

ORDINANCE 2021-01

EMERGENCY SERVICES

THE TOWN OF WINCHESTER, VILAS COUNTY, WISCONSIN

A. Purpose:

This ordinance is intended to update the Town of Winchester Emergency Services Ordinance to reflect its present organization and responsibilities.

B. Authority:

The Town of Winchester has the authority, pursuant to Wis. Statutes section 60.55 (1) and 60.565.

C. Local Ordinance:

1. The Winchester Volunteer Fire Department shall be responsible for fire, rescue, and ambulance (EMS) service in the Town of Winchester.

2. All monies appropriated for emergency services shall be paid by the Town Treasurer under Wis. Stat. 60.34 except as provided in Wis. Stat. 66.0608.

3. This department shall not contract any liability on the part of the Town exceeding its authorized budget in Section B of this Ordinance.

4. Wis. Stat. 66.068 (2)(a) authorizes the Fire Chief, Assistant Fire Chief, EMS Director, Assistant EMS Director, Secretary, and Treasurer (Executive Board) to act as the official in a Volunteer Funds account in the name of the Winchester Fire Department in a public depository.

5. As authorized by Wis. Stat 66.068 (2)(b), all monies raised by the members of the Winchester Fire Department and donations to the same shall be deposited in the above account and used only for bona fide emergency services purposes as directed by the Executive Board.

6. The Fire Department Treasurer shall reconcile all Fire Department and Ambulance Volunteer Funds including receipts, expenditures and account balances with the Town Clerk quarterly.

7. A detailed annual report showing all EMS service expenditures and receipts shall be submitted to the Town Clerk by February 1st of each year.

8. The Winchester Fire Department shall prepare bylaws and a constitution to be approved by the Town Board. Any subsequent revisions or changes to these documents shall also be approved by the Town Board. Notwithstanding these documents, the Town Board shall have the authority to discipline any member for cause per the Town's existing policy.

D. Fire Chief:

1. The Fire Chief shall report to the Town Board.

2. The Fire Chief shall be responsible for the overall management of the Winchester Fire Department.

3. Prior to October 1st each year, the Fire Chief shall prepare and submit a proposed budget for the following year to the Town Board. This report shall show, by line item, all anticipated expenses.

4. By March 1st each year, the Fire Chief shall submit a report to the Town Board stating the following:

- a.) The condition of the Department's apparatus, equipment, and physical plant
- b.) Number and certification level of firefighter personnel
- c.) The attendance level at Department meetings and training sessions
- d.) The number of fire and rescue responses and fire inspections completed
- e.) The EMS report

E. EMS Director:

1. The EMS Director shall report to the Fire Chief.

2. The EMS Director shall be responsible for the overall management and operation of the EMS.

3. Prior to October 1st of each year, the EMS Director shall prepare and submit a proposed budget to the Fire Chief. This budget submission shall show all anticipated by line item.

4. By March 1st each year, the EMS Director shall submit a report to the Fire Chief stating the following:

- a.) The condition of EMS apparatus, equipment, and physical plant.
- b.) Number and certification level of EMS personnel.
- c.) The attendance level of EMS meetings and training sessions,
- d.) Number of ambulance responses.

F. Budget and Expense:

Any member of the Winchester Fire Department's Executive Board shall have the authority to make expenditures for preapproved line items in their budget as provided in their constitution. However, unplanned items or emergency items exceeding \$1,000 will require approval from the Town Board.

G. Inspections:

1. The Fire Chief shall appoint the Fire Inspector(s). Pursuant to Wis. Stat. 101.14(2), the Fire Chief is constituted Fire Inspector and deputy of the State of Wisconsin Department of Safety & Professional Services for the purpose of providing fire inspections of every public building and place of Inspectors and delegate powers and duties.

2. Duties and Powers of the Fire Inspectors:

a.) The Fire Inspector(s) shall inspect every public building and place of employment within the fire limits as provided by Wis Stat. Sec. 101.14(2), to determine and cause to be eliminated any fire hazard or any violation of any law relating to fire hazards or the prevention of fires.

b.) The Fire Inspector(s) may, at reasonable hours, enter into and upon all buildings, premises, and public thoroughfares, excepting only the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any condition liable to cause fire, or any violation of any law or order relating to the fire hazard or to the prevention of fire, pursuant to Wis. Stat. Sec. 101.14(1)(b).

c.) The Fire Inspector(s) may, at any reasonable hours, enter the interior of private dwellings at the request of the owner or renter pursuant to Wis. Stat. Sec. 101.14(1)(bm) (smoke detectors) for remedial actions.

3. Reports:

The Fire Inspector(s) shall keep records of each property inspected which shall conform to the requirements of the State.

4. Removal of Fire Hazards:

a.) Whenever or wherever any inspection of the Fire Chief or deputies reveals a fire hazard, the Chief and deputies are hereby vested with authority to serve a notice in writing upon the owner/occupant of the property giving the owner a reasonable time in which to remove the hazard.

b.) Repairs or alterations necessary to remove the hazardous conditions within such reasonable times as stated shall be at the expense of the owner/occupant.

c.) If the fire hazard is not removed within the time allowed, it shall be deemed a nuisance and the Fire Chief and deputies are authorized to have the hazard removed or remedied by the Town at the expense of the owner and the cost of such removal may be assessed as a charge for current services pursuant to Wis. Stat. Sec. 66.0627. In addition, the presence of a fire hazard shall be deemed a violation of the fire code and shall subject the owner/occupant of the property to a penalty as provided 2020-05.

5. Access to Premises:

a. No person shall deny the Chief or a deputy free access to any property within the Town at any reasonable time for the purpose of a making a fire inspection.

b. No person shall hinder or obstruct the Fire Inspector or deputies in the performance of duties or refuse to observe any law or direction given.

6. Inspection Frequency:

Inspections of all public buildings and places of employment in the Town Hall shall be conducted at least once per calendar year or more often as is ordered by the fire department; provided, however, the interval between such inspections shall not exceed fifteen (15) months.

7. Disclaimer on Inspections:

The purpose of inspections under this section is to comply with the fire inspection requirement of state codes. The inspections and the reports, findings, and orders issued after such inspections are not intended as, nor are they to be construed as, a guarantee. The findings of the inspections are intended to report conditions of non-compliance with Code provisions that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems of the closed premises. The Town makes no warranty or representation, expressed or implied, that its inspection of the property has discovered all fire code violations or all fire hazards or that this report contains a complete list of all fire code violations existing on the property inspected herein.

H. Validity:

Should any action, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof.

I. Legal Actions:

This ordinance shall be effective upon passage and publication as provided by law.

Adopted this 1st day of March, 2021




Joseph Discianno

Town Chairperson



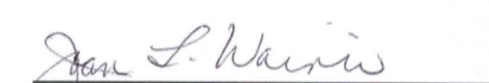
Galen Brownewell

Town Supervisor



Sulo Wainio

Town Supervisor



Attest: Joan Wainio

Town Clerk