

Village of De Soto
Ordinance No. 23

FIRE DEPARTMENT

An Ordinance governing the organization and regulation of the:

“VILLAGE OF DE SOTO FIRE DEPARTMENT “

The Village Board of the Village of De Soto do ordain as follows:

SECTION 1: The Fire Department

- (a) The De Soto Volunteer Fire Department is hereby Officially recognized as the Fire Department of and for the Village of De Soto, and the duty of Fire Fighting, Fire Prevention and First Responder Service in the Village of De Soto shall be the responsibility of the Village of De Soto Fire Department. Its organization and internal regulation shall be governed by the provisions of this ordinance and by such bylaws as adopted by the members of the Fire Department which will be approved by the Village Board, except as otherwise provided by bylaw or ordinance.
- (b) The De Soto Volunteer Fire Department is hereby authorized and directed to adopt bylaws for the control, management and regulation of business and its proceedings. After adoption of bylaws by a 2/3 vote of the Fire Department members in attendance during a regular meeting. The by laws will be submitted for review and approval by the Village Board. Any amendments shall follow the same procedure.
- (c) The Village Board shall appropriate and the Fire Department shall regulate and use all funds necessary for operation, acquisition and maintenance for such apparatus and equipment for the use of the Fire Department as deemed necessary for the protection of life and property from fire.
- (d) The Fire Department shall be authorized to have an ‘Operating Fund’ for purchasing needs of the Fire Department. These accounts shall bear at least two authorized signatures, the Department Chief and the Secretary/Treasurer and any other such signatures authorized and deemed necessary and orders issued against these accounts shall be signed by (2) two authorized signatures.
- (e) The Officers and members of the Fire Department shall receive such compensation from the Village as may from time to time be fixed by 2/3 vote of the attending members of the Fire Department during a regular meeting and said wages shall only be effective after submittal to the Village Board for review and approval.

- (f) Compensation for services. The officers and members of the Fire Department shall receive compensation for:
- | | | | |
|------|-----------------------|-----------|-------------------------|
| (1) | Fire Chief..... | \$1200.00 | |
| (2) | Secretary..... | \$ 200.00 | |
| (3) | Treasurer..... | \$ 300.00 | |
| (4) | All per call..... | \$ 15.00 | (Full Response to Page) |
| (5) | All per show up only | \$ 5.00 | (no services rendered) |
| (6) | All per meeting..... | \$ 5.00 | (minimum required=4) |
| (7) | All per drill..... | \$ 15.00 | (minimum required=4) |
| (8) | Mileage..... | \$.50 | (pre-approved) |
| (9) | Fire Inspections..... | \$ 7.25 | hr |
| (10) | Meetings, Education, | \$ 15.00 | per (pre-approved) |
- (g) All compensation (Section f) shall be paid annually upon review and approval of the Village Board, by the Village Board to the Fire Department by the first week of December, to all Fire Department members who meet the minimum requirements set forth in the bylaws and ordinance shall be compensated respectively by the Fire Department.
- (h) Members attending at least 20 hours of certified training can use these hours in place of drill requirements. All members must respond to at least 6 calls and be required to wear full turnout equipment at all fires to be eligible for compensation.
- (i) No member will be allowed to participate in or around any fire calls the department responds to if they are known to be under the influence of alcohol and or any illegal substances.
- (j) Unless training is a requirement, all education, seminars and outside meetings must be pre-approved if compensation is expected. Exempt from pre-approved would be all regularly scheduled quarterly county fire and ems meetings.

SECTION 2: Organization and Membership

- (a) The Fire Department shall consist of:
- 1 Fire Chief (elected)**
 - 3 Assistant Chiefs (appointed)**
 - A Captain (appointed)**
 - A Lieutenant (appointed)**
 - A Secretary & Treasurer (elected)**

With a minimum total active and reserve membership equaling 20 from within the Village of De Soto or it's contracted coverage areas. All elected Officers shall be required to live within the Village, and all appointed Officers shall be required to live within the Village. The remaining members will be made up of persons residing in the Village or contract areas.

- (b) The Fire Department shall hold a meeting once a month to conduct such matters as paying bills, elections, discussions relevant to the fire department, schedule activities and fund raisers, drills or any other such matters.

- (c) The Fire Department be required to drill or train at least once a month to keep up with fire and rescue skills and check equipment and apparatus.
- (d) The Fire Department shall hold elections once every 3 years to elect a new Fire Chief, Secretary, and Treasurer. Said officers shall be submitted to the Village Board for approval or denial. If a vacancy of the office of the Fire Chief occurs in-between elections, the next ranking officer shall assume that position until the proper election can be held to fill the vacancy. The Candidates for Fire Chief shall have at least five years experience in Firefighting and Department Operations and meet Section 2(a) requirements. The candidates for Secretary/Treasurer and other such social officers as the by laws may require must also meet Section 2 (a) requirements, and if a vacancy occurs the Chief shall appoint a member in good standing to fill the office until the next regular election.
- (e) The Chief shall immediately assume office and shall hold office until removed for cause after hearing by action of 2/3 of the members of the Village Board, unless his services be sooner terminated by resignation, change of residence outside the Village limits, or death.
- (f) Any Fire Department member may be removed for cause after a hearing and by action of 2/3 vote of the Village Board.
- (g) The Secretary and the Treasurer shall hold and keep all books and records in a proper manner and report monthly to the Village Board an accurate, detailed proper accounting of the transactions and activities taken place by the Fire Department for the previous month.
- (h) Any person desiring to be a member of the department may file with The Secretary of the department an application in such form as the bylaws of the Department require.
- (i) Active members may retire at the age of sixty- five (65) and become Honorary Members or remain active as Auxiliary Members.
- (j) All resignations from the department shall take the same course as applications (Section h) for and appointments to membership.
- (k) Any member or officer of the department who has been expelled or demoted for any offense, neglect of duty or insubordination shall have the right to appear before the members of the Village Board and state why such penalty should not be confirmed. The Village Board may, by 2/3 vote, reinstate the member or officer.

SECTION 3: Powers and Duties of the Chief

- (a) The Fire Chief shall have general supervision of the Fire Department, subject to this ordinance and the bylaws of the Department and shall be responsible for the personnel and the general efficiency of the Fire Department.
- (b) It shall be the duty of the Chief to preside at all meetings of the department, to call special meetings, to preserve order, to decide all points of order that may arise and to enforce a rigid observance of this ordinance and the bylaws.
- (c) It shall be the Duty of the Chief to attempt to be present at all fires, to have complete command of and entire responsibility for all incident operations, to plan the control of the same, to direct the action of the department when it arrives at a incident, to ensure every Department member does his duty, to grant leaves of absence at a incident when he may deem it proper and to see that all apparatus and equipment is kept in proper condition at all times. The Chief shall also keep a written record of all department responses the department is called to respond to and all information related to each response.
- (d) The Chief shall be responsible for department members to be issued and make sure they wear, the proper firefighting equipment at all fires and be properly educated for the duties they are commanded to perform, he shall have the power to expel or demote for refusal or derelict of duties, which one may appeal to the Village Board.
- (e) The Chief shall be responsible for submitting an annual report consisting of: a budget for the ensuing year and a apparatus and equipment inventory, to the Village Board no later than October 1 of each year.
- (f) The Chief will have control of all equipment and apparatus and be responsible for its maintenance. The Chief shall have full authority to contract necessary emergency repairs of any Fire apparatus. The Chief shall have discretion over the use of all apparatus and equipment at all calls. No department equipment or apparatus shall be used for any other use than fire suppression or rescue without the authorization of the Chief or responsible Officer and only trained members will at anytime be authorized to use said equipment or apparatus.
- (g) The Chief and assistants or officers in command at any 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 or at the scene of a fire.
- (h) The Chief may prescribe certain limits in the vicinity of the fire within which no persons, excepting Fire or Law enforcement persons and those admitted by order of any officer of the department, shall be permitted into this prescribed area.

SECTION 3: Powers and Duties of The Chief (Continued)

- (i) The Chief shall have the power to cause removal of any property whenever it shall become necessary for the preservation or prevention of property from fire or to prevent fire from further spreading to adjacent structures or other. He shall also have power to cause removal of all wires or other facilities and the turning off of all power or other services where the same impedes the suppression of fire.
- (j) The Chief may also enlist the aid of bystanders for the purpose of traffic control, crowd control and to guard property.
- (k) It shall be lawful for any Fireperson, while acting under the direction of the Fire Chief or other officer in command, to 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.
- (l) The Chief shall investigate all fires considered to be or reported to be of a unknown or suspicious cause and if necessary enlist the aid of The State Fire Marshall.

SECTION 4: Fire Inspections.

- (a) The Chief of the department shall hold office of Fire Inspector, with the power to appoint one or more Deputy Inspectors, who shall perform the same duties and have the same powers as the Fire inspector. All appointees shall be qualified.
- (b) The Fire Inspectors shall be compensated \$7.25 per hour for inspections to which will be performed annually, on all Public and Commercial structures and report to the Village Board and proper authorities any hazards, chemical or explosive which may be deemed as a serious threat to life, environment and property. All other infractions of State and local code will be greeted with a citation and time limit in which to correct such infractions, any non compliance issues will be turned over to the State for enforcement. Detailed inspection records will be kept as per State requirements
- (c) Any person having been given a citation for removal, shall have the the right to appeal before the Village Board.
- (d) No person shall deny the Chief or his Deputies free access to property within the Village at any reasonable time for the purpose of making Fire Inspections. No person shall obstruct or hinder the Fire Inspector in the performance of his duty. (6)

SECTION 5: Contracts for Fire Protection.

- (a) Villages and Townships may enter into contracts with the Village of De Soto for services of the Fire Department. (s.201.59 (1))(b). Negotiations for same contracts will be done by the Village Board and the Fire Chief. All such contracts shall have no force and effect until approved by the village board.

SECTION 6 : Hazardous Material Response

- (a) The Fire Department having entered into an agreement with Vernon County, Vernon County will provide a group of members that are certified LEVEL B HAZARDOUS MATERIALS TECHNICIANS.
- (b) The Chief will have discretion over the use of all equipment and apparatus that the Fire Department makes available to the County for use at a hazardous materials incident.

SECTION 7: Insurance and Disabilities

- (a) The Village Board shall provide insurance to indemnify members of the department for loss of time resulting in the line of duty in an amount to meet requirements of Workman Compensation as set by Wisconsin State statute, Section 102, so long as the member or members shall be unable to engage in gainful employment by reason of such disability
- (b) The Village Board shall maintain necessary insurance on all apparatus and equipment used by the Fire Department or First Responders in the course of their actions.
- (c) Any Firepersons or First Responders who are on medical illness or disability of any kind, will not be permitted to participate in any actions (ie, drills, ems or fire calls) of the Fire Department or First Responders until a written release from a doctor, signed, is submitted to the Village Board.

SECTION 8: Approval and Posting of Ordinance

- (a) This ordinance shall take effect and be in force from and after its passage and posting.

Adopted: July 2, 1986

Amended and Approved: April 11, 2001, July 2, 2005, April 5, 2010, March 6, 2018.

ATTEST:

Village Clerk/Treasurer

Village President