

Chapter XIX

Fire Control

SECTION 19.00. Organization and Regulation of Volunteer Fire Department of the Town of Lyons.

19.01. Recognition. The volunteer members of the Volunteer Fire Department are hereby officially recognized as the Fire Department of the Town of Lyons and the duty of fire fighting and prevention of fires in the Town of Lyons is delegated to such department. Its organization and internal regulations shall be governed by the provisions of this ordinance and by such by-laws as adapted by the Department as are approved by the Town Board, except as is otherwise provided by law and ordinance.

19.02. Authorization. The Town of Lyons Fire Department is hereby authorized and directed to adopt by-laws for the control, management and the regulation of business and proceedings of the Department, which by-laws after adoption by a 2/3rds vote of the members of the department in good standing, shall become effective and operative when presented to and approved by the Town Board; amendments shall be adopted in the same manner.

19.03. Appropriation of Funds. The Town Board shall appropriate funds to provide for the operation and for such apparatus and equipment for the use of the Fire Department as the Board may deem expedient and necessary to maintain efficiency and properly protect life and property from fire and other hazards.

19.04. Emergencies. The Town of Lyons Fire Department is hereby authorized to respond to emergencies other than fires, and the Town Board shall appropriate funds to provide for the operation and such other apparatus and equipment as the Board may deem expedient and necessary.

SECTION 19.10. Organization of Membership

19.11. Officers. The Fire Department shall consist of the following officers:

- a. One Chief
- b. Two Assistant Chiefs
- c. Secretary
- d. Treasurer
- e. Three-man advisory board
- f. One Captain for each company
- g. Two Lieutenants for each company

19.12. Term. The term of office shall be as follows:

- a. Chief – 3 years
- b. First Asst. Chief – 2 years; 2nd Asst. Chief – 1 year
- c. Secretary – 3 years
- d. Treasurer – 3 years
- e. Advisory Board – 3 years (one each year elected)
- f. Captains – Appointed by Chief
- g. Lieutenants – Appointed by Chief

19.13. Annual Meeting. The annual meeting of officers shall take place at the regular meeting in the month of July.

19.14. Membership. The total membership, at no time, shall be less than 24 members.

19.15. Membership. No person shall be considered as a member unless he/she is 18 years of age and a resident of Lyons Township, or a connecting township that does not have a fire department, or with the approval of the Fire Department Executive Board, and Fire Chief.

19.16. Vacancy. A vacancy in the office of Chief shall be filled by an election of a majority vote of the members of the Fire Department

19.17. Termination of Membership. Active membership in the department for members shall cease upon:

- a. Resignation
- b. Change of residence to outside area
- c. Death
- d. Failure to abide by this ordinance or the by-laws of the Department

19.18. Companies. The Department shall organize into one or, at the option of the Chief, into 2 or more companies. The Chief may at any time make transfers which he deems necessary between companies. Each of the companies of the department shall be in the charge of a captain, or in his absence, a lieutenant who shall be responsible to the Chief.

SECTION 19.20. Power and Duties of Chief. The Chief of the Fire Department:

- a. Shall have general supervision of the department, subject to this ordinance and the by-laws of the department, and shall be responsible for the personnel and general efficiency of the department.
- b. Shall preside at all meetings of the department, to call special meetings, to prescribe order, to decide all points of order that may arise and to enforce a rigid observance of this ordinance and by-laws of the Department.
- c. Shall be present at all fires, if possible, to have command of and responsibility for all fire fighting operations, to plan the control of the same, to direct the action of the companies, and to grant leaves of absence at a fire when he may deem it proper and to see that the fire apparatus is kept in proper condition at all times.
- d. Shall have the power to demote or expel any officer or ember of the Fire Department for neglect or refusal to perform his departmental duties.
- e. Shall not later than September 15 of each year, file with the Town Clerk a detailed estimate of the appropriation needed for the conduct of the Department during the ensuing fiscal year, and a report relating to the condition of the various pieces of apparatus.
- f. Shall enforce all fire prevention ordinances of this Town and state laws and regulations pertaining to fire prevention.
- g. Shall keep a record of every call to which a company was called.
- h. Shall perform such other duties as are incumbent on the commanding officer of the fire department.

SECTION 19.30. Equipment.

19.31. Responsibility. The Chief shall have control of all equipment and apparatus used by the department and shall be responsible for its proper maintenance. The chief shall submit a listing to the Town Clerk of all equipment by August 1 of each year.

19.32. Use. No apparatus shall be used for any purpose except for fire fighting within the town limits, or in training thereof, except pursuant to an agreement approved by the Town Board, except when the Chief has given his recommendation on such use. With the approval of the Chief, such apparatus may be used for emergency purposes other than firefighting.

SECTION 19.40. Police Power of the Department.

19.41. Power. The Chief and assistant 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.

19.42. Limits. The Fire Chief may prescribe certain limits in the vicinity of any fire within which no person, except Fire Department personnel, and those admitted by order of any officer of the department, shall be permitted to come. 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 progress of any fire. He/She shall also have the power to turn off all electric and other services where the same impedes the work of the department during the progress of the fire.

19.43. Entry of Buildings. It shall be lawful for any fireman while acting under the direction of the Chief or other officers in the command to enter upon the premises adjacent to or in the vicinity of any building or other property other than on fire for the purpose of extinguishing such fire, and if any person shall hinder, resist or obstruct any firemen in the discharge of his duty as hereinbefore provided, the person so offending shall be deemed guilty of resisting firemen in the discharge of their duties.

19.44. Assistance. 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 in removing or guarding property. Such officer shall have the power to cause the arrest of any person or persons refusing to obey said order.

19.45. Warning Devices. The Chief shall have the power to authorize the use of red lights and siren on private vehicles in accordance with the Wisconsin Statutes.

SECTION 19.50. Fire Inspector

19.51. Designation. The Chief shall hold the office of Fire Inspector, with the power to appoint one or more deputy fire inspectors who shall perform the same duties and have the same powers as the Fire Inspector.

19.52. Duties. The Fire Inspector shall inspect all buildings, premises, and public thoroughfares, except the interior of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violation of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspections shall be made twice a year in the territory served by the Fire Department.

19.53. Reports. Written reports of inspections shall be made and kept on file in the office of the Fire Chief of the Fire Department in the manner and form required by the State.

19.54. Fire Hazard. Whenever or wherever in the Town of Lyons any inspection by the Fire Chief or his deputies reveals a fire hazard, the Chief or his deputies shall serve notice in writing upon the owner of the property giving said owner a reasonable time in which to remove the hazard. In the event that the fire hazard is not removed within the time allotted, it shall be deemed a nuisance. The Fire Chief or his deputy is authorized to have the same removed by the Town, and the cost of such removal shall be recovered in an action by the Town against the owner of the property.

SECTION 19.60. Meetings The Fire Department shall hold a meeting and drill once each month on a date designated by the Chief.

SECTION 19.70. Regulation of Fire and Smoke.

19.71 Regulation of Open Fire. No person shall kindle or start an open fire or permit the same to burn within 30 feet of the nearest wall of any building or wooden structure, or in any street or alley. Every person who kindles or starts an open fire shall supervise or cause to have supervised, the burning of the same until such fire is completely extinguished.

19.72 Regulation of Contained Fire. Any fire kindled or started or permitted to burn within 30 feet of the nearest wall of any building or wooden structure shall be contained in a substantial burner constructed of metal, concrete or brick, including a portable fire pit, which burner shall be so screened or covered as to prevent the escape therefrom of burning embers.

19.73. Hours. No person shall kindle or start an open or contained fire or permit the same to burn except between the hours of 8:00 AM and 12:00 AM (midnight)

19.74 Exceptions. The provisions of this ordinance shall no apply to the creation and maintenance of fires in the discharge of governmental function being supervised and attended by the town dump custodian or members of the town fire department or highway maintenance crews.

SECTION 19.80. Fire Prevention Code.

- a. Chapter IND 1 – Safety
- b. Chapter IND 8 – Flammable and Combustible Liquids
- c. Chapter IND 65 – Fire Prevention
- d. Chapter ILHR 7 – Explosive Materials
- e. Chapter ILHR 11 – Liquified Petroleum Gases
- f. Chapter ILHR 15 – Cleaning and Dyeing
- g. Chapters ILHR 50 through 64, both inclusive – Building and Heating, Ventilating and Air Conditioning Code
- h. Chapter ILHR221 – Spray Coating

SECTION 19.90. Fire Lanes.

19.91 Definition: Fire Lanes are areas where fire trucks and emergency vehicles can park and stage when responding to an emergency.

19.92 Creation of Lane: The Fire Chief or a Fire Inspector designated by the Fire Chief may establish fire lanes for any shopping or commercial area or other public areas within the fire district which present potentially hazardous situations because of parked vehicles.

19.93 Property Owner: The property owner will be given notice to implement the fire lane within 45 days from the date of the notice. Expenses incurred for signs, striping, and installation will be the responsibility of the building owner. If the fire lane is not completed by the 45 days, the property owner will be fined \$100/day.

19.94 Fire Lane Specifications: Unless modified by the Fire Chief, the fire lane should be at least 20' wide unless a fire hydrant or sprinkler is present. In this case, the lane must be at least 26' wide or 50' on either side of the hydrant and egress doors that exit to a parking lot. All fire lanes and access roads must be marked with metal signs placed at 50' intervals indicating "No Parking – Fire Lane". Outlining or painting the fire lane on the roadway surface shall be done in yellow, red, or white stripes a minimum of 5" in width with contrasting letters that read "FIRE LANE" at 50' intervals.

19.95 Violations: The space between the fire lane and the nearest building shall be free of permanent obstructions that may impede access. Fire lanes should be kept free of obstacles at all times including parked vehicles and snow. Any person who violates this section shall be responsible for towing and storage at owner's expense.