

CHAPTER 5 FIRE DEPARTMENT

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FIRE DEPARTMENT 5.01

- 5.01 COMPOSITION OF DEPARTMENT. The Department shall be known as the "New London Volunteer Fire Department" and shall consist of the Fire Chief, the Assistant Fire Chief and such subordinates as may be authorized by the Police and Fire Commission.
- 5.02 BYLAWS. The Department shall adopt bylaws for the control, management and government and for the regulation of business and proceedings of the Department, subject to the approval of the Police and Fire Commission.
- 5.03 APPOINTMENTS. (1) FIRE CHIEF. The Fire Chief shall be appointed by the Police and Fire Commission and shall hold office during good behavior subject to suspension or removal by the Commission for cause.
- (2) ASSISTANT FIRE CHIEF. The Assistant Fire Chief shall be appointed by the Fire Chief, subject to confirmation by the Police and Fire Commission.
- (3) SUBORDINATES. Subordinates shall be appointed by the Police and Fire Commission upon the recommendation of the Department.
- 5.04 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 Police and Fire Commission.
- 5.05 DEPARTMENT BUDGET. The Police and Fire Commission shall file with the Council by September 1 a detailed estimate of the appropriations needed for the conduct of the Department during the ensuing fiscal year.
- 5.06 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, the rules and regulations adopted by the commission, and the bylaws of the Department. He shall be responsible for the safety of the members of the Department.
- (2) PRESIDING OFFICER. The Chief shall preside at all meetings of the Department, call special meetings, preserve order, decide all points of order that may arise, and enforce a rigid observance 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 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 he may deem it proper, and see that the fire apparatus is kept in proper condition at all times.

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- (4) REPORTS TO THE COMMISSION. The Chief shall submit a written report to the Police and Fire Commission not later than February 1 of each year, and at such times as he deems desirable, relating to the conditions of various pieces of apparatus and appurtenances, budget recommendations for the coming year, the number of hydrants and the condition of the same, the number of fires occurring since the previous report and the date of the same and loss occasioned thereby, the total number of active members in the Dpt, and resignations and expulsions from the Dpt. He shall also report upon the drill and training program of the Dpt, together with other pertinent information, including recommendations for such improvements as he deems proper and necessary for the operation of the Department.
 - (5) ENFORCEMENT OF FIRE PREVENTION ORDINANCES. (Amd. Ord. #1090) (a) He shall enforce all fire prevention ordinances of the City 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. Wisconsin Administrative Codes Comm. 14 and 61 to 65 are hereby adopted by reference and made a part of this chapter and shall apply to all inspectable occupancies as defined in Comm. 14.47 (2).
 - (b) All codes adopted in this chapter and in Chapter 14.06 of the New London Municipal code are enforceable by either the Fire Inspector or Building Inspector.
 - (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, the amount of insurance carried on buildings and contents, estimated fire loss, the time the fire was extinguished, the names of the men 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 officer of the Fire Department.
- 5.07 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.
- (2) No apparatus shall be used for any purpose except for fire fighting that is within the City limits, or in training therefor, except pursuant to an agreement approved by the Council after the Chief has given his recommendations on such use. With the approval of the Chief, such apparatus may be used for emergency purposes within the City.
- 5.08 POLICE POWER OF DEPARTMENT. (1) POLICE AUTHORITY AT FIRES. The Chief and his assistants or officers in command at any

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fire are hereby vested with full and complete police authority at fires. 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.

- (2) CONTROL OF FIRES. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons excepting 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 during the progress of any fire he may order the removal or 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 City 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.

5.09 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 quarterly all buildings, premises and thoroughfares within the fire limits and inspect semi-annually all buildings, premises and public thoroughfares within the City limits for the purpose of noting and causing to be corrected any conditions liable to cause fires.

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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 the explosives and inflammable liquids within the City.

- (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 the quarterly report of inspections required by the 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 City and the cost of such removal shall be recovered in an action by the City 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 deputies free access to any property within the City at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Inspector in the performance of his duty or refuse to observe any lawful direction given by him.
- 5.10 RIGHT OF WAY. The officers and men 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 City 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.
- 5.11 FIRE DEPARTMENT EQUIPMENT FUND. (1) CONTENTS OF FUND.
The Fire Department Equipment Fund shall consist of the following:
- (a) Annual budget appropriations as provided by the Council.
 - (b) Annual fees from the townships which are paid to cover the costs of purchasing and maintaining emergency fire protection equipment.

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- (2) PAYMENT OUT OF FUND. Only upon a specific majority affirmative vote of the Council shall charges be made to this fund,
- (3) FUND TO BE KEPT SEPARATE. The fund shall be separate and apart from any other funds of the City and any balance not expended during any year or previous years shall be carried over to the next succeeding year.

5.12 FIRE DEPARTMENT ASSOCIATION FUND. The City shall pay to the Fire Department Association Fund, for use by Fire Department personnel, a sum equal to 40% of the collection for services rendered by the Department to places outside the City as full compensation for the Department personnel for such rural service. This charge shall not be charged to the Department Equipment Fund.

5.13 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.