

ORDINANCE NO. 2025-1

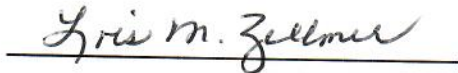
The Town Board of the Town of Shields, Marquette County, Wisconsin, with a quorum present and proper notice having been given, hereby adopts the attached Fire Protection Ordinance by majority vote of the Town Board, amending the Fire Protection Ordinance of 2016.

Adopted this 5th day of June, 2025 by the Town Board of the Town of Shields, Marquette County, Wisconsin.

A handwritten signature in black ink, appearing to be "L. S. S.", written over a horizontal line.

Chair

Attest:

A handwritten signature in black ink, appearing to be "Lori M. Zellmer", written over a horizontal line.

Clerk

Fee Schedule effective 7-21-2025:

A.	Incident response	\$25/hour
B.	General labor rate	\$25/hour
C.	Fleet charge	\$1.95/mile
D.	Truck charge	\$200/truck followed by Fire Chief's discretion
E.	Water	\$4.89/1000 gallons
F.	Hydrant fee	\$30.00
G.	Foam	\$10/gallon
H.	Floor Dry	\$20/bag
I.	Any other actual costs incurred by the Joint Fire District when responding to a call.	

FIRE PROTECTION ORDINANCE

Executed – June 2016
Revised – January 2018
Revised – October 2022
Revised – July 2025

FIRE PROTECTION ORDINANCE

- 1.01 Montello Joint Fire District and Amendment**
- 1.02 Powers and Authority**
- 1.03 Inspections**
- 1.04 Traffic Regulation**
- 1.05 Enter Adjacent Property**
- 1.06 Fees and Charges**
- 1.07 Penalties**
- 1.08 Open Burning**
- 1.09 Adoption of Standards**
- 1.10 Fire Limits**
- 1.11 Fee Schedule**

1.01 Montello Joint Fire District.

The Town is a member of the Montello Joint Fire District ("MJFD") and the MJFD provides fire protection services to the Town. T Amendment, dated July 2025, shall replace and supersede all previous amendments to this Fire Protection Ordinance

1.02 Powers and Authority.

A. The state statutes and administrative code that relate to fire protection, inspection and/or control are adopted as though fully set forth herein.

B. The MJFD 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 MJFD may cause the arrest of any person failing to give the right-of-way to a department in responding to a fire.

C. The MJFD Chief may prescribe certain limits in the vicinity of any fire within which no persons, except firefighters and law enforcement officers and those admitted by order of any officer of the MJFD shall be permitted to come.

D. The MJFD Chief shall have the power to cause the removal of any property whenever necessary to preserve such property from fire or to prevent the spreading of fire or to protect adjoining property, and during the progress of any fire he/she 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.

E. Firefighters of the MJFD, when at the scene of a fire or other emergency, or when firefighting vehicles are upon the street pursuant to an emergency

call, shall have the authority and duty of traffic officers to direct traffic as conditions require.

1.03 Inspections.

A. The Fire Chief and Assistant Chiefs of the MJFD shall be the Fire Inspectors of the Town and shall have the power to appoint one (1) 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 Safety and Professional Services particularly Sec. 101.14, Wis. Stats.

B. 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/her duty to give such directions for the abatement of such conditions as he/she shall deem necessary and, if such directions be not complied with, to report such noncompliance to the District and the Town for further action.

C. The Chief of the Fire Department is required, by himself/herself or by officers or members of the Fire Department designated by him/her as fire inspectors, to inspect all public buildings, places of employment, or any other area designated by state statute or administrative Code 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.

D. Such inspections shall be made at least annually.

E. Written reports of inspections shall be made and kept on file in the office of the Chief in the manner and form required by the Department of Safety and Professional Services. A copy of such reports shall be filed with the Town Clerk.

F. The Town Board or its designees, and at any time, for the purpose of preventing, detecting, and suppressing fire and fire-related hazards in the Town, enter any public building or place of employment in the Town at reasonable times upon reasonable notice. However, in an emergency at or near the property of any person in the Town, the Town Board or its designee may enter the property of any person without notice and at any time.

1.04 Traffic Regulation.

A. No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the MJFD, and no vehicle shall be driven over any unprotected hose when laid down on any street, private driveway, or other place, to be used at any fire or alarm of fire, without the consent of the MJFD official in command.

B. It shall be unlawful for any person to park any vehicle or leave any object within ten (10) feet of any fire hydrant at any time.

C. It shall be unlawful for any person, in case of fire, to drive or park any vehicle within three hundred (300) feet from the place of fire without the consent and authority of the Fire Chief or any law enforcement officer.

D. Whenever there shall be a fire or fire alarm or the Fire Department shall be out for practice, every person driving or riding in a motorized or other vehicle shall move and remain to the side of the street until the fire engine and fire truck and other fire apparatus shall have passed.

1.05 Enter Adjacent Property.

A. It shall be lawful for any firefighter, while acting under the direction of a 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 firefighter in the discharge of his/her duty as is herein before provided, the person so offending shall be deemed guilty of resisting firefighters in the discharge of their duty.

B. During the progress of any fire, a 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.

1.06 Fees and Charges.

A. The Town may charge a fee for fire prevention inspections, according to the attached fee schedule.

B. Fire prevention inspection fees shall constitute special charges against the property under Sec. 66.0627, Wis. Stats., and may be invoiced to property owners after each inspection. Any fees remaining unpaid as of November each year shall be placed on the annual tax roll for collection as a special charge together with an administrative charge of five percent (5%) of the total amount outstanding. All proceedings related to the collection of real estate taxes shall apply.

C. Property owners of real estate and personal property located within the Town shall be responsible for the costs of the fire calls made for their property. Fire call fees and costs are as set forth in the Town's fee schedule and shall include the actual cost billed to the MJFD by any other surrounding municipality for mutual aid.

D. MJFD shall bill the owner for whom the fire protection was provided, and payment to MJFD shall be due within sixty (60) days of the date of the bill. Upon failure to pay the bill within sixty (60) days, interest will accrue retroactively from the date of the bill at the rate of 1.5 percent a month. Any bills for fire protection services for personal property, which remain outstanding for more than ninety (90) days, may be turned over for collection. Any bills for fire protection services for real estate owners within the Town, which remain outstanding for more than ninety (90) days, shall be imposed as a special charge against the real estate for which fire protection was provided and may be placed on the tax roll as a delinquent special charge pursuant to Sec. 66.0627, Wis. Stats.

E. It is the policy of the Town to contract with the MJFD for fire protection services. Any property owner requesting fire protection directly from any other fire department shall be responsible for the full costs billed to the Town for the fire call from said fire department.

1.07 Penalties.

The Town may commence action or issue citations for violations by any person or entity of this ordinance, state statute or the state administrative code. A violation shall result in a forfeiture in the amount of \$250.00 per day and each day a violation exists shall constitute a separate violation. A second violation within twenty-four (24) months shall result in a forfeiture in the amount of \$500.00 per day and each day a violation exists shall constitute a separate violation. The Town shall also be entitled to the actual costs of prosecution if it establishes a violation, including reasonable attorney fees. The Town may also pursue enforcement by any other means available to it at law.

1.08 Open Burning.

A. No person shall kindle or cause to be kindled any fire in or upon any public street.

B. No burning shall take place within 25 feet of any building unless the same is confined within a wire refuse burner, basket, or metal enclosure with a cover attached to prevent the escape of sparks and/or burning material.

(1) Material for open burning may not include rubbish, garbage, trash, plastic, furniture, mattresses, or any material made of or coated with rubber, plastic, leather, or petroleum-based material and may not contain flammable or combustible materials.

(2) Open burning shall be constantly attended and supervised by a competent person until such fire is extinguished; this person shall have readily available for use fire-extinguishing equipment.

(3) Residents are requested to burn in the evening.

C. Commercial, business, and other burning prohibited. All burning on any commercial property, except campgrounds, within the Town limits is hereby prohibited.

D. Cost of the fire call. Any person who violates this section or burns in a manner which results in a fire call shall, in addition to the penalties provided herein, be liable to the Town for the current charge for the call for fire suppression.

E. Penalties. Any person violating this section shall be subject to a penalty as provided in Section 1.07.

F. The Town may, upon the recommendation of the Fire Chief, declare a burning ban within the Town limits when conditions warrant.

1.09 Adoption of Standards.

A. NFPA 1, the Uniform Fire Code and documents adopted by the State of Wisconsin Administrative Codes, three copies of which are on file and are open to inspection by the public in the office of the Montello Joint Fire District, are hereby adopted and incorporated into this section as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling within the limits of the Montello Joint Fire District. The same are hereby adopted as the code of the Town for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and providing for issuance of permits and collection of fees.

B. Each of the codes and standards published by the National Fire Protection Association is adopted in its entirety as a supplement and in addition to the code text of the Montello Joint Fire District.

1.10 Fire Limits.

A. The Town fire limits are within the boundary of the town lines.

B. Any burning orders of the Wisconsin Department of Natural Resources are incorporated by reference into this Code.

1.11 Fee Schedule.

The Town shall adopt by resolution a fee schedule covering all costs and fees related to fire calls, inspections and any other costs or fees under this ordinance.

Fee Schedule effective 7-21-2025:

A.	Incident response	\$25/hour
B.	General labor rate	\$25/hour
C.	Fleet charge	\$1.95/mile
D.	Truck charge	\$200/truck followed by Fire Chief's discretion
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