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5.2.1 IMPEDING FIRE EQUIPMENT PROHIBITED.

No person shall impede the progress of any fire engine, fire truck or other fire emergency vehicle of the North Shore Fire Department along any streets or alleys of such City at the time of a fire or in response to any emergency when the Fire Department of the City is using such streets or alleys in response to an emergency.

5.2.2 POLICE POWER OF THE DEPARTMENT.

- (a) The Fire Chief or officers in command at any fire are hereby vested with full and complete police authority at fires. Any officer of the Department may cause the arrest of any person failing to give the right-of-way to the Fire Department in responding to a fire.
- (b) The Fire Chief or officers in command at any fire may prescribe certain limits in the vicinity of any fire within which no persons, excepting firemen and policemen and those admitted by order of any officer of the Department, shall be permitted to enter.
- (c) The Fire Chief shall have the power to cause the removal of any property whenever it is deemed necessary and prudent for the preservation of such property or to prevent the spread of fire or to protect any adjoining property. During the progress of any fire he/she shall have the power to 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 Department during the progress of a fire.
- (d) The Fire Chief, Fire Marshal or other designates shall have concurrent jurisdiction with the Director of Inspection Services for the purposes of enforcement of this Code, including the authority to conduct inspections as requested by the Director of Inspection Services, to issue corrective orders for violations of this Code or any other State Codes enforceable within the corporate limits of the City of Glendale, and to refer matters to the Director of Inspection Services for prosecution by the office of the City Attorney. This provision includes the authority to conduct inspections as required by this Code as requested by the Director of Inspection Services or any other agency of the City, to order that violations of this Code creating a clear and present danger cease immediately, to issue corrective orders regarding compliance with this Code and to refer matters for prosecution in the municipal court or for any other remedy deemed appropriate in the discretion of the office of the City Attorney and as provided by Section 1-1-7 of the City of Glendale Code.

5.2.3 **DAMAGING FIRE HOSE PROHIBITED; PARKING BY HYDRANTS; BLOCKING FIRE LANES.**

- (a) **Driving Over Fire Hose.** No person shall willfully damage in any manner any hose, hydrant or fire apparatus. No vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street, private driveway or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.
- (b) **Parking Vehicles Near Hydrants.** It shall be unlawful for any person to park any vehicle or leave any object within ten (10) feet of any fire hydrant at any time.
- (c) **No Parking Near Fire.** It shall be unlawful for any person, in case of fire or other associated emergency, to drive or park any vehicle within the cordoned off area or within one block from the place of fire or emergency without the consent and authority of the Fire Chief or officers in command at the emergency or any police officer.

5.2.4 **FIREMEN MAY ENTER ADJACENT PROPERTY.**

- (a) **Entering Adjacent Property.** It shall be lawful for any fire department personnel while acting under the direction of the Fire Chief or any other officer in command to enter the premises adjacent to or in the vicinity of a building or other property that is on fire for the purpose of extinguishing or containing such fire. No person shall hinder, resist or obstruct any fireman in the discharge of his duties as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firemen in the discharge of their duties.
- (b) **Destruction of Property to Prevent the Spread of Fire.** During the progress of any fire, the Fire Chief or officers in command at the emergency shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire or to ensure that the fire has not extended to other areas; provided that it is likely that, unless such property is removed, other property is in danger of being destroyed by fire.

5.2.5 **VEHICLES TO YIELD RIGHT-OF-WAY.**

Whenever fire department vehicles are responding to an emergency with lights and/or siren every person driving or operating any motorized vehicle shall move and remain to the side of the street until the fire apparatus shall have passed. This section shall apply to all non-motorized vehicles as well.

5.2.6 **INTERFERENCE WITH USE OF HYDRANTS PROHIBITED.**

No person shall occupy any portion of such streets or alleys with a motorized or other vehicle between fire apparatus or any hydrant to which a fire hose may be, or may be about to be, attached.

5.2.7 **OUTDOOR, OPEN, REFUSE AND OTHER BURNING.**

- (a) **Purpose.** This ordinance is intended to promote the public health, safety, and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens

of the City of Glendale due to air pollution and fire hazards of open burning, wood burning, outdoor burning and refuse burning.

- (b) **Applicability.** This ordinance applies to all burning within the City of Glendale, except as set forth below or herein.
- (1) This ordinance does not apply to grilling or cooking using charcoal, propane or natural gas, in cooking and grilling appliances.
 - (2) This ordinance does not apply to burning in a stove, furnace, fireplace, or other heating device within a building used for human or animal habitation or use, unless the material being burned includes refuse as herein defined.
 - (3) This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene, in devices intended for heating, construction or maintenance activities.
 - (4) Burning incidental to the conduct of religious services.
 - (5) The burning of wood or other manufactured fireplace materials in decorative patio fireplaces or chimineas, provided such are located on concrete surfaces, and maintained at such distance from adjacent structures or other combustible materials so as to avoid the risk of combustion spreading from such fireplace or chiminea.
- (c) **Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.
- (d) **Definitions.**
- (1) Fire Chief means the Chief of the North Shore Fire Department or other person authorized or designated by the Chief of the North Shore Fire Department.
 - (2) Outdoor burning means open burning or burning in an outdoor fired furnace or enclosure.
 - (3) Open burning means kindling or maintaining the fire where the products of combustion are emitted directly into the ambient air without passing through a stack or chimney.
 - (4) Outdoor wood fired furnace means a wood fired furnace, stove or boiler that is not located within a building.
 - (5) Refuse means any waste material, including yard waste and solid waste, and any other material intended for disposal.
- (e) **Prohibition on Open Burning, Outdoor Burning and Burning of Refuse or Solid Waste.** Open burning, outdoor burning and burning of refuse or solid waste are prohibited in the City of Glendale unless otherwise specifically permitted by this ordinance or another specifically applicable provision of the City of Glendale Code of Ordinances.
- (f) **Materials that May Not Be Burned.** The following materials may not be burned by way of indoor or outdoor burning, open burning, incinerator, burn barrel, furnace, stove, or any other indoor or outdoor incineration, or any heating device:
- (1) Rubbish or garbage, including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris, or other household or business wastes.
 - (2) Waste oil or other oily waste except oil designed for burning in a heating device or for energy recovery subject to the restrictions in Chapter NR-590 of the Wisconsin Administrative Code.
 - (3) Asphalt and products containing asphalt.
 - (4) Treated or painted wood including, but not limited to, plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.

- (5) Any plastic material, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, synthetic fabrics, plastic films or plastic containers.
- (6) Rubber, including but not limited to tires and synthetic rubber like products.
- (7) Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the provisions of the Glendale Code or any other applicable state or federal law.
- (g) **Open Burning of Leaves, Brush, Wood, Yard Waste, and Other Vegetative Debris.** Outdoor or open burning of leaves, brush, wood, yard waste, and other vegetative debris is prohibited in the City of Glendale.
- (h) **Burn Barrels.** No person shall use or maintain a burn barrel in the City of Glendale.
- (i) **Outdoor Wood Fired Furnaces.** No person shall use or maintain an outdoor wood fired furnace within the City of Glendale.
- (j) **Burning on Streets.** No materials may be burned upon any street, curb, gutter, or sidewalk, except as applies to grilling or cooking using charcoal, propane or natural gas, in cooking and grilling appliances, and only upon permission of the City of Glendale.
- (K) **Authority.** The North Shore Fire Department, the Chief of Police, or their designates, is permitted to prohibit any or all fires or combustion when such fire or combustion is deemed hazardous or an imminent threat to the public health, welfare, or safety.
- (l) **Fire Department Practice Burns.** Notwithstanding the provisions of this ordinance, the North Shore Fire Department may burn a standing building for the purpose of firefighting practice, provided the practice burn complies with the requirements of the Department of Natural Resources, and provided the Department has notified the City Administrator, and the Chief of Police, and been advised that the Administrator and Chief of Police have approved the date, time, duration, and circumstances of such practice burn.
- (m) **Liability.** Persons utilizing and maintaining outdoor or open burning as allowed by Section (b) above, assume all liability and responsibility for any damage caused to their property, adjoining property or persons, because of the kindling or maintaining of such fire.
- (n) **Enforcement and Penalties.** The penalty or remedy for violation of any portion of this ordinance shall be as set forth in Section 1.1.7 of the Glendale Code of Ordinances.

5.2.8 FALSE ALARMS; MEDDLING WITH APPARATUS.

No person shall within the City of Glendale give or cause to be given any false alarm with respect to police or fire service, either by telephone or otherwise; or to pull the lever of any signal box, in any way with any signal box, except in accordance with regulations established by the Chief of the Fire Department and the Chief of the Police Department; or to in any way injure same, or any of the wires or parts thereof connected with any part of said system; or to make any connection or communication therewith so as to interfere or interrupt the proper working of said systems, or with intent to injure, break or destroy any machinery or fixtures connected with said systems. Any person found guilty of the violation of this Section shall become subject to a penalty provided in Section 1-1-7.