

Ordinance No. 021224-03

**An Ordinance Repealing and Recreating Section 22-10
of the Municipal Code of the Village of Fontana-on-Geneva Lake.**

The Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

SECTION 1. Section 22-10 of the Municipal Code of the Village of Fontana-on-Geneva Lake is hereby repealed and recreated to read as follows:

Section 22-10. Extraordinary expense.

(a) Applicability.

- (1) This section shall apply to all situations and circumstances where the village police, fire, rescue, or the department of public works, hereinafter "village departments," responds to a request for its professional assistance and causes the equipment and/or the personnel of the village departments to respond.
- (2) Exempted from the provisions of this section are:
 - a. Structure fires for real property located within the geographic boundaries of the village that are not intentionally caused fires and where the activity which caused the fire was not in violation of any local, state or federal law; and
 - b. Situations wherein any assistance is rendered pursuant to a mutual-aid agreement whereby the provisions of this section would conflict with the terms of the mutual-aid agreement.
- (3) This section is in addition to, and not in place of, other ordinances and laws and is not meant to implicitly repeal any ordinance.

(b) Fees and collection.

- (1) For any response to a situation by the village departments, the person receiving either Emergency Services or Non-Emergency Services and/or the owner and operator and other person or entity having control of the object for which the circumstances or situation caused the village departments to respond shall pay to the village or its designee according to the fee schedule for Emergency Services and Non-Emergency Services adopted by the village board of trustees, which may be amended from time to time.
- (2) Within 30 days after a response, the village department or its designee shall cause to be issued a statement of fees and the basis for such. That statement shall be payable to the village or its designee within 30 days of the statement date.
- (3) Upon the failure of the responsible party to pay such fees to the village or its designee within 30 days, the village or its designee may cause the necessary action to be taken to collect such fees.

(c) Contesting statement and appeal.

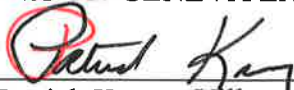
- (1) Any person or entity who disagrees with the statement of cost as sent by the village or its designee may seek to resolve the disagreement with the village or its designee within 14 days of the statement date.
 - (2) Any person or entity who wishes to further contest the determination of the village or its designee as to the amount of the costs to be assessed shall appeal in writing to the village board of trustees within 30 days of the date of determination by the village departments or its designee.
- (d) For purposes of this Section 22-10, the following definitions shall apply:
- (1) Emergency Services shall include, but are not limited to, Fire Protection Services (WI Chapter 60.55), paramedic intercept service (DHS 110.04-38), emergency medical care (DHS 110-04-21) services including advanced life support responses (DHS 110.04-1r), and transport per DHS 110.50.
 - (2) Non-Emergency Services shall include, but are not limited to, stand-by costs for special events (DHS 110.44), nuisance fire alarm (WI Fire Alarm Code 2013 2.207.2), false alarms due to alarm malfunction including mechanical or electrical failure, or alarm triggered by licensee's negligence, and non-transport charges or fines for medical service without hospital transportation.

SECTION 2.

This Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Lake Geneva, Walworth County, Wisconsin, this 12th day of February, 2024.

VILLAGE BOARD OF THE VILLAGE OF
FONTANA-ON-GENEVA LAKE

By: 
Patrick Kenny, Village President

Attest: 
Drew Lussow, Village Clerk