

CHAPTER 5 FIRE & RESCUE

§5.00 VILLAGE INCORPORATION REFERENCE.

§5.01 ADMINISTRATIVE CODE PROVISIONS ADOPTED.

§5.02 ESTABLISHMENT OF BLOOMFIELD GENOA CITY FIRE AND RESCUE.

§5.03 FIRE COMMISSION.

§5.04 ORGANIZATION.

§5.05 POWERS AND DUTIES OF FIRE CHIEF.

§5.06 CARE AND PROTECTION OF APPARATUS, EQUIPMENT, AND VEHICLES.

§5.07 MISCONDUCT.

§5.08 AUTHORITY OF DEPARTMENT AT INCIDENT.

§5.09 FIRE INSPECTORS.

§5.10 REIMBURSEMENT FOR FIRE CALLS.

§5.11 HAZARDOUS MATERIAL.

§5.12 CHARGES FOR RESCUE SERVICES.

§5.13 PENALTY.

§5.14 REIMBURSEMENT FOR COPIES.

Chapter 5 Board Action

Adopted December 20, 2011 as part of Village Incorporation

(None of the references to "Town of Bloomfield" were changed to "Village of Bloomfield" because it is a 3-party agreement.)

Revised September 10, 2012, Ordinance No. 2012-O-08

Revised February 4, 2013, Ordinance No. 2013-O-02

Repealed & Recreated May 4, 2015, Ordinance No. 2015-O-04

Repealed Sections 5.11(3) & 5.13 November 11, 2019, Ordinance No. 2019-O-14

Created Sections 5.11(3) & 5.13, December 9, 2019, Ordinance No. 2019-O-16

Repealed & Recreated December 11, 2023, Ordinance No. 2023-O-08

§5.00 VILLAGE INCORPORATION REFERENCE.

All provisions of this Chapter shall reflect a 3-party Intergovernmental Agreement between the Village of Genoa City, Town of Bloomfield, and Village of Bloomfield as of the date of incorporation of the Village of Bloomfield on 12/2011.

§5.01 ADMINISTRATIVE CODE PROVISIONS ADOPTED.

The Village of Bloomfield, Town of Bloomfield and Village of Genoa City do hereby adopt SPS 314 of the Wisconsin Administrative Code and as it is hereafter amended.

§5.02 ESTABLISHMENT OF BLOOMFIELD GENOA CITY FIRE AND RESCUE.

VILLAGE FIRE & RESCUE ESTABLISHED. Pursuant to §60.55(1)(a)(2), §61.65(2)(a)(3), and §66.0301 of the Wisconsin Statutes, the Village of Bloomfield, Town of Bloomfield and Village of Genoa City hereby establish the Board of Directors for the Bloomfield Genoa City Fire and Rescue (hereinafter “BGCFR”) to oversee the function of the joint department, which will provide fire and rescue services and general emergency services to the Village of Bloomfield, Town of Bloomfield and Village of Genoa City.

- A. Ratification of Prior Acts. All actions of the Bloomfield Genoa City Fire and Rescue or its predecessors that occurred prior to the passage of this ordinance are hereby ratified by the Municipal Boards.
- B. The Fire and Rescue Services Agreement between the Village of Bloomfield, Town of Bloomfield and Village of Genoa City is hereby ratified and approved by the Municipal Boards of the Village of Bloomfield, Town of Bloomfield and Village of Genoa City and is incorporated herein by reference.

§5.03 FIRE COMMISSION.

Pursuant to §61.65(2)(b)(2) and §60.55(1)(a)(2) of the Wisconsin Statutes, the Village of Bloomfield, Town of Bloomfield, and Village of Genoa City hereby authorized the creation of a Joint Fire and Rescue Commission (hereinafter “Commission”).

- A. Organization and Appointment
 1. *Membership.* The Commission shall consist of five (5) citizens who are residents of the Town and Villages, three (3) of whom shall constitute a quorum. No Commissioner may serve on any participating municipality’s elected board. Each Municipal Board shall appoint one (1) citizen member. The remaining two (2) members shall be appointed by the municipal board of the two most populated municipalities. During their term, the citizen members shall remain a resident of their respective municipality.
 2. *Terms of Office.* Commissioners shall serve staggered terms of five years commencing on May 1st in the year of appointment. During the first Board meeting in May, the Village Presidents/Town Chairperson shall appoint one commissioner to succeed the member whose term expires in that year. A commissioner shall continue to serve until their successor is appointed.
 3. *Election of Officers.* Annually, at the May meeting or soon thereafter, there shall be an election to elect a Chairperson, a Vice-Chairperson to act in the stead of the Chairperson and a Secretary.
 4. The Chairperson shall have the responsibility to set the agenda for Commission meetings, to preside over Commission meetings and disciplinary hearings, to serve as the public spokesperson for the Commission, and to take such other action as is necessary to ensure that the duties of the Commission are discharged as provided by law.

B. Scope of authority.

1. The Commission shall exercise the powers specified in §62.13, Wis. Stats., but the specified optional powers enumerated in §62.13(6), Wis. Stats., are not extended to the Commission.
2. To conduct examinations for specialized or supervisory positions in the Department when such positions cannot be filled by advantage by promotion, in which examinations will then be opened to the general public.
3. To conduct hearings on disciplinary actions within the Department.

C. Meetings of the Fire Commission.

1. The Commission shall meet at least semi-annually. The Commission may meet as necessary, or as called by the Chairman or as called by the majority of the Commission. The Village of Bloomfield Clerk shall create and post agendas for this Commission pursuant to §19.84, Wis. Stats.
2. Public notice of every meeting shall be given pursuant to §19.84, Wis. Stats. The notice shall set forth the time, date, place, and subject matter of the meeting, including that intended for consideration at any contemplated closed session.

D. Compensation. Members of the Commission shall be paid \$25.00 per attended meeting, and they may also be reimbursed for actual and necessary expenses incurred if so, authorized by the Board.

§5.04 ORGANIZATION.

- A. General. The organization and internal regulation of the Bloomfield Genoa City Fire and Rescue Department (hereinafter “Department”) shall be governed by the Board of Directors of the Department, and by the provisions of this chapter, except as it is otherwise provided by law or ordinance.
- B. Composition. The Department shall consist of a Fire Chief and such other officers as Deputy Chief, Captains, Lieutenants, together with firefighters as may be appointed by the Chief and approved by the Fire Commission; provided that at no time shall the Department have fifty (50) or more members and employees.
- C. Selection of Chief: Pursuant to §62.13(3), Wis. Stats., the Fire Chief shall be appointed by a majority vote of the members of the Commission in accordance with the job description requirements for such position.
- D. Tenure. The Fire Chief shall hold office during good behavior, subject to suspension or removal for cause by the Commission. Other members of the Department shall hold office subject to the power of the Commission to suspend or remove any officers, subject to the appeal by the BGCFR Board of Directors.
- E. Membership. Membership shall be established by policies drafted by the Chief and approved by The Bloomfield Genoa City Fire and Rescue Board of Directors.

§5.05 POWERS AND DUTIES OF FIRE CHIEF.

The Fire Chief shall administer day-to-day activities and services of the Department under the general supervision of the Board of Directors and guidance of the Commission.

A. Duties. The Duties of the Chief shall:

1. Be responsible for participation in and supervision of all fire and rescue services as are performed by the Department in accordance with State laws and ordinances established by the Municipal Boards.

2. Have the general supervision of the Department, which supervision shall be subject to and not conflict with this chapter and the policies and guidelines of the Department.
3. Enforce a rigid observance of this chapter and the policies and guidelines.
4. Preside at all meetings, call special meetings, preserve order, and decide all points of order that may arrive.
5. Submit a written report to the BGCFR Board of Directors no later than April 1st of each year and at such times as the Chief deems desirable relating the condition of various pieces of apparatus and appurtenances, number of fires occurring since the previous report, losses occasioned thereby, number of members of each company and total number of active members in the Department.
6. Report upon the drill and training program of the Department, together with such other pertinent information, including recommendations for improvements, as the Chief deems proper and necessary for the operation of the Department.
7. Enforce all fire prevention ordinances, laws, and regulations pertaining to fire prevention and shall keep citizens informed on fire prevention method and on the activities of the Department.
8. Keep fire incident reports as required by the Wisconsin Administrative Code SPS 314.01(11) or thereafter amended of every fire to which the Department was called.
9. Keep an inventory of all equipment. The Chief or their designee shall test said equipment as follows:
 - a) Engines every year.
 - b) Ladders every year.
 - c) SCBA as recommended by the manufacturer.
 - d) Hoses, showing dates and results of tests on each length, which shall be individually numbered.
10. Perform such other duties as are usually incumbent on the commanding officer of a department and as are detailed in the job description for such position.
11. Be responsible for the promulgation of policies and guidelines for the Department.
12. Mandate compliance with all required training for members/employees of the Department.

§5.06 CARE AND PROTECTION OF APPARATUS, EQUIPMENT, AND VEHICLES.

- A. Control and Maintenance of Apparatus. 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. Use of Equipment. Department equipment shall only be used for normal firefighting, rescue operations, and other extracurricular activities that support the character of the department approved by the Chief, unless specifically denied by the Board of Directors.
- C. Damage to Equipment. No person shall willfully damage any hose, hydrant or equipment belonging to the Department; and no vehicle shall be driven over any unprotected hose of the Department when laid over any street, private driveway, track or other place to be used at any incident or alarm of fire without the consent of the Department official in command.

§5.07 MISCONDUCT.

Any member, employee or officer of the Department who has been expelled or demoted for any offense or neglect of duty or insubordination may appear before the Commission and state why such a penalty should not be confirmed. The Commission may affirm, modify, or reverse the action of the Department.

§5.08 AUTHORITY OF DEPARTMENT AT INCIDENT.

- A. Command at Fires. The highest ranking BGCFR officer, or in the event no officer is present the most senior BGCFR firefighter shall have complete command of, and entire responsibility for, all firefighting operations and 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 it is deemed proper and see that the firefighting apparatus is kept in proper condition at all times.
- B. Control at Incidents. The Chief may prescribe certain limits in the vicinity of any incident within which no person except emergency personnel, and those admitted by order of any officer of the Department may come. The Chief may cause the removal of any property whenever it becomes necessary for the preservation of such property, prevent the spread of fire, or to protect the adjoining property; and during the progress of any incident, Chief may order the removal or destruction of any property necessary to prevent further spread of fire or hazard that may exist. The Chief may also cause the removal of all wires, other facilities, and the turning off all electricity or other services where the same impedes the work of the Department during the progress of an incident.
- C. Entering Premises. Any firefighter acting under the direction of the Chief or other officer in command may enter upon the premises adjacent to or in the vicinity of any building or other property to investigate or extinguish a fire and, if any person hinders, resists or obstructs a firefighter in the discharge of the duties as herein provided, the person so offending shall be guilty of resisting a firefighter in the discharge of the duties.

§5.09 FIRE INSPECTORS.

- A. Chief as Fire Inspector. Pursuant to §101.14, Wis. Stats., the Chief shall hold the office of Fire Inspector (hereinafter “Inspector”) and may appoint one or more Deputy Fire Inspectors, who shall perform the same duties and have the same powers as the Inspector.
- B. Duty of Inspection.
 - 1. *Inspections Required.* Inspections shall be conducted in accordance with State law within the jurisdictions of the Department.
 - 2. *Special Inspection Warrant.* If consent to entry to personal or real properties which are not public buildings, or to portions of public buildings which are not open to the public, has been denied, the Inspector shall obtain a special inspection warrant under §66.0119, Wis. Stats.
- C. Written Records of Inspections. The Inspector shall keep a written record of each property inspected which shall conform to the requirements of the State Department of Commerce and shall complete the quarterly report of inspections required by such department.
- D. Correction of Fire Hazards. When any inspection by the Inspector or a deputy reveals a fire hazard, the inspector may serve 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, the Inspector may have the same removed by the Municipality of the occurrence, and the cost of such removal shall be placed on the tax roll as a special charge.
- E. Compliance with Fire Inspector. No person shall hinder or obstruct the Inspector in the performance of a lawful duty or refuse to observe any lawful direction given.

§5.10 REIMBURSEMENT FOR FIRE CALLS.

If the Department incurs costs for a fire call by responding to a vehicle fire on any County, State or Municipal highways, the Department may charge the person to whom the fire call was provided

a fee equal in amount to the actual out-of-pocket costs incurred by the Department in extinguishing the fire pursuant to §60.557, Wis. Stats.

§5.11 HAZARDOUS MATERIAL.

- A. Compliance Required. Every person using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses, or other hazardous materials shall comply with the requirements of State law and as thereafter amended.
- B. Liability Imposed. 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 Village of Bloomfield, Town of Bloomfield or Village of Genoa City, for the actual cost of labor and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar materials or 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.

§5.12 CHARGES FOR RESCUE SERVICES.

- A. Reimbursement for Services Required. Any person who receives medical/rescue services from the Department, or ambulance or other services from such departments shall be required to reimburse the Department for such services at the rates established by the Municipal Boards.
- B. Definitions.

For the purposes of this section, the following words have the following meanings:

 - 1. *ALS* – Advanced Life Support. The pre-hospital and inter-facility emergency medical care consisting of basic life support procedures and invasive lifesaving procedures including the placement of advance airway adjuncts, intravenous infusions, manual defibrillation, electrocardiogram interpretation, administration of approved drugs and other advanced skills identified in the Wisconsin scopes of practice as provided by DHS 110.04 Admin Code.
 - 2. *ALS Assessment* – an assessment performed by an ALS crew as part of an emergency response deemed necessary because the patient’s reported condition at the time of dispatch was such only an ALS crew was qualified to perform the assessment. An ALS assessment does not necessarily result in a determination that the patient requires an ALS level of service.
 - 3. *ALS Intervention* – a procedure that is in accordance with State and Local laws, required to be done by an emergency medical technician-intermediate (EMT-Intermediate) or EMT-Paramedic.
 - 4. *ALS level 1* – transportation by ground ambulance vehicle and provision of medically necessary supplies and services including the provision of an ALS assessment or at least one ALS intervention which can include invasive techniques such as IV therapy, intubation and/or other drug administration, defibrillation, and airway management.
 - 5. *ALS level 2* – includes the transportation by ground ambulance vehicle and the provision of medically necessary supplies and services including (1) at least three separate administrations of one or more medications by intravenous push/bolus or by continuous infusion (excluding crystalloid fluids) or (2) ground ambulance transport, medically necessary supplies and services, and the provision of at least one of the following ALS2 procedures: manual defibrillation (cardioversion), endotracheal intubation, central venous line, cardiac pacing, chest decompression, surgical airway, or interosseous line.
 - 6. *BLS* – Basic Life Support. The emergency medical care is rendered to a sick, disabled or injured individual, based on signs, symptoms or complaints, prior to the individual's

hospitalization or while transporting the individual between health care facilities and is limited to use of the knowledge, skills and techniques received from training required for licensure as an emergency medical technician – basic, or for certification as a first responder as defined by §256.15, Wis. Stats.

7. *Standby Service* – an ambulance with two medical technicians, will locate themselves at a function or event and will remain dedicated to that event, and will not be available for other routine EMS calls in the area. Dedicated standbys are subject to the availability of “EMS” crews and resources, however, are subject to removal at the discretion of the acting chief for immediate life-threatening emergencies.
 8. *Treat/no-transport* – any treatment performed by emergency medical technicians, but no transportation is provided to a medical facility. On rare occasions these services will not be billed as the services provided were nominal.
- C. Rates for Services. Rates shall be established by resolution by the Municipal Boards. The fee schedule shall be on file at the office of the Municipal Clerks.
 - D. Authorization to Establish Additional Service Fees. The Department is hereby authorized to establish flat fees not incorporated with the fee schedule mentioned above.
 - E. Waiver of Fees. All fees collected shall be payable to Bloomfield Genoa City Fire and Rescue. The BGCFR Board of Directors shall be permitted to waive, at its discretion, fees for residents, businesses, or individuals when incidents arise.
 - F. Extraterritorial Charges. Subject to any contrary provision of any Mutual Aid Agreement entered into between Bloomfield Genoa City Fire and Rescue and any other unit of local government, the charges provided for herein shall be charged by BGCFR for services rendered to all persons who receive care, treatment or transportation by BGCFR for emergencies occurring within or without the Village of Bloomfield, Town of Bloomfield and Village of Genoa City without regard to whether those services are performed by personnel manning units owned by BGCFR or by personnel manning units owned or controlled by other units of local government, pursuant to the provisions of Mutual Aid Agreements to which said unit of government and BGCFR are a party.

§5.13 PENALTY.

Any person who shall violate any provision of the chapter or any order, rule or regulation made hereunder, and any person who shall neglect or refuse to perform any duty required hereunder shall be subject to a penalty as prescribed in Chapter 25.04 of the Village and Town of Bloomfield Municipal Code or Chapter 1-5 of the Village of Genoa City Municipal Code.

§5.14 REIMBURSEMENT FOR COPIES.

- A. The Department is hereby authorized to levy and receive charges set by resolution from time to time by the Village Board for requested copies of Fire and EMS Reports which are authorized to be released by Current Public Records Law.
- B. For any public record that must be copied professionally, the actual cost charged to the Department will be charged to the requestor.
- C. All charges must be paid before copies will be made.