

**TOWN OF JACKSONPORT,
Door County , Wisconsin**

**THE JACKSONPORT VOLUNTEER FIRE DEPARTMENT
Ordinance 3-2012 (replaces 4-2009)**

The Jacksonport Volunteer Fire Department mission is to protect life and property from fire, medical, and environmental emergencies within our community, through public education, code management, and incident response. **And, to serve the community in approved non-emergency events.**

- I. This ordinance is entitled The Jacksonport Volunteer Fire Department Ordinance.
- II. The Town Board of the Town of Jacksonport has specific authority to establish this ordinance under Wisconsin Statutes 60.55 and 66.119, it also has the authority to establish, govern, organize and fund a Volunteer Fire Department.
- III. By the establishment of a Volunteer Fire Department, the Town Board of Jacksonport confirms its responsibility under SS. 60.55 to provide for fire protection for the town and its citizens. The Town Board of Jacksonport further ordains that the Volunteer Fire Department shall be a quasi-governmental unit of the town with the **Fire Advisory Committee acting as an oversight for the Fire Department.**
- IV. **The Fire Advisory Committee shall be made up of 5 members, 4 community members and 1 fire fighter. The term of office of said members shall be 5 years, with one member up for re-nomination every year. The Fire Advisory Committee shall elect every year by vote a chairman, vice chairman, and secretary. Duties of the Fire Advisory Committee shall be to assist the Fire Chief in policies, discipline and budget preparation and shall give recommendation to the Town Board on all matters for final approval.**
- V. The property of the Jacksonport Volunteer Fire Department, consisting of fire engines, water tanker trucks, miscellaneous vehicles, pumps, hoses, saws, axes, ladders, protective clothing, hose nozzles and fittings and such other equipment as may be used for fire fighting, fire prevention or life saving, shall be the property of the Town of Jacksonport. Any personal item that belongs to any of the members of the volunteer Fire Department and left for keeping in the Fire Station shall be registered with the Fire Chief or his designee to insure safe keeping. Any items not so registered will not be a responsibility of the Volunteer Fire Department or the Town of Jacksonport in cases of loss or damage.

VI. ORGANIZATION - The Jacksonport Volunteer Fire Department shall consist of the following officers and the method of selection:

- A. FIRE CHIEF – **Appointed by recommendation of the Fire Advisory Committee and approved by action of the Town Board.**
- B. ASSISTANT CHIEF – Elected by the members and confirmed by the Fire **Advisory committee.**
- C. Two (2) FIRE CAPTAINS – Elected by the members and confirmed by the Fire **Advisory committee.**
- D. Two (2) LIEUTENANTS – Elected by the members and confirmed by the Fire **Advisory committee.**

The Jacksonport Volunteer Fire Department shall be authorized to have up to a total of 30 active members in addition to First Responders that are not members of the Fire Department. The Department is allowed to have as many reserve firefighters as deemed appropriate.

VII. DUTIES

FIRE CHIEF/EMERGENCY MANAGEMENT DIRECTOR – Shall have overall responsibility for the operation of the department insuring that all personnel are properly trained and shall report to the Town Board on a regular basis concerning the activities of the department. He shall forward to the Town Board results of all officer elections and appointments for confirmation. He shall make himself/herself aware of all pertinent statutes, administrative rules and N.F.P.A regulations concerning fire department operational or administrative procedures. The Fire Chief shall be responsible for the Fire Department Budget for the coming year and make requirements known at the Town Budget Workday. He/she shall be a part of the town budget preparation process and be present at the budget preparation to answer any questions or justify the Fire Department Budget requests. He/She shall submit long-range capital requirements for the budgeting of money annually to meet those needs. The Fire Chief shall have Police Powers as authorized by Wis. S.S. 213.095.

ASSISTANT FIRE CHIEF – Shall have the same powers as the Fire Chief in his/her absence.

FIRE CAPTAIN – Will have full knowledge of all pertinent rules and regulations for fire departments. He/She will assume command of an incident in the absence of the Fire Chief or Assistant Chief. He/She will be directly responsible to the Fire Chief in all departmental activities. He/She will direct fire-fighting activities as directed by the Chief or Assistant Chief using Standard Operating Procedures.

LIEUTENANT – In command of a Fire Team, may take direct control of an incident as senior member present. He/She has direct responsibility for the safety of his/her Fire Team. Under normal circumstances will report to his Fire Captain.

Responsible for the readiness and records of his assigned truck or equipment. He/She shall report to the Fire Chief any discrepancies in the operation of his equipment. He/She is responsible to the line officer to provide water at the pressure requested to the fire fighters. He/She must have abilities to fully operate his equipment to its capabilities and inform the line officer when that capability has been met.

Shall be in charge at fire scenes to insure that all fire-fighters are wearing proper protective clothing, that the situations that fire-fighters are in are not becoming dangerous and that the firefighting equipment at the scene is not involved in a dangerous situation. He/she shall report any unsafe conditions immediately to the senior officer present. He/she will make a report to all members of all safety problems encountered at the next regular meeting of the fire department.

VIII. COMPENSATION - The Fire Chief and the Assistant Chief shall receive an annual salary as set by the Town Board. Fire Chief may approve additional salaries with approval of Town Board. They shall receive per-diem and mileage expenses for meeting attendance requested by the Town Board or such other meetings that may be of importance, with prior approval of the Town Board or the Town Chairperson in cases where sufficient notice of such meetings is not given in time for the Town Board to take action. All other members shall receive compensation for actual fire calls on an hourly basis. All members shall also receive compensation for meetings and joint exercises attended; all compensation shall be set and reviewed annually by the Town Board. All training courses attended by members of the fire department shall be paid for by the Town Board, this includes any training materials that may be required. **All officers must attend a minimum of 12 trainings per year, and meet the minimum hours of documented administrative time to receive their full salary. (Chief 150 hours, Assistant Chief 42 hours, Captains 34 hours, and Lieutenants 25 Hours.) If minimum requirements are not meet, salary will be prorated based on accomplishments.**

IX. INSURANCE - The Town of Jacksonport assumes insurance costs for Workmen's Compensation, medical costs for injury in the line of duty, liability for errors and omissions, automotive liability for private vehicles used to answer and return from fire calls or emergencies (this insurance will only pay damages in excess of the members own liability coverage and when damages are not a result of intoxication). The Public Safety Officers Benefit Program provides death and permanent injury benefits. The University of Wisconsin System will provide four years tuition to all dependents of members killed in the line of duty.

X. GOVERNING RULES – The Jacksonport Volunteer Fire Department shall operate under the applicable Wisconsin State Statutes, Department of Commerce Codes, N.F.P.A. rules and such rules as may be prescribed by the Town Board through the ordinance procedure and polices, standard operating guidelines and standards of conduct.

XI. COMPUTER USAGE POLICY

Employee Responsibility

Employees are responsible for the appropriate use of any Town computers in accordance with this policy and superseding laws. Employees are expected to adhere to the highest ethical standards when conducting business.

Officer Responsibility

Officers are responsible for ensuring the appropriate use of computer resources through training, supervising, and, when necessary, taking disciplinary action.

Appropriate Use

The use of and access of Town of Jacksonport owned computer resources is limited to employees and officers of the Town of Jacksonport assigned access to said resources. It is intended for official purposes associated with the performance of governmental function in the name of and on behalf of the Town of Jacksonport.

Inappropriate Use

Inappropriate use of computer resources, including for limited personal use as authorized herein, may result in revocation of privileges, job related discipline, or both. Uses that are prohibited include, but are not limited to:

- Accessing resources or altering data without explicit management authorization.
- Intentionally deleting or damaging data.
- Intentionally introducing a computer virus.

- Engaging in illegal activities as defined by State and Federal law or local ordinance.
- Wagering, betting or selling chances.
- Initiating or forwarding chain letters.
- Transmitting threatening, abusive, obscene, lewd, profane, or harassing material.
- Transmitting or viewing materials with intent to demean any person's age, disability, gender, race, national origin or sexual orientation, unless it is job related.
- Viewing, reading, or accessing any sexually explicit sites or materials that are in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic, unless it is job related.
- Engaging in commercial activities.
- Soliciting, except in relation to Door County activities.
- Promoting personal, political, religious or private causes, positions or activities, or working on behalf of organizations that have no professional or business affiliation with the County of Door.
- Attempting to evade, disable, or bypass any security provisions of systems or the network.
- Obtaining unauthorized access to any computer system.

Security

All users are responsible for the safeguarding of their login ID's and their passwords. All users will be held accountable for any activity that occurs under their login ID.

Privacy and Monitoring

Employees have no expectation of privacy regarding their use of any computer. All users will be monitored by an officer or independent contractor to be determined by the Fire Commission. Periodic and random checks of computer use will be performed.

Violations and Disciplinary Actions

The failure or refusal of an employee or officer of the Town of Jacksonport to abide by this policy may result in employment related sanctions in accordance with existing policies.

XII.DISPUTES – Any disputes among the members or officers of the Jacksonport Volunteer Fire Department, in so far as possible, shall be handled by the Fire Chief. Any problems the Fire Chief cannot resolve shall be referred to the Town Fire Advisory Committee for resolution. Any matters which could result in discharge, suspension, demotion or disciplinary action beyond the duties of the Fire Chief shall be referred by the Fire Advisory Committee to the Town Board. All matters of this nature shall be heard in Closed Session, with the Town Board giving due notice and citing Wis. S.S. 19.85(1)(b) for an exemption to the Open Meeting Laws.

XIII. INTOXICANTS AND INTOXICATED MEMBER

- A. No member of the Jacksonport Volunteer Fire Department shall operate any vehicle belonging to the Town of Jacksonport if he/she has consumed any alcoholic beverage in the previous eight (8) hours or has a blood alcohol content above zero (0). A violation of this section could result in discharge from the department.
- B. Any member of the Jacksonport Volunteer Fire Department that has consumed any alcoholic beverage within four (4) hours of any fire call shall use the utmost discretion before answering that call (See Section IX). Any member reporting to a fire call under the influence of drugs or alcohol shall be temporarily relieved of all duties by senior officer present; the senior officer should then notify the Safety Officer and the Fire Chief as soon as possible of his actions.

- XIV. MEMBERSHIP** – Any person from the Town of Jacksonport or any town immediately adjacent to the Town of Jacksonport shall be eligible for membership in the Jacksonport Volunteer Fire Department. Any person becoming a member of the department shall by their application for membership submit themselves to the rules prescribed and to the officers of the Jacksonport Volunteer Fire Department in the performance of their duties. Members with physical disabilities that may create unsafe conditions for themselves or other members may be given such duties as the Fire Chief may direct. Members with beards that may bar them from necessary training and use of self contained breathing gear may be assigned other tasks than actual fire fighting at the discretion of the Fire Chief. **All firefighters must meet the following minimum requirements: Attend at least 4 trainings with 1 of them being the mandatory 1st meeting of the year. All reserve firefighters must attend the mandatory 1st meeting of the year. All officers must attend a minimum of 12 trainings and perform their minimum amount of administrative time as described above. Attendance of 1st meeting of the year is mandatory unless excused by the fire chief.**

Violations and Disciplinary Actions

The failure or refusal of an employee or officer of the Town of Jacksonport Fire department to abide by this policy may result in discharge, suspension, demotion or disciplinary action in accordance with existing policies and or the following guidelines. (Note if violations are serious enough they could result in immediate removal from department.)

1st Violation – one on one counseling with Chief.

2nd Violation- Demotion.

3rd Violation – Removal from department.

- XV. TRAINING – All new members shall take the prescribed courses from the Vocational, Technical and Adult Education System (NWTC) before engaging in actual fire fighting. Those engaged in actual fire fighting, shall from time to time take additional courses as prescribed. All officers on the line shall be trained to take command of any fire incident. All new officers appointed after enactment of this ordinance shall take the prescribed Officer Training Course from the Vocational, Technical, and Adult Education System prior to the actual appointment (this does not apply to Engineers, Training or Safety Officers), but may serve in an acting capacity for a period of one (1) year.
- XVI. FIRE INSPECTIONS – All public buildings and those businesses serving the public in the Town of Jacksonport will be subject to Fire Safety Inspections. All businesses are required to have two (2) inspections annually. It is not the intention of the town of Jacksonport that this be a punitive action, but to make the town safer for its business and citizens. In severe cases of repeated, willful violations, the Fire Chief is authorized by this ordinance to issue citations for forfeitures of up to \$100 for the first offense and \$250 for second and subsequent offenses. Each day of violation after notification may constitute a separate offense.
- XVII. DONATION AND SELF-GENERATED FUNDS – The Jacksonport Volunteer Fire Department is authorized to accept donations of money or equipment for use by the department. The department is further authorized to conduct fund-raisers for departmental use. First-responders whether they be members of the Fire Department or not may be included in these activities and may be a beneficiary of such funds for First-Responder activities and equipment.
- A. CHECKING ACCOUNT - The Jacksonport Fire Department is authorized to have a checking account and to use the money as needed for the Fire Department. Two (2) fire persons (example, Fire Chief & Assistant Chief) are authorized to handle the checking accounts. Funds are to be used at the discretion of Fire Chief/Assistant. Signing officers are authorized to spend up to \$5,000, without further review or approval of the Town Board/**Fire** Advisory Committee. Monies over \$5,000 need the approval of the Town Board/**Fire** Advisory Committee. Any funds over \$12,000 in the checking account should be put into the Fire Department Savings Account.
- B. AUDIT – Records are subject to an audit at the same time as other town financial records. Semi-annual reports of income and expenses shall be submitted to the Town Board, Treasurer and Clerk. End of year reports, bank statements and cancelled checks shall be subject to an audit by Fire Commission then submitted to the Treasurer to be included with other town financial records.

XVIII. CHARGES FOR SERVICES – Charges for services will be at the current rate per hour for each fighter plus replacement of equipment if damaged; and, an hourly rate per truck as determined by the Town Board at the Board meeting.

XIX. SEVERABILITY – If any portion of this ordinance is held to be unconstitutional, counter to state statute or state administrative codes as determined by the district attorney, attorney general or a court of law shall affect only that portion of the ordinance and the remainder of this ordinance shall remain in full effect.

XX. EFFECTIVE DATE – This ordinance shall be in effect on the day after posting as required by law.

Passed on this day of , 2012.

Alvin Birnschein, Chairman

Randy Halstead, Supervisor

Thomas Wilson, Supervisor

Attested by:

Elissa Taylor, Clerk