Town of Troy

Walworth County, Wisconsin

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STATE OF WISCONSIN **TOWN OF TROY** **WALWORTH COUNTY**

ORDINANCE NO. **2026-04**

TOWN OF TROY ORDINANCE TO AUTHORIZE THE TOWN TO RECOVER COSTS ASSOCIATED WITH CERTAIN FIRE DEPARTMENT SERVICES

WHEREAS, the Town Board finds that it is in the best interest of the health, general welfare, and safety of the Town of Troy to deem it appropriate pursuant to Wisconsin Statutes Section 60.55 and 60.557, as a Town with Village Powers, to establish fee to recover costs for fire/rescue call responses.

NOW, THEREFORE, the Town Board of the Town of Troy, Walworth County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: APPLICABILITY AND ENFORCEMENT.

A. Mitigation Rates; Cost Recovery.

1. The Town of Troy shall establish mitigation rates from time to time by resolution of the Town Board for the delivery of emergency and non-emergency services by the Troy Center Fire Department or any agency providing fire/rescue services under contract to the Town for personnel, supplies and equipment to the scene of emergency and non-emergency incidents. The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable which may include any services, personnel, supplies, and special equipment deemed necessary by the Incident Commander. (Special equipment may include but is not limited to high hoes, bulldozers, special light sets or power equipment.)
2. Any person or organization that causes the dispatch and/or deployment of firefighting equipment or personnel to control or extinguish a fire or to protect life or property, may be required to pay all costs and expenses incurred by the Town of Troy as a result of the dispatch or deployment of firefighting equipment or personnel.
3. Such costs shall be billed to the responsible party which may include through their insurance carrier, if known. If not paid, such costs may be collected via any collection methods available under Wisconsin law including by legal action in a court with jurisdiction. Such costs and expenses shall be calculated by the Town of Troy Fire Chief or their designee and submitted to the Town Board for its review, consideration, and approval. Costs may be assessed against real property in accordance with the provisions of Wis. Stats. 66.0627, as applicable. The Town Board may establish rules or regulations and from time to time may amend, revoke, or add rules and regulations not consistent with this Section, as

they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

B. Roadway Emergency Response; Billing; Reimbursement Required.

1. If the Troy Center Fire Department or any agency providing fire/rescue or emergency medical services under contract to the Town of Troy, has equipment and personnel dispatched to the scene of a Roadway Emergency on any highway (local, county, state or that is part of the national system of interstate highways regardless of what governmental entity maintains said highway), the involved operators shall reimburse the Town of Troy for the costs to provide services, including but not limited to, extinguishing a fire on a vehicle, structure or vegetation; handling gasoline or other hazardous materials; and utilizing extrication equipment to remove individuals trapped in vehicles as a result of a crash or accident, regardless of fault or causation.
2. Reimbursement rates for fire calls shall be set at the maximum authorized under Sec. 62.13(8), Wis. Stat., as it is amended from time to time, and rates for other services will be as set forth by a Resolution passed by the Town Board.

C. Responding to False Alarms

1. False alarms which may include but are not limited to fire alarms, smoke alarms, and Carbon Monoxide alarms, require the response of Troy Center Fire Department personnel, increase the risk of injury to persons or damage to property, and dilutes the overall public safety for Town of Troy residents. Such false alarms constitute a nuisance and must be abated.
2. When the Troy Center Fire Department or any agency providing fire/rescue services under contract to the Town responds to an alarm that is determined to have been activated falsely, accidentally or negligently, the alarm user is subject to pay a fee for each false alarm pursuant to the fee schedule in Exhibit A.
3. Fees for violation of this subsection C. shall be assessed in any 12 consecutive months period as follows:
    i. 1st and 2nd violation – no fee.
    ii. Each violation after the second violation shall be subject to a fee in the amount described in the Town fee schedule.
4. The fees in this Section are in addition to any fees established in Section 1(A) and 1(B) of this Ordinance.

D. Unreported and Unattended Fire Events

1. If a fire is called in by a third party in a scenario in which the igniter has not called Walworth County Dispatch to advise of the controlled burn, or a fire is called in by a third party due to being unattended, and fire trucks are dispatched, the property owner will be charged for the fire call pursuant to the fee schedule in Exhibit A.
2. To report a controlled fire burn, contact the Walworth County Sheriff Dept. via the Non-Emergency phone number.

E. Liability for Fire Protection Costs Written Fee Schedule

1. The following is designated the written fire fee schedule for the Town of Troy in accordance with Wis. Stats. 60.55(2)(b). The written fee schedule applies to all sections of this ordinance.
    i. See **Exhibit A – Schedule for Mitigation rate for fire Department**

F. Appeals

1. Any person aggrieved by fee imposed in accordance with this Ordinance may appeal from such ruling to the Town of Troy Town Board. Such appeal shall be in writing designating with particularity the relief which is sought and the remedy proposed and shall be submitted to the Town of Troy Clerk/Treasurer within 30 calendar days of the ruling, order or decision

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall be effective upon publication or posting as provided by law.

Dated this 14TH day of OCTOBER, 2026.

TOWN OF TROY

Jerry Arntson, Town Chair

ATTEST:

Michael Ramps, Town Clerk / Treasurer

Published and posted this 9th day of November, 2026.

Exhibit A
Fire Related Fees*

Engine Company	$500.00 / HR
Tanker Truck	$400 / HR
Brush Truck/Company	$450.00/HR
Oil Dry (Per Bag)	$25.00
Vehicle Fire	$500.00
Vehicle Accident (Per Vehicle)	$500.00
Extrication	$250.00

False Alarm Activations**

1st Activation (Written Warning)	$0.00
2nd Activation (Written Warning)	$0.00
3rd Activation and Up	$500.00