

**TOWN OF ELLINGTON ORDINANCE
ESTABLISHING A TOWN OF ELLINGTON
FIRE AND RESCUE DEPARTMENT #2008-05**

SECTION 1.0 INTRODUCTION.

- 1.1 Authority.** This Ordinance is adopted pursuant to authority conferred by Section 60.55(1) of the Wisconsin Statutes.
- 1.2 Department.** There is hereby created a Town of Ellington Fire and Rescue Department. The Department shall provide fire protection, rescue and fire inspection services to all areas within the Town of Ellington.

SECTION 2.0 DEPARTMENT ADMINISTRATION.

- 2.1 Appointment of Fire Chief.** The Fire Chief ("Chief") shall be appointed by a majority vote of the Town Board.
- 2.2 Appointment of Fire Inspector.** The Fire Inspector shall be appointed by a majority vote of the Town Board.
- 2.3 Selection of Other Officers.** The Department, in accordance with its bylaws or other internal operating procedures, shall nominate such other officers of the Department as it deems necessary and beneficial for Department operations.
- 2.4 Operation of Department.** Except as to matters specifically reserved to the Town Board, the Department shall have charge of the internal operating procedures in such fashion as it deems fit, subject to the policies set by the Town Board, and the Department's specific duties and responsibilities set forth in this Ordinance.
- 2.5 Department Membership.** Membership in the Department shall be open to all adult residents of the Town, subject to such application, training and participation requirements as may be required under applicable law and by the Department. The Town Board may place such restrictions upon membership as it deems necessary in the interests of the safety of the general public and the Department members, after consultation with the Department. No such membership restrictions may violate any applicable law or public policy. The Department may expel members in accordance with its internal operating procedures, provided that such procedures comply with all applicable laws. The Department shall provide to the Town Board the names of all current members and any expelled members, and the reasons for the expulsion. All members of the Department shall answer to Department officers and to the Town Board.

SECTION 3.0 DEPARTMENT DUTIES. In addition to any other duties imposed by law, and subject to adequate staffing and equipment, the Department shall:

- a. Provide fire protection services to all properties located within the Town;
- b. Respond to all calls for fire fighting assistance to properties located within the Town;
- c. Perform all fire prevention inspections required under applicable law, as directed by the Town Board, or as provided for in the Department's internal operating policies (the Town Board may prescribe a charge to property owners for fire prevention services and inspections not required to be provided under applicable law);
- d. Provide emergency medical assistance within the limits and capabilities of the Department members who have been trained to provide such assistance;
- e. Respond to requests for assistance from law enforcement personnel;
- f. Perform such water rescues as are within the capability of the Department, its equipment and member training;
- g. Respond to requests for assistance from other fire departments with whom the Town has agreed to provide mutual aid;
- h. Provide such public fire prevention education services as may be requested by parties within the Town, within the limits of any policies as may be set by the Town Board or by the Department;
- i. Perform all commercial fire prevention inspections and all other services required of the Department in order for the Town to participate in the Fire Dues Administration program of the State of Wisconsin;
- j. Provide such other services as may be agreed upon by the Town Board and the Department;
- k. Provide for training and continuing education for its members in accordance with all applicable Wisconsin statutes and regulations;
- l. Advise the Town Board on all financial matters related to the Department;
- m. Recommend a Fire Chief and Fire Inspector, and all fire personnel to the Town Board;
- n. Prepare a proposed annual budget in accordance with the terms of this Ordinance;
- o. Recommend to the Town Board that it enter into mutual assistance agreements with other municipalities.

SECTION 4.0 BUDGET AND EXPENDITURES.

- 4.1 Proposed Annual Budget.** The Department shall prepare a proposed annual budget. The proposed annual budget shall be prepared no later than September 20th of each year and shall include the following:
- a. Itemized equipment maintenance;
 - b. Salaries and member expenses;
 - c. Fire prevention activities;
 - d. Fire inspection costs;
 - e. An itemized reserve for repair and replacement;
 - f. An itemized list of new equipment purchases recommended by the Department and approved by the Town Board;
 - g. Fuel and other equipment operating expenses;
 - h. Training expenses;
 - i. Professional services;
 - j. Supplies;
 - k. Such other expenses as reasonably anticipated by the Department.
- 4.2 Adoption of Budget.** The budget proposed by the Department shall be submitted to the Town Board for adoption. The Town Board may make amendments or revisions to the annual budget.
- 4.3 Expenditure Reports.** The Department shall provide the Town Board with a schedule of actual expenditures, relative to budgeted expenditures, by category, on a quarterly basis, throughout the budget year.
- 4.5 Financial Accounts.** The Town Board shall approve payment of Department expenses on a monthly basis. Bills, vouchers, or payment schedules, signed by the Chief or the Department Treasurer, shall be filed with the Town Clerk or Town Treasurer for payment. All disbursements shall be made by the Town Treasurer upon order of the Town Clerk.

SECTION 5.0 RECORDS. Records of the Department shall be public records within the meaning of Section 19.32(2) Wisconsin Statutes (except confidential patient information pursuant to Section 146.50(12) Wisconsin Statutes). The Town Clerk shall be deemed custodian of a copy of the records.

SECTION 6.0 FEES. The Town Board, after consultation with the Department, may establish fee schedules in connection with certain services provided by the Department.

SECTION 7.0 SEVERABILITY. It is hereby declared to be the legislative intent that should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance in its entirety, or any part thereof, other than that so declared to be invalid.

Adopted this 24th day of June, 2008.


Orville Nelson, Chair

ATTEST:



Bonnie Fischer, Clerk