

## Chapter 50

### FIRE DEPARTMENT

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[HISTORY: Adopted by the Town Board of the Town of Washington 6-19-1986 as Ch. 4, Subch. II, Part B of the 1986 Code. Amendments noted where applicable.]

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§ 50-1. Title.

This chapter is entitled the "Washington Island Volunteer<sup>1</sup> Fire Department Ordinance."

§ 50-2. Authority.

The Town Board of the Town of Washington has specific authority to establish this chapter under § 60.55, Wis. Stats.

§ 50-3. Purpose.

By the establishment of a Fire Department, the Town Board of Washington confirms its responsibility under § 60.55, Wis. Stats., to provide for fire protection and other emergency responses for the Town and its citizens. The Town Board of Washington further ordains that the Fire Department shall be under the supervision of the Town Board.

§ 50-4. Property.

The property of the Washington Island Volunteer Fire Department, consisting of fire engines, water tanker trucks, miscellaneous vehicles, pumps, hoses, saws, axes, ladders, protective clothing, hose nozzles and fittings, and such other equipment as may be used for fire fighting, fire prevention or life saving shall be the property of the Town of Washington. Any personal items that belong to any of the members of the Fire Department which are left for keeping in the Fire Station shall be registered with the Fire Chief or his designee to insure safe keeping. Any items not so registered will not be a responsibility of the Fire Department or the Town of Washington in case of loss or damage.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II

**§ 50-5. Organization.** <sup>4 & 5</sup>

The Washington Island Volunteer Fire Department shall consist of the Fire Chief plus thirty-one (44) Fire Fighters/First Responders. The total number would not exceed forty-five (45). The Fire Chief shall be recommended by the members and approved by the Town Board every two years.

**§ 50-6. Duties of Fire Chief.**

The Fire Chief shall have overall responsibility for the operation of the Department and shall report to the Town Board on a regular basis concerning the activities of the Department. He/she shall forward to the Town Board results of all officers elected and appointed. He/she shall make himself/herself aware of all pertinent statutes, administrative rules and NFPA regulations concerning fire department operational or administrative procedures. The Fire Chief shall be responsible for the Fire Department budget for the coming year and make such requirements known to the Town Clerk/Treasurer prior to November 1 of each year. The Fire Chief shall be part of the Town budget preparation process and be present at the budget preparation to answer any questions or justify the Fire Department requests. The Fire Chief shall submit long-range capital requirements for the budgeting of money annually to meet those needs. The Fire Chief shall have police powers as authorized by § 213.095, Wis. Stats., and have additional citation power as called for under § 50-11 of this chapter.

**§ 50-7. Compensation.**

The Fire Chief and the Assistant Chief may receive an annual salary as set by the Town Board. They may receive per-diem and mileage expenses for meeting attendance requested by the Town Board or such other meetings that may be of importance with prior approval of the Town Board or the Town Chairperson in cases that sufficient notice of such meetings is not given in time for the Town Board to take action. All members shall receive compensation for actual fire calls and for meetings and joint exercises attended. The formula for compensation shall be set by the Fire Department and reviewed annually by the Town Board. All training courses attended by members of the Fire Department shall be paid by the Town Board; this includes any training materials that may be required.

**§ 50-8. Insurance.**

The Town of Washington assumes insurance costs for Workers' Compensation, medical costs for injury in the line of duty, liability for errors and omissions, and automobile liability for private vehicles used to answer and return from fire calls or emergencies (this insurance will only pay damages in excess of the member's own insurance coverage and when damages are not a result of intoxication).

**§ 50-9. Governing rules.**

The Washington Island Volunteer Fire Department shall operate under the applicable Wisconsin State Statutes, Department of Commerce Administration Codes, NFPA rules, and such rules as may be prescribed by the Town Board through the ordinance procedure.

**§ 50-10. Disputes.**

Any disputes among the members or officers of the Washington Island Volunteer Fire Department, in so far as possible shall be handled by the Fire Chief. Any problems the Fire Chief cannot resolve shall be referred to the Town Board for resolution. Any matters which could result in discharge, suspension, demotion or disciplinary action beyond the duties of the Fire Chief shall be referred to the Town Board. All matters of this nature shall be heard in Closed Session, with the Town Board giving due notice and citing § 19.85(1)(b), Wis. Stats., for an exemption to the Open Meeting Laws.

**§ 50-11. Fire inspections.<sup>2</sup>**

All public buildings and those businesses serving the public in the Town of Washington will be subject to fire safety inspections. Those operating on a year-round basis shall be subject to two inspections annually, and those operating on a seasonal basis (less than six months per year) shall be subject to one inspection annually. It is not the intention of the Town of Washington that this be a punitive action, but to make the Town safer for its businesses and citizens. The Fire Chief is authorized by this chapter to issue citations for violations as provided in Chapter 23, Citations, of this Code. Each day of violation after notification may constitute a separate offense.

**§ 50-12. Donations and self-generated funds.<sup>3</sup>**

The Washington Island Volunteer Fire Department is authorized to accept donations of money or equipment for use by the Department. The Department is further authorized to conduct fund-raisers for Departmental use. All monies shall be received by the Washington Island Volunteer Fire Department and transferred to a separate Washington Island Fire Department account in the Town of Washington. This account shall be under the exclusive control and management of the Washington Island Volunteer Fire Department. Approval of payments from this account shall be made by checks issued by the proper officer of the Washington Island Volunteer Fire Department upon filing with him or her of certified bills, vouchers signed by the proper officers of the Washington Island Volunteer Fire Department, giving the name of the claimant or payee and the

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2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

amount and nature of each payment. The Rescue Squad may be included in fund-raising activities and may be a beneficiary of such funds for its activities and equipment. Record of payments and deposits shall be submitted to the Town Office on a quarterly basis in accordance with reasonable and accepted accounting practices.

**§ 50.13. Organizational Change to Department<sup>4</sup>**

WIFD By-laws as approved by the WIFD membership to effectively create a new company enables the amended Town Ordinance to work in conjunction with and enhance the operations of the Department. The consolidation of two (2) departments into one (1) has been created, thus the merger of the Washington Island Rescue Squad under the Washington Island Volunteer Fire Department, in accordance with Article XIV (Line 491) of the WIFD By-laws as authorized and approved by the State of Wisconsin.

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<sup>4</sup> Clerk's Note: Amended at Town Board Meeting 9-8-10 Increase membership and FD By-Laws Item 11, Paragraph D.

<sup>5</sup> Clerk's Note: Amended at Town Board Meeting 9-28-2016 Increase membership to 45