

1981 Assembly Bill 169

Date published: May 6, 1982

CHAPTER 318 , Laws of 1981

AN ACT to amend 165.55 (10); and to create 165.55 (10m) of the statutes, relating to special inspection warrants.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 165.55 (10) of the statutes is amended to read:

165.55 (10) The state fire marshal, deputy state fire marshals or chiefs of fire departments shall apply for and obtain special inspection warrants prior to the inspection or investigation of personal or real properties which are not public buildings or for the inspection of portions of public buildings which are not open to the public for the purpose of determining the cause, origin and circumstances of fires either upon showing that consent to entry for inspection purposes has been refused or upon showing that it is impractical to obtain the consent. The warrant may be in the form set forth in s. 66.123. The definition of a public building under s. 101.01 (2) (h) applies to this subsection. No special inspection warrant is required ~~in cases of emergency or in:~~

(a) In cases of emergency when a compelling need for official action can be shown and there is no time to secure a warrant;

(b) For investigations which occur during or immediately after the fire fighting process; or

(c) For searches of public buildings which are open to the public.

SECTION 2. 165.55 (10m) of the statutes is created to read:

165.55 (10m) Any investigation or inspection authorized under sub. (10) shall be conducted by the state fire marshal, deputy state fire marshals or chiefs of fire departments or their designees.
