

Chapter 60

FIRE DEPARTMENT

[HISTORY: Adopted by the Village Board of the Village of Plover 6-4-1985 as §§ 5.01 to 5.08, 5.10, 5.11, 5.17, 5.18 and 5.25 of the 1985 Code. Amendments where noted where applicable.]

GENERAL REFERENCES

Alarm systems — See Ch. 180.
Numbering of buildings — See Ch. 220.
Fire prevention — See Ch. 286.
Hazardous materials — See Ch. 302.

§ 60-1. Composition. [Amended by Ord. No. 25-95; Ord. No. 14-97; Ord. No. 3-14]

The Department shall be known as the "Village of Plover Fire Department" and shall consist of the Fire Chief, Deputy Fire Chief and such subordinates as the Village Board may prescribe by ordinance and resolution.

§ 60-2. Rules and regulations. [Amended by Ord. No. 14-97]

The Police and Fire Commission, together with the Fire Chief, shall promulgate rules and regulations for governing the operation of the Fire Department.

§ 60-3. Appointments. [Amended by Ord. No. 17-90; Ord. No. 25-95; Ord. No. 3-14]

- A. Fire Chief. The Fire Chief shall be appointed by the Police and Fire Commission.
- B. Deputy Fire Chief; subordinates. The Deputy Fire Chief and all subordinates shall be appointed by the Fire Chief, subject to approval of the Police and Fire Commission, in conformity with the provisions of § 62.13, Wis. Stats. Individuals being considered for employment as a firefighter shall: [Amended by Ord. No. 14-97]
 - (1) Physical condition. Be required to take a preemployment physical given by a licensed physician and shall provide the Fire Chief with a satisfactory doctor's report showing the applicant to be in generally good condition with emphasis on the following:
 - (a) Heart condition.
 - (b) Baseline pulmonary function, including lung disease or conditions which would be adversely affected by smoke inhalation.
 - (c) Musculoskeletal evaluation with emphasis on functional back assessment.
 - (d) Baseline hearing evaluation.
 - (e) Proof of tetanus immunization within 10 years.
 - (2) Criminal record. Have a record free of criminal convictions or pending criminal

charges which substantially relate to the duties of a firefighter and provide signed consent for permission to apply for criminal records.

- (3) Driver's license. Provide proof of a valid Wisconsin driver's license and insurability, together with disclosure of any suspensions or revocations of operating privileges.
- (4) Physical ability test. Participate in and successfully complete a physical ability test conducted by an outside agency.¹

§ 60-4. Training.

All members of the Department shall satisfactorily complete the State Fire Training Standards Program within three years of their appointment. Two Department training sessions shall be held every month and all members shall be required to attend unless excused by the Fire Chief.

§ 60-5. Powers and duties of Fire Chief.²

- A. General. The Chief shall be responsible for the supervision of the Fire Department and the first responders in accordance with state law and ordinances established by the Village Board and rules and regulations established by the Police and Fire Commission. The office of Fire Chief is a full-time position. [Amended by Ord. No. 14-97]
- B. Disciplinary action. The Fire Chief shall have the power to file charges against subordinates as established by § 62.13(5)(b), Wis. Stats. [Amended by Ord. No. 25-95]
- C. Command of fire-fighting operations. The Chief shall be present at all fires, if possible, and shall have complete command and entire responsibility of 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 deemed proper, and see that the fire apparatus is kept in proper condition at all times.
- D. Reports to the Police and Fire Commission. The Chief shall submit oral reports to the Police and Fire Commission relating to the conditions of various pieces of apparatus and appurtenances, fires occurring since the previous report, payroll data, and the drill and training program of the Department, together with other pertinent information, including recommendations for such improvements as deemed proper and necessary for the operation of the Department. The Fire Chief shall also submit an annual report to the Commission in a form prescribed by the Commission. [Amended by Ord. No. 14-97]
- E. Enforcement of fire prevention ordinances. The Fire Chief shall enforce all fire prevention ordinances of the Village and the state laws and regulations pertaining to fire prevention and shall keep citizens informed on fire prevention methods and on the activities of the Department.
- F. Fire record book. The Fire Chief 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,

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

2. Editor's Note: See also Ch. 110, Officers and Employees, § 110-13.

in responding, the amount of insurance carried on buildings and contents, estimated fire loss, the time the fire was extinguished, the names of the firefighters responding and general remarks.

- G. Apparatus inventory. The Fire Chief 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.
- H. Duties as commanding officer. The Fire Chief shall perform such other duties as are usually incumbent on the commanding officer of the Fire Department.

§ 60-6. Budget. [Amended by Ord. No. 14-97]

As provided in § 56-3 of this Code, the Police and Fire Commission, together with the Fire Chief, shall annually file the recommended Department budget with the Village Clerk.

§ 60-7. Control and care of apparatus.

- A. 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.
- B. Unless approved by the Fire Chief and the Village Administrator, no apparatus shall be used for any purpose except for firefighting that is within the Village limits or in training therefor, except in towns which have contracted with the Village for fire prevention or in municipalities with which the Village has entered into mutual aid agreements. With the approval of the Chief, such apparatus may be used for emergency purposes within the Village and participating municipalities.

§ 60-8. Police power; conduct at fires.

- A. 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 in responding to a fire.
- B. Control of fires. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons except firefighters and police officers 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 during the progress of any fire the Chief may order the removal or destruction of any property necessary to prevent the further spread of the fire. The Chief may also cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impede the work of the Department during the progress of a fire.³
- C. Entering premises. Any firefighter 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

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

building or other property then on fire for the purpose of extinguishing such fire, and if any person shall hinder, resist or obstruct any firefighter in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firefighters in the discharge of their duties. ⁴

- D. 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.
- E. 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 the 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.

§ 60-9. Right-of-way of fire apparatus. ⁵

The officers and members of the Fire Department, with their fire equipment of every kind, when going to or 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 or other privileges of any kind but shall be subject to all traffic regulations applied to other vehicles.

§ 60-10. Volunteers subject to traffic regulations. ⁶

All volunteer firefighters, when responding to a fire call with a private vehicle, shall comply with all traffic regulations.

§ 60-11. Contractual and mutual aid agreements.

- A. Contractual agreements. Full fire service shall be provided to towns and municipalities as provided in contracts entered into by the Village Board.
- B. Mutual aid agreements. Fire assistance or standby status may be requested from or provided to such towns and municipalities with which the Village Board has entered into mutual aid agreements.

§ 60-12. Social activities and fund-raising.

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

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

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

- A. Social club. Members of the Department may organize a social club, provided that social activities are not funded from Village funds or any reimbursement for firefighting.
- B. Fund-raising. The social club may raise funds for social activities, provided that any advertising clearly states that such funds are being raised by and for the social club and not for any Department or Village purpose.

§ 60-13. Violations and penalties.

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 § 1-4 of this Code.