

**14.09 SMOKE DETECTORS REQUIRED.** (1) DEFINITIONS. (a) Smoke Detector. A device which detects particles or products of combustion other than heat.

(b) Sleeping Area. The area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas, but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas.

(c) Interconnected System. Two or more interconnected smoke detectors.

(2) BUILDINGS AFFECTED. Any building which is used for sleeping or lodging purposes is subject to the rules and regulations contained in this section and includes, but is not limited to, by reason of enumeration, to a building, all or part of which contains dwelling units, including single-family dwellings, 2-family dwellings and multi-family dwellings; hotels and motels; mobile homes; nursing homes and convalescent homes; licensed half-way houses; and licensed rooming houses. All owner occupied single-family dwellings built prior to October 24, 1986, are exempt from the provisions of this section.

(3) LOCATION OF SMOKE DETECTORS. (a) Regular Installations. 1. Except for one- and 2-family dwellings, as provided in subpar. 2. below, the owner of a residential building, as defined in sub. (2) above, which construction was commenced on or after October 24, 1986, shall install and maintain a smoke detector in each sleeping area of each unit, in each basement unit and at the head (top) of the stairway of each floor level of the building. All existing residential property defined in sub. (2) above shall be equipped with smoke detectors.

2. Smoke detectors in one- and 2-family dwellings shall be installed as provided in Wis. Adm. Code COMM 21.09.

3. The owner is responsible to notify the tenant of the tenant's responsibility to replace batteries. Upon original occupancy or reoccupancy, the owner must notify the tenant in writing that the smoke detector in individual units are operable and make the tenant aware of the manufacturer's recommendation for testing. The tenant must acknowledge this written notification by written signature.

4. The tenant is responsible for testing of smoke detector according to manufacturer's recommendations. Periodic battery replacement is the responsibility of the tenant. If the tenant finds through testing that a defect exists, he shall notify the owner immediately and the owner shall correct the defect. The owner shall have 72 hours from receipt of written notice from the tenant to repair or replace the smoke detector.

(b) Special Installations. 1. In addition to the provisions of sub. (2) above, in buildings defined in sub. (2) where a common hallway is used, smoke detectors shall be spaced not more than 30 feet apart in such hallways in addition to basement and stairway installation pursuant to par. (a) above. Hallway, stairway and basement detectors shall be installed as part of an interconnected system.

2. In occupancies set forth in sub. (2) above where the basement is served by 2 or more required standard exits, the area between the exits shall be considered as a common hallway and shall meet requirements of spacing as described in subpar. 1. above.

3. If the owner of any building described in sub. (2) above has improperly installed smoke detectors, he shall be allowed a 5 day period from date of receipt of written orders in which to comply.

(4) APPROVAL. A smoke detector required under this section shall be approved by Underwriters Laboratory or other comparable testing firm.

(5) EQUIPMENT, INSTALLATION AND MAINTENANCE. Ionization type or photo-electric type detectors may be used. AC or DC power may be used. If AC powered, detectors must be directly attached to a junction box not controlled by any switch other than the main power supply. The installation of AC powered detectors shall conform to all electrical standards adopted by the Village. A smoke detector required under this section shall be installed according to the directions and specifications of the manufacturer, but if in conflict with the Village's Electrical Code, the Electrical Code shall take precedence.

(6) DEPARTMENT INSPECTION AND ORDERS. The Fire Inspector may inspect all residential buildings and may issue orders as may be necessary to ensure compliance with this section. The Fire Inspector may be contacted for recommendations when an owner is concerned about installation and number of detectors. Inspection of hallway, stairway and basement detectors shall be routine in buildings inspected by the Fire Inspector. Inspection of new construction shall be carried out by the Building Inspector on his final inspection.

(7) TAMPERING PROHIBITED. (a) No person shall tamper with a smoke detector or its electrical supply or remove or disconnect the battery in a detector.

(b) If the Fire Department responds to a smoke detector alarm and no cause for the system or detector to be activated is found, the possibility exists that batteries shall be removed or other measures taken to silence the detector or system. Such action shall in no way place liability on the Fire Department. The owner or manager of the building shall be notified immediately by the officer in command concerning the condition and he shall have the system or detector operable within 72 hours thereafter.

(8) PENALTY. Any violation of or noncompliance with any of the provisions of this section shall subject the violator to a forfeiture of not less than \$50 nor more than \$250, together with the costs of prosecution and, in default of payment thereof, to imprisonment in the County Jail until such forfeiture and costs are paid, but not to exceed 15 days. Each day of violation or noncompliance shall constitute a separate offense.