

CHAPTER 5

FIRE PROTECTION

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FIRE PROTECTION 5.01

5.01 FIRE PROTECTION. Fire protection for the Town is provided by the Newbold Volunteer Fire Department, except that for that portion of the Town in the 715-479 telephone exchange (generally north of the Rainbow Flowage), fire protection shall be provided by the St. Germain Volunteer Fire Department in accordance with the respective bylaws of the Departments which have been approved by the Town Board.

5.02 FIRE CHIEF, POWERS AND DUTIES. The Fire Chiefs of the above named Fire Departments shall direct the operation of their respective Departments at fires, subject to the rules and regulations which may be adopted by the Town Board and shall issue and enforce such orders as in the Chiefs' judgment may be best calculated for the protection of property and the extinguishing of fires; and shall enforce all applicable ordinances and rules and regulations of the Town Board.

5.03 FIRE INSPECTORS. (1) **APPOINTMENT.** The Fire Chiefs or their respective fire protection district designees shall be the Town Fire Inspectors.

(2) **POWERS AND DUTIES.** The Fire Inspectors shall make such inspections as may be necessary to ascertain the compliance of the owners or occupants or private premises with the provisions of the applicable State law and the administrative rules of the Department of Commerce, and this chapter, and they may enter any building or upon any premises at any reasonable hour for the purpose of such inspection. Should an inspector find a fire hazard within property, giving the owner 48 hours in which to remove the hazard. If the fire hazard is not removed within that time, it is deemed a nuisance and the Fire Inspectors may have the same removed by the Town and the cost of removal shall be recovered by the Town as a special charge pursuant to §66.0627, Wis. Stats.

(3) **INVESTIGATION AND RECORD OF FIRES.** The respective Fire Chiefs or their designated representatives shall investigate the cause of all fires occurring within the Town as soon as possible after their occurrence and shall keep a record thereof, and of the evidence in each case, on file in their offices as public record. The Fire Chiefs shall notify The Town Treasurer of all property fires, including vehicle fires.

5.04 SAFETY REGULATIONS. The Fire Chiefs or their designated agents may prescribe certain limits in the vicinity of any fire within the Town within which any persons shall not be permitted. They 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 adjoining property. They may likewise cause the shut-off of electrical and natural gas services where the same creates a dangerous hazard or interferes with the work of the respective Fire Departments during the progress of the fire.

5.05 DUTY OF BYSTANDERS. Every person who may be present at a fire shall be subject to orders of the respective Chiefs or other officers in command and every such person shall render assistance as may be ordered by the officer in charge. Any person who shall refuse to obey such order after the official status of the officer in charge shall be made known to him shall be subject to a penalty as provided in sec. 5.20 of this chapter.

5.06 DAMAGE TO EQUIPMENT AND INTERFERENCE. No person shall willfully hinder a fireman in the discharge of his duties, nor shall any person willfully injure in any manner any hose, fire engine or other fire apparatus belonging to the Fire Company.

5.07 DRIVING OVER FIRE HOSE PROHIBITED. No road vehicle shall be driven over any fire hose unless otherwise directed by a Fire Chief or person in command at a fire.

5.08 COMBUSTIBLE MATERIALS PROHIBITED. No person shall permit on premises he controls any empty boxes, waste paper, excelsior, rags or other combustible materials in such quantities or manner as to create a fire hazard.

(2) The Fire Chief shall post or cause to be posted "No Smoking" signs on any premises or in any building or any section of such premises or building with the Town where, by the presence of highly combustible materials, in his opinion, the act of smoking presents a fire hazard.

5.10 OPEN BURNING REGULATIONS. See ch. 9 of this Code.

5.11 TOWN FIRE PROTECTION CODE; ADOPTION OF CODES. The following chapters of the Wisconsin Administrative Code, Rules of the Department of Commerce, are hereby adopted by reference and made a part of this Code:

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

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

5.12 HAZARDOUS MATERIALS FIRES. (1) Every person using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses or other hazardous materials shall comply with the requirements of Wis. Adm. Code COM Ch. 8 as the same is now in force and may hereafter from time to time be amended.

(2) Every person using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gasses or other hazardous materials shall be liable to the Town for the actual cost of labor and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar materials of equipment employed to extinguish, confine, neutralize, contain or clean up any such hazardous material which is involved in any fire or accidental spill or in the threat of any fire or accidental spill.

5.13 FIRE CALLS. For fire calls on State and County highways, the fire call charge shall be billed to the State or County, respectively.

5.14 EMERGENCY MEDICAL SERVICE. Emergency medical service shall be provided by the Oneida County and the Town of Newbold First Responders.

5.15 VFD AUTHORIZED TO HOLD VOLUNTEER FUNDS

(1) Purpose and Authority: Pursuant to the authority of Wisconsin Statute Section 66.0608 the Newbold Volunteer Fire Department is authorized to hold "volunteer funds" in the name of the fire department. This is to be interpreted in conformance with that Wisconsin Statute Section as it may be amended from time to time.

(2) The Town Board of the Town of Newbold authorizes the Town Fire Chief or his designee to deposit volunteer funds of the department in an account in the name of the fire department in any public depository approved by the Town Board.

(3) Control of Funds: The Newbold Volunteer Fire Department, through its Fire Chief and Treasurer, is granted exclusive control over the expenditure of funds of the department. Two signatures are required for withdrawals or transfers of over \$500. This authority is granted without limitation as to amount or type of funds. It is subject to the limitations and requirements hereinafter set forth.

(4) Limitations and Requirements: The following limitations and requirements shall apply to the handling and disbursement of funds from the account:

(a.) Expenditures: Expenditures withdrawn from the account may be made only upon majority vote of fire department members present at a duly noticed meeting of the department. Such withdrawals and expenditures may be made for any purpose that promotes the ability of the fire department to provide services for which it is organized.

(b) Accounting: The Fire Chief shall provide the town board with quarterly statements at the end of March, June, September and December of each calendar year. The statements shall be provided within thirty days of the end of the calendar quarter. The statements shall include a detailed itemization of all receipts, expenditures, and the balance on hand at the end of the quarter. The source of all funds and the identity of the payee for each disbursement shall be set forth.

(c) Audit: Fire department accounts shall be included in all audits of town funds. They shall be audited in the same manner as other town funds.

5.20 PENALTY. Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder, and any fireman who shall neglect or refuse to perform any duty required hereunder shall be subject to a penalty as prescribed in §20.04 of this Code.