

Ordinance 07-07-08-04

An ordinance repealing and recreating Sections 34-76, 34-77, 34-78, 34-79, 34-80, 34-81, 34-82, 34-83, 34-84, 34-87, 34-88, 34-89, 34-91, 34-92, 34-93, 34-94 and 39-95 of the Village of Fontana on Geneva Lake Municipal Code regarding the Fire Department Constitution and Bylaws.

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

Section I. Sections 34-76, 34-77, 34-78, 34-79, 34-80, 34-81, 34-82, 34-83, 34-84, 34-87, 34-88, 34-89, 34-91, 34-92, 34-93, 34-94 and 39-95 are hereby repealed and recreated to read as follows:

Sec. 34-76. Preamble.

The Fontana Volunteer Fire Department, in order to establish discipline, ensure harmony, and promote the objectives for which they are associated, ordains and adopts the constitution and bylaws included in this article.

(Code 1989, ch. 4, preamble)

Sec. 34-77. Name of organization.

This organization shall be known and designated as the Fontana Volunteer Fire Department of the Village of Fontana-on-Geneva Lake.

(Code 1989, ch. 4, art. I)

Sec. 34-78. Appointment of fire chief.

The fire chief shall be elected and confirmed pursuant to the procedures set forth in section 2-435 of the Municipal Code of the Village of Fontana-on-Geneva Lake.

(Code 1989, ch. 4, art. II, § I; Ord. No. 01-05-04-1, § 1, 1-5-2004)

Sec. 34-79. Election of officers.

There shall be elected at each annual meeting in September of each year by a majority of ballots of the members present, two assistant chiefs, four captains and a secretary-treasurer, who shall hold office for one year. All elected officers shall be approved by the board at a regular board meeting.

(Code 1989, ch. 4, art. II, § II)

Sec. 34-80. Duties of chief.

(a) The fire chief shall have absolute command and control of the fire department, shall maintain it at such a strength as he or she shall deem necessary, shall exact obedience and attention to duty from all members of the department, and shall be responsible to the board for the efficiency and proper management of the department. He or she shall also have full charge, superintendence and oversight of all apparatus, buildings and other property belonging to the department.

(b) The chief shall attend all fires, if possible, take immediate charge, and superintend and direct all operations of the department.

(c) The chief shall enforce the bylaws rigidly; and for the disobedience of orders or for contempt of the bylaws, he or she shall have power to suspend such member from duty.

(d) The chief may grant leave of absence not exceeding three months to any member for reasons which seem to he or she satisfactory. The chief shall preside at all meetings of the department and shall call special meetings he or she deems necessary or upon written request of ten members.

(e) The chief shall sign all orders legally upon the treasurer, shall order repairs he or she deems necessary, expend such money not exceeding \$100.00 in any one transaction except on authorization of the department, and perform such other duties as elsewhere provided by ordinance.

(f) The chief may, for cause, suspend a member for not to exceed 30 days. A longer suspension shall only be imposed by a two-thirds vote of the department.
(Code 1989, ch. 4, art. III, § I)

Sec. 34-81. Assistant chief.

The assistant chief shall assist the fire chief in the discharge of his or her duties, and shall also perform such other duties as may be required by the Village [Code of] Ordinance[s].
(Code 1989, ch. 4, art. III, § II; Ord. No. 01-05-04-1, § 3, 1-5-2004)

Sec. 34-82. Acting chief.

In the case of the absence of the fire chief or a vacancy in the position, an acting chief may be elected by the Fontana Volunteer Fire Department, subject to confirmation by the board of police and fire commissioners, to act until such time as a fire chief is elected and confirmed as provided in section 2-435 of the Municipal Code of the Village of Fontana-on-Geneva Lake.
(Code 1989, ch. 4, art. III, § III; Ord. No. 01-05-04-1, § 2, 1-5-2004)

Sec. 34-83. Secretary-treasurer.

(a) The secretary-treasurer shall keep a correct roll of the members of the fire department, call the roll at every regular or special meeting and at every drill, and keep a true record of the proceedings of all meetings and of all transactions of department business. They shall keep on file all applications for membership properly filled out and report the applications whenever a vacancy may occur.

(b) Upon election of any new member, they shall obtain such member's signature to the bylaws and furnish such member a copy of the constitution and bylaws, and personnel policies manual.

(c) Shall keep a record of all monies and banking accounts and report these balances at each regular meeting

(Code 1989, ch. 4, art. III, § IV)

Sec. 34-84. Captain.

(a) Each captain of the fire department shall have full and complete control of their company, the members in the company to obey their orders implicitly.

(b) They shall see that his apparatus is properly cared for, kept in proper condition and repair at all times, and shall take command of his company at all fires subject to the orders of his superior officers. They shall maintain strict discipline at all times and shall report to the chief all cases of insubordination.

(c) They shall assign all firefighters of their company to their respective positions and detail them for the duty for which, in their judgment, they are best suited. They shall strive to bring their company up to the highest possible standard of efficiency and be held responsible to the chief for this.

(d) Each captain will take on different task assignments which will be set at the first officers meeting in October. These will included but are not limited to, SCBA, fire prevention, vehicles, small equipment, monitoring equipment, and any other tasks deemed necessary by the chiefs.

(e) The captains as a whole will work on monthly training. They will make up a list of ideas, find resource for instructing, and see that the training is carried out.

(Code 1989, ch. 4, art. III, § V)

Sec. 34-87. Membership; vacancies.

(a) Any vacancies occurring among the officers shall be filled either at the meeting then convened, the first regular meeting thereafter, or a special meeting called for that purpose. Any person so elected shall hold office only for the unexpired term of his predecessor.

(b) Any person of good standing, above the age of 18 residing or working within five miles of the village limits, or a resident of the village proper is eligible for membership. Any person who

desires to become a member of the fire department shall notify the chief or secretary-treasurer and attend one meeting.

(c) No person shall be eligible for active membership in this department so long as he or she is an active member of any other fire department other than fulltime employment.

(Code 1989, ch. 4, art. IV, § I)

Sec. 34-88. Excuse from duty.

Members of the fire department may be excused from duty for sickness, working, a death in the family of the member, family emergency, absence from the village, or any other event that the chief or other officer feels is acceptable.

(Code 1989, ch. 4, art. IV, § II)

Sec. 34-89. Pay.

Pay for members of the fire department shall be set by the board for the following activities:

- (1) Fire call, each member responding.
- (2) Meeting, each member attending.
- (3) Drill, each member attending.

(Code 1989, ch. 4, art. IV, § III)

Sec. 34-91. Retirement.

Any member reaching age 65, except the chief and assistant chief, shall be retired from active duty and shall become honorary members of the department with all privileges remaining per ordinance.

(Code 1989, ch. 4, art. IV, § IV)

Sec. 34-92. Duties.

(a) No member of the fire department shall leave his post while on duty without the permission of his commanding officer, nor interfere with any officer in the discharging of his duties by giving counter-orders at a fire or by being noisy or officious; and officers shall promptly report any such conduct to the chief.

(b) When any member shall have absented themselves without excuse from three successive meetings of the department, properly announced, drills included, they shall be notified by the secretary-treasurer in writing that upon an absence, without excuse, from the fourth meeting or drill, their name will be taken from the roll.

(c) Day to day and fire ground operations will follow Fontana Fire Department operational guidelines. (GO's, SOP's, SOG's, working rules)

(d) If any member shall appear at a fire call, drill or any meeting of the department or at the safety building, in an evident state of intoxication, or impaired from either a legal or illegal drug, make use of profane or obscene language when present, or act in any insubordinate way, their superior officer shall report such conduct to the chief, who shall, upon sufficient evidence, order such member to be stricken from the roll. No member so stricken shall be reinstated.

(Code 1989, ch. 4, art. IV, § V)

Sec. 34-93. Use of moneys.

All moneys received or collected in accordance with this article, or which shall accrue, shall be placed in the general fund of the fire department, or, if a meeting shall direct, for other purposes.

(Code 1989, ch. 4, art. V, § I)

Sec. 34-94. Mutual aid agreement.

The Fontana Fire Department has agreed and signed the Walworth County MABAS Division 103 contract to use the MABAS program for mutual aid. The fire department will also use the incident command structure for all incidents.

(Code 1989, ch. 4, art. VI, §§ I--III)

Sec. 34-95. Department issued equipment.

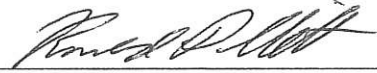
All issued equipment is property of the fire department and will be returned immediately upon a firefighter leaving the department. Failure to do so will cause the firefighter to be billed for unreturned items, prorated, and if the firefighter fails to return keys, the safety building will be rekeyed at that firefighters expense.

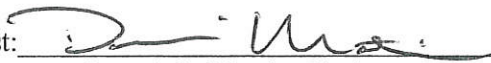
(Code 1989, ch. 4, art. VI, § IV)

Section II. Effective Date: 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 of Fontana on Geneva Lake Board of Trustees, Walworth County, Wisconsin this 7th day of July, 2008.

Village of Fontana on Geneva Lake
Board of Trustees

By: 
Ronald Pollitt, President

Attest: 
Dennis L. Martin, Clerk