.00	\$78.00	3	3	\$16,500.00	\$16,500.00	\$114.00	\$114.00
Garage/Sheds/Deck/Fence	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Multi-Family Units	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Plumbing Only	0	0	\$0.00	\$0.00	\$0.00	\$0.00	2	2	\$5,946.00	\$5,946.00	\$120.00	\$120.00
Electrical Only	5	5	\$18,640.00	\$18,640.00	\$420.00	\$420.00	5	5	\$54,373.00	\$54,373.00	\$495.00	\$495.00
HVAC Only	0	0	\$0.00	\$0.00	\$0.00	\$0.00	1	1	\$2,500.00	\$2,500.00	\$100.00	\$100.00
Sign Permits	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Misc. Permits	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS	12	12	\$134,298.00	\$134,298.00	\$1,093.00	\$1,093.00	19	19	\$382,319.00	\$382,319.00	\$3,131.16	\$3,131.16

Members Present: Petty, Thurow, Kent

Absent:

Others Present: Mayor Palm, Adm. Downing, E. Truman, B. Zeman, P. Cannon, J. Bergin, Ald. Ellington, T. Pinion

Call to Order –Ald. Petty called the meeting to order at 6:00 p.m. noting compliance with the Open Meeting Law. Moved by Kent, seconded by Thurow to approve the minutes of January 14, 2020 and carried unanimously. Moved by Kent, seconded by Thurow to approve the agenda and carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Kent, seconded by Thurow to recommend to Council for approval of the accounts payable for **\$481,819.67**. Motion carried unanimously.
- b) **Review and Recommendation to Common Council for approving CDBG \$1,000,000 Grant application towards library expansion project** – Adm. Downing explained that the Library Board was interested in applying for a CDBG Grant for the Library expansion. There are a lot of requirements to apply and implement a CDBG Grant and the Library is not able to apply themselves, the City of Baraboo must apply as the head agency. Ald. Petty noted that based on the pros and cons provided to the Committee, he does not see this as a financial benefit. Ald. Kent agrees with Ald. Petty and also noted that this would tie up this grant for other projects during the 2-year window.

City Engineer T. Pinion reminded the Committee that we used a CDBG Program this year to free up some revolving loan funds. There was a large amount of administration work that had to be done in-house, much more than originally expected. It's agreed that we would definitely have to hire out for the administration of this grant.

CDA Director P. Cannon noted that it's a \$1,000,000 grant with a non-refundable \$10,000 application fee. MSA has offered to administer the grant for a fee of \$60,000-\$70,000. At that point, you are making Ninety-three cents on the dollar. Because of the changes to prevailing wage, it's going to cost another fifty to sixty cents on the dollar so all of a sudden your return on investment is not as great as what was expected. Additionally, it's hard to put a cost on the opportunity cost; regular tasks that are not getting done by staff.

Library Director J. Bergin explained that this first came up while working with their architects, MSA. The Library Board is aware of the different costs associated with the grant. She feels that the Library Board would like the Committee to consider if this is a good use of this grant. Is there another City project that might be better use of this grant? The grant application deadline is soon approaching. The Library project will be able to move forward with or without this grant.

Mayor Palm explained that on a weekly basis, you are required to monitor every person that worked on this job. You are constantly chasing contractors for this information. Because the Library does not need this money to build, some additional fundraising will be a lot less trouble in the long run. Davis-Bacon wage rates will, without a question, increase the cost of the library.

No recommendation made.

- c) **Review and Recommendation for approving pay grade increase for Office Assistant-Accounts in the Finance Department** – C. Haggard explained that two employees hired in the Finance Department were brought in as Grade 3. Because these employees have taken on more responsibilities, with little or no supervision, she is requesting an increase to Grade 4 for both employees. The job description has been amended as well, changing their titles to be "Finance Assistant-Accountant". Former City Adm. Geick did a job factor analysis and supported the recommendation. The wage increase will be effective 1/1/2020 and is included in the 2020 budget

Ald. Kent agrees with the wage increase; making the revision on the high quality of work and advanced job duties. The work being done for the CDA is still being done; it's redefined in the new job description. C. Haggard does not feel this requires additional staff.

Motion by Kent, seconded by Thurow to recommend the Grade Increase to Council for action. Motion carried unanimously.

- d) **Review and Recommendation to approve updates to the Employee Handbook for the City's FMLA policy and Holiday policy** – The Committee reviewed the changes to the Employee Handbook. Adm. Downing explained that most of the changes to the FMLA policy now reference the federal regulations; FMLA will now be based on a 12-month look-back period, not calendar year. The Holiday policy is amended to include Martin Luther King Jr. Day. Adm. Downing presented wage information for Police Holiday pay and explained that police officers do have the option of taking holiday as comp time. Ald. Petty feels that potential staff will look at both their hourly wages as well as the benefit packages; not only on new hires, but also retaining current staff. Motion by Kent, seconded by Thurow to recommend the updated Employee Handbook to Council for action. Motion carried unanimously.

Informational Items

- 1) Chief Schauf presented information regarding a possible rate increase for parking citations. Parking tickets are done on a bond schedule approved by Finance and Council. Chief Schauf recommends increasing the \$10 to \$15 and the \$20 to at least \$25. Atty. Truman is also going to add an appeals process to the ordinance. Ald. Petty is in favor of raising the citations but would like to see some feedback from the officers. This information will be presented at a later meeting.

Adjournment – Moved by Kent, seconded by Thurow and carried to adjourn at 6:44pm.
Brenda Zeman, City Clerk

Meeting Minutes

January 2, 2020

I. Call to Meeting to Order and Note Compliance with Open Meeting Law

Chair John Alt called the meeting to order at 5:30 PM at the Baraboo Municipal Building, room 205, 101 South Blvd., Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statutes regarding open meetings.

II. Roll Call

Present: Alt, Bowers, Johnson, Palm, Ryan, White

Absent: Ayar, Caflich, Mueller, Reppen, Taylor, Walczak

Other: Kennie Downing, Patrick Cannon

It was noted that quorum was not present at the meeting, therefore the meeting was cancelled

John Alt
Chairperson

Patrick Cannon
Recorder

Baraboo-Wisconsin Dells Airport Commission

January 7, 2020

Present: Michael Palm (Baraboo)

Absent: Mark Whitfield (Village of Lake Delton)

Also Present: Kennie Downing (City Administrator, Brandon Scott, Bill Murphy, Tom Pinion.

The meeting was scheduled to be at the Baraboo-Wisconsin Dells Regional Airport, S3440 County Road BD, Baraboo.

The meeting did not take place due to lack of quorum.

Submitted by:

Kennie Downing

City Administrator/Airport Manager

Baraboo-Wisconsin Dells Airport Commission

January 29, 2020

Present: Michael Palm (Baraboo), Mark Whitfield (Village of Lake Delton). Absent: Bill Murphy (FBO).
Also Present: Kennie Downing (Airport Manager), Emily Truman (Baraboo City Attorney)

The owner representatives met at the Baraboo-Wisconsin Dells Airport, S3440 County Rd. BD, Baraboo.

The meeting was called to order by Palm at 9:15 AM and roll call was noted by Downing of those present. Compliance of the Open Meeting Law was noted by Palm.

Previous Minutes

Approval of the meeting minutes of December 3, 2019. A motion was made by Whitfield, seconded by Palm and approved unanimously.

Approve Agenda

Moved by Whitfield, seconded by Palm and carried to approve the agenda.

Action Items

2. **APPEARANCES/PRESENTATIONS** - None

3. **PUBLIC COMMENT** - None

4. ACTION ITEMS

- a. Discussion of New FBO for Phoenix Services
Brandon Scott submitted his application for FBO. He discussed his proposal of creating Phoenix Flight Services a business that provides helicopter sightseeing tours, contract flights, and drone services. He would sublease space from the owner of hanger 103, Mr. Tom Alibrando. Mr. Alibrando had no concerns about the sublease. Palm asked Emily Truman to research whether Mr. Alibrando's hanger lease had any problems with subleasing terms. Whitfield asked Mr. Scott if he obtained permission from the cities, villages and towns where drones would be flying over and possibly photographing things. Mr. Scott will research if such a requirement exists. Whitfield discussed with Mr. Scott having to create his own helipad for his business when the airport already has one. Whitfield suggested perhaps we should designate a second helipad area if helicopter traffic is so frequent. Palm asked how many transient helicopter landings occur at the airport? Staff will get back with the answer to that answer. As Bill Murphy was not present at this meeting, Bill submitted in writing several questions regarding the Phoenix Flight Services proposal. Mrs. Downing will provide these questions to Mr. Scott in writing. The commission decided to take no action until the answers to the questions were provided. NO ACTION.
- b. Update on property located at E11110 N. Reedsburg Road. Motion made by Whitfield, seconded by Palm to request Ms. Truman and Mrs. Downing to negotiate an offer and bring back information to the commission in closed session. Approved unanimously.

INFORMATION ITEMS

- a. Report from Airport Manager. No new information to report

- b. Report from Bill Murphy, FBO. Bill Murphy was not present at this meeting, but provided a written update, that is attached to these minutes.
- c. Audit report from Baker Tilly. The Commissioners reviewed the audit. No action was necessary.
- d. Review of FY 2019 budget reports and balance sheets. The Commissioners reviewed the year-end budget reports and balance sheets. No action was necessary.
- e. **Next Meeting Date:** will be scheduled as soon as Mr. Scott delivers answers to questions. Next agenda will include 1) Phoenix Flight Services, 2) Fuel system, and 3) Airport Manager designation, Closed session: property at 11110 N. Reedsburg.

ADJOURNMENT: A motion was made by Whitfield and seconded by Palm to adjourn at 10:15AM.

Commission meeting items:

Phoenix Aviation

- Plans for public escort inside secure area (Sidewalk, parking, etc.)? Site plan and intentions for sidewalk, bridge, and handicap access.
- Lease terms with hangar owner? Term length? Check with Emily to make sure a hangar owner can do this arrangement with half of his hangar commercial and the other half for personal storage.
- What fees will be paid to commission for this type of operation?
- Expand on "Drone Services"? We cannot have drones flying around an airport. There are rules that restrict this so I'd be curious what these services are.
- Helipad location and traffic pattern plan?

Property purchase - *1110 N. Reedsburg*

I feel that if this purchase is at all possible, we need to purchase it. We need to be vigilant at protecting the investment and facility that we are so lucky to have working for our economy.

Fuel System project

If we have to split the project up, we will need to consider moving forward with this plan:

- 2020 Replace Credit Card Terminal with new M4000 or similar system
- 2020 replace dispenser for JET-A with new pumping system and cabinet
- 2021 Replace both tanks and relocate system to East side of Ramp
- 2021 Replace existing fuel island with concrete pad for parking aircraft in front of FBO once fuel tanks have been removed

I'm curious if we can reuse current JETA 10000 gallon tank for our Avgas once we relocate the system in 2021. We will not need a larger tank for AvGas so it would be silly to remove a double-wall 10,000 gallon tank only to replace with the same.

FBO REPORT:

- FSI has relocated their new Hawker 900XP corporate jet to their newly completed hangar!
- A lot of snow removal recently and everything is working well and the facility is handling traffic and conditions perfectly
- Working with potential flight school FBO that may want to build and operate a facility out of DLL
- Looking to Spring for pancake breakfast options and airport tours for Scouts and Head Start
- Hoping to add new equipment and an additional rental aircraft to the flight line at BDFC in 2020

Minutes of Plan Commission Meeting January 21, 2020

Call to Order – Phil Wedekind called the meeting of the Commission to order at 6:00 PM.

Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, Jim O’Neill, Kolb, and Dee Marshall.

Also in attendance were Tom Pinion, Administrator Kennie Downing, Bob Vajgrt, , Shawn McNevin, Brian Hearn, Jim Lombarg, and Bridget Gore (BNR).

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Liston, seconded by Kolb to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by Kolb, seconded by O’Neill to approve the minutes of the December 17, 2019 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) –There were no speakers.

Public Hearing

- a. The request of the Baraboo School District for a Conditional Use permit to expand the existing Jack Young Middle School building in an R-1 Single-Family Residential zoning district on Lot 1 of CSM #4227, located at 1531 Draper Street, City of Baraboo, Sauk County, Wisconsin - There being no speakers, the hearing was declared closed.

New Business

- a. Consider the Baraboo School District’s request for a Conditional Use Permit to expand the existing Jack Young Middle School building in an R-1 Single-Family Residential zoning district on Lot 1 of CSM \$4227, located at 1531 Draper Street, City of Baraboo, Sauk County, Wisconsin – Bob Vajgrt, Architect for the project introduced himself to the Commission. Vajgrt presented the proposed site plan to the Commission. He stated that the addition is going over the top of the existing gymnasium and cafeteria. The addition is comprised of a new gymnasium, an expanded student commons/cafeteria, and additional learning spaces. He said that all the areas of the addition is one-story, other than within the commons there is a library that expands over the top, there is a two-story there, almost like a bridge. He said that there will also be renovations to the existing building within the project. He said that the circular parking is being removed, additional parking will be added. Vajgrt then presented erosion control, and utilities. He said that the entire building will be sprinkled. He said that the building addition, other than the academic one will be separated from the rest of the building by a fire wall. He then touched on landscaping, along with the nature trail being added, and sitting areas. Jim Lombarg then presented stormwater, saying that there would be a basin installed just south of the new parking lot. He said the basin will have landscaping included. Vajgrt then presented the lighting plan to the Commission. He then gave a detailed presentation of the floor plan. Brian Hearn spoke more of the architecture of the building to the Commission. He said that they are trying to blend some of the existing materials with the existing building. He said that the existing brick is a three-brick blend, and the new brick that will be used is a complimentary color, a slightly brighter tone. The other materials that will be used on the academic addition, commons, and the gym have a stone base, which is a lighter stone. He said a third material that will be used on the commons areas is a composite metal panel used on the commons area, similar to the high school. Liston asked if this would be conventional heat. It was stated that different options are being looked at for heating. Kolb asked if any consideration has been given to solar heat. Sean McNevin said when the referendum was done solar wasn’t included based on numbers. He said that Committee are working on solar options, the District has commissioned a study for the Jack Young Middle School, and High School, and looking at adding on and supplementing it, not only for the power savings, but also for the curriculum addition. The solar would be done as an add-on, and done through their budget. He said, ironically, they are finding out that the High School is the better investment because it is used year round. Kolb asked if they were thinking solar array, or rooftop, and McNevin said that they have settled on a rooftop. It was moved by Liston, seconded by Kolb to approve the request for a conditional use permit as presented. On roll call vote for the motion, Thurow, Franzen, Liston, O’Neill, Kolb, Marshall, and Wedekind. Nay – 0, motion carried unanimously. McNevin said that this addition is really transforming the inside of this building. He said what has been done is going from a Middle School,

mixed classroom concept to a house concept, which is one of the biggest changes that will not be seen from the outside. He said that the increased size of the cafeteria will decrease the number of lunch periods down to two instead of three. The gymnasium now will be able to fit the entire school body in the bleachers.

- b. Review and approve a site plan for renovations to the Jack Young Middle School, at 1531 Draper Street, for the Baraboo School District – It was moved by Liston, seconded by Kolb to approve the site plan for renovations to the Jack Young Middle School as presented. On roll call vote for the motion, Franzen, Liston, O’Neill, Kolb, Marshall, Wedekind, and Thurow. Nay – 0, motion carried unanimously.

Adjournment - It was moved by Liston, seconded by Franzen to adjourn at 5:47 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee