

## Chapter 45

### FIRE DEPARTMENT

**[HISTORY: Adopted by the Town Board of the Town of La Pointe at time of adoption of Code (see Ch. 1, General Provisions, Art. III). Amendments noted where applicable.]**

#### GENERAL REFERENCES

Emergency medical services — See Ch. 35.

Alarm systems — See Ch. 188.

#### **§ 45-1. Department establishment; bylaws; appropriation.**

- A. Under authority of § 60.55, Wis. Stats., the Town of La Pointe hereby establishes the La Pointe Volunteer Fire Department to provide fire protection and firesafety regulation enforcement.
- B. The La Pointe Volunteer Fire Department is authorized to create bylaws, rules, and regulations for the control, management, operations, and routine business of the Department. The bylaws and any amendments are adopted by a two-thirds affirmative vote of the Department membership and become effective upon approval by the Town Board.
- C. The Town Board shall appropriate funds to provide for apparatus, equipment, facilities, training and operational costs of the La Pointe Volunteer Fire Department as necessary to maintain normal fire protection and enforce firesafety regulations. The Town Board will determine and establish the compensation for all serving as members of the Department.

#### **§ 45-2. Appointment and duties of Chief; incident commander.**

- A. The Chief shall be a resident of the Town of La Pointe, nominated by a majority of the membership of the La Pointe Volunteer Fire Department, and shall immediately assume office after approval by the Town Board. The Chief shall hold office until removed for cause after a hearing by action of a majority of the members of the Town Board, unless his service is sooner terminated by resignation, change of residence outside of the Town limits or death.
- B. The Chief will annually prepare budget documents requested by the Town Board and submit a detailed estimate of the appropriations needed for operation of the Department for the ensuing year.
- C. The Chief shall have control of all apparatus used by the Department and shall be responsible for its proper maintenance.
- D. The Chief shall enforce all fire prevention ordinances of this Town and state laws and regulations pertaining to fire prevention and shall keep citizens informed of fire

prevention methods and of the activities of the Department.

- E. The Chief shall maintain a record of every fire to which the company was called, including the location of the fire, time the fire alarm was received, probable cause, cause of delay (if any) in responding, method of extinguishment and equipment used, time of extinguishment, names of members responding, and general remarks as appropriate.
- F. The incident commander at the scene of any fire or emergency is granted police power and may prescribe certain limits in the vicinity of any incident within which no persons, except fire service members, police, or EMS in the performance of their duties, may enter. The incident commander shall have the power to cause the removal or destruction of any property whenever it becomes necessary for the preservation of life or property from fire or to prevent the spreading of fire or to protect adjoining property. The incident commander shall also have the power to cause the suspension of electrical and other utility services to prevent personal endangerment. At the direction of the incident commander, it shall be lawful for any firefighter to enter upon a premises adjacent to or in the vicinity of a fire or emergency incident for the purpose of rescue, investigation, or extinguishing a fire.
- G. No person shall fail to yield the right-of-way to the Fire Department responding to an emergency incident nor shall any person hinder, resist or obstruct any firefighter in the discharge of duty hereinbefore described.

**§ 45-3. Fire Inspector and inspections.**

- A. The Chief of the Fire Department shall hold the office of Fire Inspector with the authority to appoint one or more Deputy Fire Inspectors or, with approval of the Town Board, hire a qualified independent contractor who shall perform the same duties and have the same powers as Fire Inspector.
- B. It shall be the duty of the Fire Inspector to semiannually inspect all commercial and public buildings or premises and public thoroughfares within the Town limits for the purpose of noting and causing to be corrected any condition liable to cause fire and to perform such duties as required by the State of Wisconsin Department of Safety and Professional Services rules.
- C. Upon discovery of any fire hazard, the Fire Inspector shall serve notice of the condition upon the owner of the property and give said owner a reasonable time in which to remove or correct the hazard. The Inspector may refer the matter to the Wisconsin Department of Safety and Professional Services for enforcement action.
- D. The Fire Inspector shall maintain a record of each property inspected and make reports as required by the Wisconsin Department of Safety and Professional Services.
- E. No person shall deny, hinder or obstruct the Fire Inspector from free access to any property within the Town of La Pointe at a reasonable time for the purpose of making fire inspections. No person shall refuse to comply with any lawful direction given by the Fire Inspector.

**§ 45-4. Violations and penalties.**

Any person, firm or corporation that shall violate any provision of this chapter shall be subject to a citation as specified in Chapter 18 of this Code plus the cost of enforcement action for each violation. A separate offense shall be deemed committed for each day on which a violation of this chapter continues to occur.