

## Chapter 60

### FIRE DEPARTMENT

**[HISTORY: Adopted by the Common Council of the City of Bayfield 4-1-1992 (§§ 5-2-1, 5-2-3 and 5-2-5 of the 1992 Code of Ordinances). Amendments noted where applicable.]**

#### GENERAL REFERENCES

Fire Chief — See Ch. 79.

Alarm systems — See Ch. 119.

Fire prevention — See Ch. 223.

#### § 60-1. Organization; goals.

- A. Fire Department established. The Bayfield Volunteer Fire Department shall be responsible for the program of fire defense for the citizens and property within the City of Bayfield. The duty of said Department shall be that of fire fighting and the prevention of fires in the City of Bayfield and other units of government contracting for the service of the Department.
- B. Goals of the fire defense program.
  - (1) The primary objective of the fire defense program is to serve all citizens, without prejudice or favoritism, by safeguarding, collectively and individually, their lives against the effects of fires and explosions.
  - (2) The second objective of the fire defense program is to safeguard the general economy and welfare of the community by preventing major conflagrations and the destruction by fire of industries and businesses.
  - (3) The third objective of the fire defense program is to protect the property of all citizens against the effects of fire and explosions. All property deserves equal protection, regardless of location or monetary value.
- C. Department to adopt bylaws. The Bayfield Volunteer Fire Department shall adopt bylaws for the control, management and government and for the regulation of business and proceedings of the Department, which bylaws shall be adopted by a two-thirds vote of the Department members. Amendments shall be adopted in the same manner.
- D. Budget.
  - (1) The City shall appropriate funds to provide for operation and for such apparatus and equipment for the use of the Fire Department as it may deem expedient and necessary to maintain efficiency and properly protect life and property from fire.
  - (2) Not later than October 1 of each year, the Chief shall file with the City Treasurer a detailed estimate of the appropriations needed for the conduct of the Department

during the ensuing fiscal year.<sup>1</sup>

**§ 60-2. Police power at fires; inspection duties.**

A. Police authority at fires.

- (1) The Fire Chief and 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) The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firemen and policemen and those admitted by order of any officer of the Department, shall be permitted to come.
- (3) The Chief 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 spreading of fire or to protect the adjoining property, and during the progress of any fire he shall 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 impedes the work of the Department during the progress of a fire.

B. Fire inspection duties.

- (1) The Fire Chief, or his designee, shall be the Fire Inspector of the City of Bayfield and shall have the power to appoint one or more deputy Fire Inspectors and shall perform all duties required of the Fire Inspectors by the laws of the State and rules of the Department of Commerce, particularly § 101.14, Wis. Stats.
- (2) While acting as Fire Inspector pursuant to § 101.14(2), Wis. Stats., the Fire Chief, or any officer of the Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the City of Bayfield at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of the Code of the City of Bayfield, he may deem necessary. Should the Fire Inspector find that any provisions of this Code relating to fire hazards and prevention of fires are being violated, or that a fire hazard exists which should be eliminated, it shall be his duty to give such directions for the abatement of such conditions as he shall deem necessary and, if such directions be not complied with, to report such noncompliance to the Common Council for further action.
- (3) The Chief of the Fire Department is required, by himself or by officers or members of the Fire Department designated by him as fire inspectors, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspections shall be made at least once in six months in all of the territory served by the Fire Department and oftener as the Chief of the Fire Department orders. Each six-month period shall begin on January 1 and July 1 of

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

each year.

- (4) Written reports of inspections shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form required by the Department of Commerce. A copy of such reports shall be filed with the City Clerk.

**§ 60-3. Authority to enter adjacent property and to destruct property.**

- A. Entering adjacent property. It shall be lawful for any fireman while acting under the direction of the Fire Chief or any other officer in command to enter upon the premises adjacent to or in the vicinity of a building or other property then on fire for the purpose of extinguishing such fire and in case any person shall hinder, resist or obstruct any fireman in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firemen in the discharge of their duty.
- B. Destruction of property to prevent the spread of fire. During the progress of any fire, the Fire Chief or his assistant shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire; provided that it is inevitable that, unless such property is removed, other property is in danger of being destroyed by fire.