

## CHAPTER 5

### FIRE DEPARTMENT

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FIRE DEPARTMENT 5.01

**5.01 COMPOSITION OF DEPARTMENT.** The Department shall be known as the "Village of North Freedom Volunteer Fire Department" and shall consist of the Fire Chief and such officers and subordinates as may be authorized by the Department by-laws; provided that at no time shall the Department consist of less than 22 and not more than 41 active members.

**5.02 APPOINTMENTS.** (1) FIRE CHIEF. See sec. 1.02(5) of this Code.

(2) OTHER OFFICERS; SUBORDINATES. Other officers and subordinates shall be appointed by the Fire Chief in accordance with Department bylaws. New Department members shall be confirmed by the Village Board.

**5.03 GOVERNMENT OF DEPARTMENT.** The Department shall be governed by the bylaws of the Department, Village ordinances and resolutions, and the Wisconsin Statutes. Bylaws adopted by the Department membership shall not be operative until approved by the Village Board.

**5.04 DEPARTMENT BUDGET.** The Fire Chief shall file with the Clerk-Treasurer, by November 1 of each year, a detailed estimate of the appropriations needed for the conduct of the Department during the ensuing fiscal year.

**5.05 POWERS AND DUTIES OF CHIEF.** (1) GENERAL SUPERVISION. The Chief shall have the general supervision of the Department which supervision shall be subject to and not conflict with this chapter and the bylaws of the Department. He shall be responsible for the safety of the members of the Department. He shall also obey all lawful written orders of the Village President and the Village Board. Sales of fire department equipment and supplies shall require approval of the Village President and Fire Chief. The sale proceeds shall be returned to the fire department's operating fund.

(2) PRESIDING OFFICER. The Chief or, in his absence, the highest ranking officer shall preside at all meetings of the Department, call special meetings, preserve order, decide all points of order that may arise, and enforce the provisions 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 Department when it arrives at a fire, observe that the Department 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) 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 Village Board.

## FIRE DEPARTMENT 5.05 (5)

(5) REPORTS TO THE VILLAGE BOARD. The Chief shall submit a written report to the Village Board not later than July 31 of each year, and at such times as he deems desirable, relating to the condition of various pieces of apparatus and appurtenances, the number of fires occurring since the previous report and the date of the same and the 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.

(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, 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 officers of fire departments.

**5.06 CONTROL AND CARE OF APPARATUS.** (1) The Chief shall have control of all apparatus used by the Department and shall be responsible for its proper maintenance. Emergency repairs may be authorized by the Chief or, in his absence, the highest ranking officer available.

(2) No apparatus shall be used for any purpose except for firefighting that is within the Village limits, contracted areas, and in training there for, except pursuant to contracts and mutual aid agreements approved by the Village Board. With the approval of the Chief, such apparatus may be used for emergency purposes within the Village and contracted areas. The Chief may authorize the use of apparatus for legitimate civic purposes.

**5.07 POLICE POWER OF DEPARTMENT.** (1) POLICE AUTHORITY AT FIRES. The Chief and his assistants or officers in command at any fire are hereby vested with full and complete police authority. Any officer of the Department may cause the arrest of any person failing to give the right of way to the Fire Department is responding to a fire.

## FIRE DEPARTMENT 5.07 (2)

(2) CONTROL OF FIRES. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons except firemen and policemen and those admitted by order of any officer of the Department shall be permitted to enter. The Chief 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 destruction of any property necessary to prevent the further spread of the fire. He 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 Department during the progress of a fire.

(3) ENTERING PREMISES. Any fireman, 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 in the discharge of his duty, as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firemen 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 Village 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.

**5.08 FIRE INSPECTORS.** (1) 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 have the same powers as the Fire Inspector.

(2) INSPECTION DUTIES. Fire Inspectors shall inspect, semi-annually, all buildings, premises and public thoroughfares within the Village limits and contracted areas for the purpose of noting and causing to be corrected any conditions liable to cause fires. Repairs or alterations necessary to remove the hazardous condition shall be made within a reasonable time at the expense of the owner. The Inspector shall also investigate the storage and handling of all explosives and inflammable liquids within the Village.

FIRE DEPARTMENT 5.08 (3)

(3) WRITTEN RECORD OF INSPECTIONS. The Chief shall keep a written record card of each property inspected which shall conform to the requirements of the State Department of Industry, Labor and Human Relations and shall make a semiannual report of inspections required by said Department.

(4) CORRECTION OF FIRE HAZARDS. When any inspection by the Fire Chief or his deputies reveals a fire hazard, the Chief or his deputies may serve a notice in writing upon the owner of the property giving said owner a reasonable time in which to remove the hazard. If the fire hazard is not removed within the time allowed, it shall be deemed a nuisance and the Fire Chief or his deputy may have the same removed by the Village and the cost of such removal shall be recovered in an action by the Village against the owner of the property and may also be entered on the tax roll as a special charge against the property.

(5) ENTERING ON PREMISES. No person shall deny the Fire Inspector or his deputy's free access to any property within the Village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Inspection in the performance of his duty or refuse to observe any lawful direction given by him.

**5.09 VILLAGE FIRE PREVENTION CODE; ADOPTION OF CODES.** The following chapters of the Wisconsin Administrative Code, Rules of Department of Industry, Labor and Human Relations, are hereby adopted by reference and made a part of this Code.

ILHR 7	Explosive Materials
ILHR 10	Flammable and Combustible Liquids
ILHR 11	Liquefied Petroleum Gases
ILHR 12	Liquefied Natural Gas
ILHR 13	Compressed Natural Gas
ILHR 14	General Fire Hazards
ILHR 15	Cleaning and Dyeing
ILHR 32	Safety
ILHR 50-64	Building, Heating, Ventilating and Air Conditioning
IND 65	Fire Prevention
IND 69	Fee Structure
IND 221	Spray Coating

Copies of the above codes are on file in the office of the Fire Chief.

## FIRE DEPARTMENT 5.10

**5.10 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 Village 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 thoroughfare and shall keep such vehicle stationary 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 other privileges of any kind, but shall be subject to all traffic regulations applicable to other vehicles.

**5.11 TRAFFIC LAWS APPLY TO VOLUNTEERS.** All volunteer firemen, when responding to a fire call with a private vehicle shall comply with all traffic regulations.

**5.12 SOCIAL ACTIVITIES AND FUND RAISING.** (1) SOCIAL CLUB Members of the Department may organize a social club and elected officers provided that social activities are not funded from Village funds.

(2) FUND RAISING. The social club may raise funds for social activities provided that any advertising clearly states the purpose the funds are being raised for.

**5.13 AMBULANCE SERVICE.** Ambulance service is provided by the Reedsburg Area Ambulance Service and first response service is provided by the North Freedom Volunteer Fire Department.

**5.15 PENALTY.** Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in sec. 25.04 of this code.