

## Chapter 5

### Fire Department

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##### **5.01 Fire Department organization.**

- 1) Participation in Joint Fire Department with Village of Hustisford. The Town of Hustisford shall participate in a joint fire department with the Village of Hustisford, said fire department being organized and incorporated under the laws of the State of Wisconsin as the Hustisford Volunteer Fire Department, Inc.
- 2) Department to Adopt By-Laws. The Hustisford Volunteer Fire Department, Inc., shall adopt by-laws for the control, management, government, regulation of business, and regulation of proceedings of the Department, which by-laws shall be adopted pursuant to the laws governing adoption of corporate by-laws in the State of Wisconsin and shall not be subject to approval of the Town Board.
- 3) Town Representatives on board of Directors. The Town board shall elect one of its members to serve on the board of director of the Hustisford Volunteer fire Department, Inc. The qualifications shall be that he or she be a resident of the Town of Hustisford, to serve on the board of Directors of the Hustisford Volunteer fire Department, Inc.
- 4) Annual budget. Pursuant to corporate by-laws, the Town Board shall vote to accept or reject the annual budget prepared by the Fire Chief. Should the vote to accept the budget not be unanimous among the Town Board, Village Board, or fire Department, the matter shall be submitted to arbitration on the following terms:
  - a.) The Village Board shall pick an arbitrator;
  - b.) The Town Board shall pick an arbitrator;
  - c.) The two arbitrators shall pick an outside for the third independent arbitrator.

##### **5.02 Personnel.**

The qualifications for all personnel, including officers and Fire Chief, who shall be members of the Fire Department shall be governed by the by-laws of the Hustisford Volunteer fire Department, Inc.

##### **5.03 Equipment and Apparatus.**

No apparatus shall be used for any purpose except for fire fighting, or in the training therefore, except pursuant to an agreement approved by the Town Board after the Chief has given his recommendations on such use. With the approval of the chief such apparatus may be used for

emergency purposes other than fire fighting within the Town. A written report of such uses shall be made quarterly to the Town Board.

**5.04 Police power of Department.**

- 1) Authority at fires. The Fire Chief and his assistants or officers in commander hereby vested with full and complete police authority at fires and may cause the arrest of any person failing to give the right of way to the Fire Department responding to a fire call.
- 2) Removal of Property. The Fire Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spread of fire or protect adjoining property, and during the progress of any fire he shall have the power to order the destruction of any property necessary to prevent the further spread of the fire. He shall also have the power to 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) Firemen may Enter Adjacent Property. It shall be lawful for any fireman acting under the direction of the Fire Chief or any officer in command to enter upon the premises adjacent to or in the vicinity of any building or other property than on fire for the purpose of extinguishing such fire and no person shall hinder, resist or obstruct any fireman in the discharge of his duty as hereinbefore provided.

**5.05 False Fire Alarms Prohibited.**

See Sec. 12.941.13 of this code.

**5.06 Penalties.**

The penalty for violation of any provision of this chapter shall be as provided in Section 15.06 of this code.