

CHAPTER 5

FIRE DEPARTMENT

- 5.01 AUTHORITY AT FIRES
- 5.02 REMOVAL OF PROPERTY
- 5.03 FIREMEN MAY ENTER ADJACENT PROPERTY
- 5.04 DUTY OF BYSTANDERS TO ASSIST
- 5.05 FALSE FIRE ALARMS PROHIBITED
- 5.06 PENALTIES
- 5.07 AUTHORIZATION FOR FIRE DEPARTMENT AND FIRST RESPONDER UNIT TO HOLD VOLUNTEER FUNDS.

5.01 AUTHORITY AT FIRES.

The Chief of the Bagley Fire Department and his assistants or officers in command are 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.

5.02 REMOVAL OF PROPERTY.

The Chief of the Bagley Fire Department 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 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 the fire.

5.03 FIREMEN MAY ENTER ADJACENT PROPERTY.

It shall be lawful for any fireman acting under the direction of the Chief of the Bagley Fire Department or any officer in command to enter upon the premises adjacent to or in the vicinity of any building or other property then 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 hereinabove provided.

5.04 DUTY OF BYSTANDERS TO ASSIST.

Every person who shall be present at a fire shall be subject to the order of the Chief of the Bagley Fire Department or officer in command and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer shall have the power to cause the arrest of any person refusing to obey said orders.

5.05 FALSE FIRE ALARMS PROHIBITED.

See Section 11.02 (3) of this code.

5.06 PENALTIES.

The penalty for violation of any provision of this chapter shall be a penalty as provided in Section 15.04 of this code.

5.07 AUTHORIZATION FOR FIRE DEPARTMENT AND FIRST RESPONDER UNIT TO HOLD VOLUNTEER FUNDS.

(1) **Purpose and Authority.** This ordinance is enacted pursuant to the authority of Wis. Stat. sec. 66.0608 for the purpose of authorizing “volunteer funds” to be held in both the name of the fire department and the first responder unit. This ordinance is to be interpreted in conformance with that section as it may be amended from time to time.

(2) **Authorization.** The Village Board of the Village of Bagley does hereby authorize the Village Fire Chief and the Chief of the first responder unit to deposit volunteer funds of the department in an account in the name of the fire department and first responder unit, respectively, in any public depository they choose. Which public depository each department uses must be disclosed to the Village Board along with any changes.

(3) **Control of Funds.** The fire department, through its Fire Chief, and the first responder unit, through its Chief, are granted exclusive control over the expenditure of funds of its respective department.

(4) **Limitations and Requirements.** The following limitations and requirements shall apply to the handling and disbursement of funds from the account:

(a) **Expenditures.** Withdrawals and expenditures may be made for any purpose that promotes the ability of the department to provide

services for which it is organized. Expenditures are subject to any applicable limitations of any Procurement Policy adopted by the Village of Bagley.

(b) **Accountings.** The Chief of each department shall provide the Village Board with quarterly bank statements at the end of March, June, September and December of each calendar year. The statements shall be provided within thirty days of the end of the calendar quarter. Additional information including but not limited to a detailed itemization of all receipts, expenditures, or deposit detail shall be provided upon request. Requests for additional information must allow a reasonable amount of time to fulfill the request.

(c) **Audit.** Department accounts shall be included in the annual audit of village funds. They shall be audited in the same manner as other village funds.

(5) **Ownership of Funds.** Volunteer funds shall remain the property of the Village until the funds are disbursed.

(6) **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.”