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Emergency Services

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SEC. 3-1 **TOWN OF BARNES FIRE DEPARTMENT.**

- (a) **Establishment. See Emergency Services Resolution dated 6/15/2010-amended to read as follows:** There is created the Barnes Fire Department to provide fire suppression, fire inspection and fire prevention for the Town of Barnes. The department shall consist of a Chief appointed by the Town Board, Assistant Chief, Secretary-Treasurer and other such members of said fire department as may, from time to time, be appointed by the Fire Chief and approved by the Town Board. The department may be involved with other emergency operations as deemed necessary for the protection of life and property. The department shall follow state requirements described in Wisconsin Administrative Code COMM 30 and national standards established by the National Fire Protection Association (NFPA).
- (b) **Supervision over department and equipment.** The fire chief shall have the control of the fire department and all fire equipment belonging to the town subject to all department and town policies or order of the town board.
- (c) **Command at Incidents.** The first arriving fire fighter on scene to any incident that the fire department is responsible for shall be deemed in charge until a fire officer relieves such fire fighter of those duties or he relinquishes control to another fire fighter and informs that fire fighter of such control.
- (d) **Membership and Organization. See Emergency Services Resolution dated 6/15/2010-amended to read as follows:** Department officers shall include Fire Chief, Assistant

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Chief and Secretary/Treasurer. The department may hold meetings and organize and create policies and rules, which shall be reviewed and approved by the Town Board. The Fire Chief shall be appointed by the Town Board. The Assistant Chief, Secretary/Treasurer and additional officer positions shall be appointed by the Fire Chief and approved by the Town Board. Any Member may be removed for cause at any time by the Fire Chief or Town Board.

- (e) **Records.** The fire chief shall assure records are maintained of: all incidents; meeting minutes and attendance; training sessions and attendance; equipment inspections and maintenance; and personnel. The town clerk shall be provided an annual report by the fire chief of such information as the Town Board deems appropriate.
- (f) **Duties.** The fire chief shall be responsible to the Town Board for the overall operation of the department. Duties of officers and other members shall be set forth in the rules and policies created by the department.
- (g) **Obedience to orders.** Any fire fighter in attendance at an incident who shall neglect or refuse to obey orders shall be subject to disciplinary action. Any disciplinary action must be taken by the fire chief and shall be in writing. Disciplinary action may consist of, but not limited to, verbal reprimand, written reprimand, suspension or dismissal. If the fire fighter does not agree with the disciplinary action taken by the fire chief, he or she can request an appeal in writing within thirty days of the disciplinary action. The appeal is to the Town Board. The Town Board shall hear the appeal within 15 days of receipt of the notice of appeal. The Town Board may affirm, overrule or modify the disciplinary action of the fire chief.
- (h) **Service outside the Town of Barnes.** Members of the department are authorized to go outside the town limits for the purpose of assisting other fire departments requesting mutual aid within their jurisdiction.

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- (i) **New Applicants.** Each applicant shall provide an application for membership in the fire department to the fire chief on a form provided by the chief. The fire chief shall then have a background investigation conducted. The fire chief shall keep a factual summary of the background investigation and criminal records check of the applicant. The investigation shall be reviewed by at least two officers. The Town Board shall review all applicants and hear recommendations from the fire chief for approving members to the fire department.
- (j) **Minimum Training.** New applicants are trainees until they complete the minimum training requirements outlined in Wisconsin Administrative Code COMM 30 and any additional training mandated by the fire department Standard Operating Guidelines (SOGs).
- (k) **Training and Meetings.** Each fire fighter and trainee shall attend a minimum of six regular meetings and six monthly training sessions a year to qualify for the Length of Service Award (LOSA) program. With the understanding of the need to be flexible and that there are reasons for absences, those that do not meet the criteria will be reviewed annually by the officers.
- (l) **Compensation.** Members of the fire department shall receive compensation as determined by the town board.
- (m) **Nondiscrimination.** Selection of members, fire chief, or assistant chief shall not be based upon a person's sex, sexual orientation, national origin or religious affiliations.
- (n) **Organization and fund raising.** Members may create an organization of fire fighters, family members and friends and hold meetings and engage in fund raising activities. No fund raising activities shall be engaged in without prior approval of the fire chief and the Town Board.

SEC. 3-1-4 Fire Protection charges. See Ordinance Establishing Fire Protection Charges dated 12/15/2009-

- (1) **Authority.** This ordinance is adopted pursuant to the authority granted town boards under s. 6055(2)b), Wis. Statutes which allows towns to recover the cost of fire calls made to property within the town.

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- (2) **Liability for Fire Protection Costs.** The Town of Barnes, Bayfield County, Wisconsin may impose a charge for each fire call made within the limits of the Town of Barnes. Such fee shall not exceed the actual cost to the Town for the fire call. If the call is to real estate located within the Town, the charges shall be imposed on all owners of real estate to which the particular fire call is made. In the event that a fire call is not made to real estate located within the Town, but is instead made to personal property, such as a vehicle, the charges provided under this ordinance shall be imposed on all owners of such personal property.
- (3) **Payment of Fire Call Fee.** The fire call charges provided for in this ordinance shall be paid in full to the Clerk of the Town of Barnes, no later than 60 days after the date of the particular fire call. The failure to pay the bill within 60 days will result in interest being charged at the rate of 1 ½ percent per month from the date of the bill. Those bills for fire calls to real estate, including interest, that remain outstanding for more than 90 days as of November 1st of any year shall become a lien against the real estate and shall be placed on the tax roll as a delinquent special charge under s 66.0627, Wis. Stat.
- (4) **Liability for Fire Calls from Fire Departments Other than Authorized Fire Departments:** Any property owner requesting fire protection directly from any other fire department shall be responsible for the full costs billed to the town resulting from the fire call. This section shall not apply to the costs of any other department responding at the request of an authorized department under a mutual aid agreement.
- (5) **Severability:** Should any section or provisions of this ordinance be declared invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.
- (6) **Effective Date:** This ordinance shall become effective upon adoption and publication or posting, as provided by law, pursuant to s 60.80, Wis. Stat.

SEC. 3-2 TOWN OF BARNES AMBULANCE SERVICE.

- (a) **Establishment.** Pursuant to Wisconsin Statute 60.565, there is hereby established an ambulance service for the Town of Barnes. The purpose of this service is to

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provide basic life support and transportation of the sick, disabled or injured individuals to medical facilities. The service area includes the Town of Barnes and surrounding municipalities, which the Town of Barnes has agreed to provide such services. The Barnes ambulance service may also assist other ambulance services in the area on a mutual-aid basis. The ambulance service is intended for emergency and not for non-emergency transportation.

- (b) **Definitions.** By adoption of this ordinance, Wisconsin Statutes 146.50(1)(am), (cm), (c), (d), (dm), (e), (f), (g), (h), (hm), (hr), (i), (im), (j), (k), (l), (m), (n), (o) and (p) are adopted and hereby incorporated herein as though full set forth.
- (c) **Organization.** The ambulance service shall consist of as many emergency medical technicians; first responders; and other medical personnel qualified to staff the ambulance as may be decided by the Ambulance Director, and authorized by the Town Board. All members must maintain state licenses and approvals or appropriate state certification. The ambulance service shall organize and create policies and/or rules. Said rules shall be reviewed and are subject to approval by the Town Board prior to implementation. The ambulance service shall hold meetings on a monthly basis and training as needed to maintain skills. An ambulance driver must be a member of the ambulance service or fire department and must have a valid driver's license on file with the Town Clerk.
- (d) **Director, Assistant Director and Secretary-Treasurer. See Emergency Services Resolution dated 6/15/2010-amended to read as follows:** The Ambulance Director shall be appointed by the Town Board. The Assistant Director and Secretary/Treasurer shall be appointed by the Ambulance Director and approved by the Town Board. Any member of the department may be removed for cause at any time by the Ambulance Director or Town Board. This paragraph shall be effective immediately.
- (e) **Duties.** The director shall be responsible to the Town Board for the overall operation of the service. Specific duties of all members shall be listed on separate document. The Ambulance director will provide the Town Board a report on activities of the Ambulance department at, or prior to the regularly scheduled Town

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Board meeting.

- (f) **Training and Meetings.** Each member shall attend training and meetings and maintain 72 hours/month on-call to be a member in good standing. Each member shall attend a minimum of six regular meetings and six monthly training sessions a year to qualify for the Length of Service Award (LOSA) program. With the understanding of the need to be flexible and that there are reasons for absences, those that do not meet the criteria will be reviewed annually by the officers.
- (g) **Compensation.** The members and officers of the Ambulance Service shall receive compensation as determined by The Town Board. Members are employees of the town and, as such, are covered by the Town's liability insurance, workers compensation and EAP (employee assistance program).
- (h) **Records.** Upon completion of each ambulance run, the members on duty shall complete Emergency Medical Report Forms or their equivalent as prescribed by the State Department of Health & Family Service and/or medical director. Individual member records shall be maintained including license status, training, on-call hours and required medical procedures. Response and member records must be kept in a secure location. Meeting minutes shall be recorded and maintained, as well as equipment inspections and maintenance records.
- (i) **New Members.** Any person interested in becoming a member of the ambulance service shall file an application for membership with the director, assistant director or secretary-treasurer. The director and assistant director shall interview applicants to verify qualifications. Pursuant to Wisconsin Statutes 146.50(2), no person may act as or advertise for the provisions of services as an ambulance service provider unless the person holds an ambulance service provider license. No individual may act as or advertise for the provision of services as an emergency medical technician unless he or she holds an emergency medical technician license or training permit issued under 146.50(5). No individual may act as or advertise for the provision of services as a first responder unless he or she holds a first responder certificate issued under 146.50(8). Applicants who have not completed training or license requirements pursuant to 146.50, Wis. Stats., shall be considered for student status, whereby the Barnes ambulance services shall sponsor necessary training as emergency medical technician or first responder. The Barnes ambulance service will pay student's registration, travel, and other costs specific to emergency training as authorized by the

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director and the Town Board. The student, upon NON-completion of initial training, shall reimburse the Town for the costs incurred. Student status shall not have voting privileges or compensation benefits until the State certifications and licenses have been obtained. The Town Board shall review all applicants and hear recommendations from the director for approving members to the Barnes ambulance service.

- (j) **Medical Director.** The service shall contract with a physician to be medical director.
- (k) **Equipment.** All equipment and any ambulance operated by the Barnes ambulance service shall comply with the requirements of Wisconsin Administrative Code Trans. 309. Equipment shall be inspected and maintained at regular intervals.

Members when available shall monitor an electronic device as provided by the service, (radio, pager, etc.) for notification of ambulance dispatches.

- (l) **Ambulance fund established.** There is hereby established and the Town Treasurer shall maintain a fund to be known as the "Ambulance Fund", a record of which shall be kept by the Town Treasurer, into which shall be paid all moneys received for the use of the ambulance and from which all disbursements shall be paid. The Town Board shall establish rates to be charged for ambulance services.
- (m) **Nondiscrimination.** Selection of members, director, assistant director or secretary-treasurer shall not be based upon a person's sex, sexual orientation, national origin or religious affiliation.
- (n) **Fund raising and organizations.** The members of the Ambulance Service may create an organization of members, family or friends; hold organization meetings; and engage in fund raising activities. No fund raising activities shall be engaged in without prior approval of the Ambulance Director and the Town Board.

SEC. 3-3 AUTHORIZATION FOR AMBULANCE SERVICE TO HOLD VOLUNTEER FUNDS.

- (a) **Purpose and Authority.** This ordinance is enacted pursuant to the authority of Wisconsin Statute Section 66.0608 for the purpose of authorizing "volunteer funds" to be held in the name of the Ambulance

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Department. This ordinance is to be interpreted in conformance with that section as it may be amended from time to time.

- (b) **Adoption of Ordinance.** The Town Board of the Town of Barnes does hereby authorize the Ambulance Director to direct the deposit of volunteer funds of the department in an account in the name of the Ambulance Department in any public depository in which the Town Treasurer is holding other town funds.
- (c) **Control of Funds.** The Ambulance department, through its Ambulance Director, Assistant Ambulance Director and Secretary Treasurer is granted exclusive control over the expenditure of funds of the department. This authority is granted without limitation as to amount or type of funds. It is subject to the limitations and requirements hereinafter set forth.
- (d) **Limitations and Requirements.** The following limitations and requirements shall apply to the handling and disbursement of funds from the account:
 - (1) **Expenditures.** Expenditures withdrawn from the account may be made only upon majority vote of ambulance department members present at a duly noticed meeting of the department. Such withdrawals and expenditures may be made for any purpose that promotes the ability of the ambulance department to provide services for which it is organized.
 - (2) **Accountings.** The Ambulance Director shall provide the town with an annual statement of account. The statement shall be provided within thirty days of the Town's Annual Budget meeting. The statement shall include a detailed itemization of all receipts, expenditures, and the balance on hand at the end of the year. The source of all funds and the identity of the payee for each disbursement shall be set forth.
 - (3) **Audit.** Ambulance department accounts shall be included in the annual audit of town funds. They shall be audited in the same manner as other town funds.

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- (e) **Severability.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, the invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision or application.