

FIRE DEPARTMENT

5.01 AUTHORITY TO PROVIDE FIRE PROTECTION

(1) Fire Department Authorization to Hold Volunteer Funds

(a) The Town Fire Chief is authorized to deposit fire department volunteer funds, including the fruits of fundraising, donations, and other charitable contributions, in an account in the name of the fire department, pursuant to Wis. Stats. Chapter 66.0608.

(b) Control of Funds

1. The Fire Chief may keep the funds in any public depository in which other town funds are being held by the Town Treasurer.
2. Expenditures
 - a. The fire department, through its Fire Chief, has exclusive control over the expenditure of all volunteer funds of the department. This authority is granted without limitation as to the amount or type of funds. It is subject to the limitations and requirements set out herein.
 - b. Expenditures withdrawn from the account may be made only upon majority vote of fire department members present at a duly noticed meeting of the fire department.
3. **Accountings.** The Fire Chief shall provide the Town Board with monthly statements at the end of each month. The statements shall be provided within ten (10) days following the end of the month. The statements shall include a detailed itemization of all receipts, expenditures, and the balance on hand at the end of the month. The source of all funds and the identity of the payee for each disbursement shall be set forth.
4. **Audit.** Fire Department accounts shall be included in the annual audit of town funds. They shall be audited in the same manner as other town funds.

(2) The Town of Neenah has authorized the Fire Department to have First Responders for and in the Town, effective December 24, 1999.

5.02 WISCONSIN LENGTH OF SERVICE AWARD PROGRAM

(1) The Town shall participate in the State of Wisconsin Length of Service Award Program and shall abide by all pertinent statutes, rules, regulations, procedures, and other requirements of the Program, setting eligibility criteria standards including, but not limited to:

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- (a) Attendance at fire and/or first responder calls;
 - (b) Attendance at official fire department business and/or training meetings;
 - (c) Attendance at Continuing Education and/or Special Training meetings;
 - (d) Meeting requirements of Basic Training; and
 - (e) Special Assignment or miscellaneous activities including participation in inspections investigations, maintenance, public relations, and other non-emergency fire, first aid, or rescue activities otherwise listed.
- (2) All funds necessary to provide for annual contributions now and in the future under the Program shall be appropriated in the annual budget, and the Town Board by affirmative majority vote shall take required action to enter into negotiations, sign contracts, etc., with a provider approved by the Board.

5.03 FIRE PREVENTION CODE

- (1) **Primary Code Adoption.** This Chapter shall be known as the Town of Neenah Fire Prevention Code. This Code adopts, but is not limited to, the State of Wisconsin Department of Commerce, Division of Safety and Buildings Administrative Codes, Chapter Comm. 14. The use, operation, and maintenance of public buildings and places of employment shall comply with NFPA 1, Uniform Fire Code - 2006, except as amended by state law or the local amendments herein.

5.04 LOCAL AMENDMENTS TO THE NFPA 1 UNIFORM FIRE CODE

- (1) **Premises Identification.** Winnebago County Ordinance, Chapter 7.06, Uniform Addressing System, is hereby adopted by the Town. All structures and uses requiring address numbers shall be assigned a number by Winnebago County and shall follow all specifications regarding the mounting of uniform address number signs per the following:
- (a) Structures and uses requiring an address number shall have the number mounted so it is clearly visible from both directions on the abutting roadway in the following manner:
 - 1. Uniform address number signs shall be by the main driveway access point.
 - 2. Uniform address number signs shall be posted at the main driveway access point, as determined by the Town of Neenah.
 - 3. Final determination of the uniform address number sign visibility and placement location shall be within the discretion of the Town of Neenah.
 - (b) The following specifications shall be followed when mounting uniform address number signs at the driveway access point:

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1. Signs shall be posted in uniform locations, five to fifteen feet (5'-15') to the right side of the main driveway access point, on the back side of the road ditch. In more densely populated areas, and in site specific situations, signs may be posted to the left of the main driveway access point or closer to the road. These are general guidelines, with the ultimate goal being visibility, uniformity, and longevity.
 2. The sign shall be mounted on a post made of metal or other durable material, as determined, designated, or chosen by the Town of Neenah, and shall be at a right angle to the abutting roadway so as to be easily visible from either direction on the abutting street.
- (c) The cost of maintaining or replacing the uniform address number sign shall be assessed to the property owner, as provided for by the Town Board.
- (d) Although the U.S. Postal Service requires the address number to be displayed on the mailbox or mailbox supporting structure for mail delivery, the uniform address number sign shall not be posted on the mailbox or mailbox supporting structure.

5.05 BURNING

- (1) **Purpose.** It is the purpose of this Section to prevent the setting of fires within the Town of Neenah that create a nuisance or hazard to persons or property.
- (2) **Exceptions.** This Section shall not apply to:
- (a) Burning rubbish or trash in properly fire-screened barrels, cans, burners, or other similar containers, provided all air openings are covered with wire screen with openings no larger than one inch in diameter.
 - (b) Cooking fires in grills or in the open, unless said fires are recreational fires.
 - (c) Fires started in fireplaces, woodstoves, heating furnaces, pellet burners, or other similar devices.
 - (d) Fires started for approved fire training.
- (3) **Regulation of Burning Generally**
- (a) Any person who sets a fire in the Town, whether on the ground, in a container, or in a structure, must attend the fire until it is extinguished, subject to the exceptions above in Subsection 5.05(2) herein.
 - (b) No person shall burn weeds, leaves, brush, grass, or any other rubbish on the surface of Town roads.
 - (c) No person shall set a fire which causes smoke which creates a public nuisance or causes diminished visibility for motor vehicle traffic on nearby roads.
 - (d) No person shall burn rubber, plastic, or other petroleum-based materials.

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- (e) Any person engaged in burning must ensure that the fire remains manageable and controllable by that person.
 - (f) No person shall burn a large rubbish pile, large brush pile, or field unless the Sheriff's Department is notified in advance of burning those materials and immediately after the fire is extinguished.
 - (g) No person shall burn a structure without prior approval in writing from the Fire Chief or the Fire Chief's designated representative.
 - (h) During times which the Town Board, Fire Chief, or any state, county or other governmental authority with jurisdiction may choose to designate and publish as "no burning", any person who wishes to engage in burning must first obtaining a permit from the Town Fire Chief or the Town Chairman.
- (4) **Recreational Fires**
- (a) **Definition of Recreational Fire.** Recreational fires are defined as user-started personal fires used for cooking, warmth, or other personal enjoyment.
 - (b) No person shall build a recreational fire nearer than ten (10) feet from any tree, shrub, bush, fence, building, or combustible material.
 - (c) All recreational fires shall be surrounded by a non-combustible material such as concrete, brick, or stone, or be contained in a below-ground pit with a depth of at least ten (10) inches.
 - (d) Any person who builds a recreational fire must personally attend the fire until it is extinguished.
- (5) **Fires in Town Parks.** Any person building a fire within a Town park must do so within a portable or permanent grill and subject to all posted regulations. See Section 15.02 herein.
- (6) **Penalties.** Any person violating the provisions of this Section will be subject to forfeiture not less than one hundred dollars (\$100.00) and not more than \$500.00 for each offense, plus the reasonable costs incurred by the Town in fighting and putting out such fire, plus an amount to be paid in restitution to any person whose person or property is injured or damaged by such fire. Any person subject to forfeiture under this section must also pay the costs of prosecution.

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5.06 FALSE FIRE ALARMS. See Subsection 7.02(1) herein.

(1) False Alarms Caused by an Automatic Detection System

- (a) Any property owner or renter who is responsible for an automatic fire detection system in the Town shall be strictly responsible for preventing the sending of false fire alarms to the Town of Neenah Fire Department.
- (b) Any person violating the Subsection 5.06(1)(a) above will be given a warning for the first offense, subject to forfeiture \$100.00 for the second offense, subject to forfeiture \$150.00 for the third offense, and subject to forfeiture \$200.00 plus the reasonable costs incurred by the Town in responding to the false alarm for the fourth and any subsequent offense within a twelve (12) month period.

5.07 MOBILE HOME PARKS

- (1) For rules regarding fire prevention and burning in mobile home parks, see Section 11.14 herein.

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