

CHAPTER 5

FIRE DEPARTMENT

- 5.01 Fire Department
- 5.02 Fire Inspections and Prevention
- 5.03 Police Power of Department
- 5.04 Reimbursement for Emergency
Response Calls
- 5.05 State Fire Code Adopted
- 5.06 Penalty

5.01 FIRE DEPARTMENT. The Fire Department for the Village of Ellsworth shall be known as the Ellsworth Fire Services Association and shall provide service to the Village Of Ellsworth according to Chapter 61 of Wisconsin Statutes for Fire Suppression and Prevention.

5.02 FIRE INSPECTIONS AND PREVENTION. (1) FIRE INSPECTORS. The Chief of the Ellsworth Fire Services Association shall hold the office of Fire Inspector, with the power to appoint one or more Deputy Fire Inspectors, who shall have the same power as the Fire Inspector.

(2) ENFORCEMENT OF FIRE PREVENTION ORDINANCES. He/she shall enforce all fire prevention ordinances of the Village and state laws and regulations pertaining to fire prevention, and shall keep citizens informed on fire prevention methods and on the activities of the Department.

(3) DUTY OF INSPECTION. Fire Inspectors shall inspect semi-annually all commercial buildings, premises and thoroughfares within the fire limits and inspect semi-annually all commercial buildings, premises and public thoroughfares within the Village limits, for the purpose of noting and causing to be corrected any conditions liable to cause fires. Repairs or alterations necessary to remove the hazardous condition shall be made within a reasonable time at the expense of the owner. The Inspector shall also investigate the storage and handling of explosives and inflammable liquids within the Village.

(4) CORRECTION OF FIRE HAZARDS. When any inspection by the Fire Chief or his deputies reveals a fire hazard, the Chief or his deputies may serve a 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, it shall be deemed a nuisance and the Fire Chief or his deputy may have the same removed by the Village against the owner of the property and may also be entered in the tax roll as a special charge against the property.

(5) ENTERING ON PREMISES. No person shall deny the Chief or his deputies' free access to any property within the Village at any reasonable time for the purpose of making fire inspections. No person shall hinder or

obstruct the Fire Inspector in the performance of his duty, or refuse to observe any lawful direction given by him.

5.03 POLICE POWER OF DEPARTMENT. (1) POLICE AUTHORITY AT FIRES. The Chief and his 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 a fire.

(2) CONTROL OF FIRES. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, except firefighters and police officers and those admitted by order of any officer of the Department, shall be permitted to come. The Chief may cause the removal of any property whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect the adjoining property, and during the progress of any fire he/she may order the removal or destruction of any property necessary to prevent the further spread of the fire. He/she may also cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the Department during the progress of a fire.

(3) ENTERING PREMISES. Any firefighter while acting under the direction of the Fire Chief or other officer in command may enter upon the premises adjacent to or in the vicinity of any building or other property when on fire for the purpose of extinguishing such fire, and if any person shall hinder, resist or obstruct any firefighter in discharge of his duty as hereinbefore provided, the person so offending shall be deemed guilty of resisting firefighter in the discharge of their duties.

(4) DUTIES OF BYSTANDERS. Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command, and may be required to render assistance in fighting the fire, or removing or guarding property. Such officer may cause the arrest of any person or persons refusing to obey said orders.

(5) INJURY TO EQUIPMENT PROHIBITED. No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the Village and/or Ellsworth Fire Services Association and no vehicle, except car or railroad equipment shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, track or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

5.04 REIMBURSEMENT FOR EMERGENCY RESPONSE CALLS. The responsible party or parties shall be jointly and severally liable to the Village for reimbursement of the costs associated with emergency response by the Ellsworth Fire Services Association, Ellsworth Area Ambulance Service, Ellsworth Police Department, Village Of Ellsworth Street Department and any other municipal department of the Village, or any designee thereof, or those furnishing mutual aid to any such entity, for assistance in containment, control, clean-up, or other emergency response to hazardous or toxic spills, pipe line leaks, tank leaks, vehicle accidents, explosions, fires or any other emergency requiring response by any of the aforementioned. The "responsible party" is the owner of the premises at which the incident has taken or is taking place, or the owner of the vehicle or vehicles or other personal property involved in the said emergency incident, whether or not at fault.

5.05 STATE FIRE CODE ADOPTED. Those provisions of Chapter COMM14, Fire Prevention is hereby adopted by reference and made a part hereof, and further adopted are any and all future amendments thereto.

5.06 PENALTY. Any person who shall violate any provision of this Chapter or any order, rule, or regulation made hereunder shall be subject to a penalty as provided in sec. 25.04 of this Municipal Code. [Ord. 570 03/07]