

6.04 MUNICIPAL EMERGENCY GOVERNMENT SERVICES DIRECTOR.

The head of municipal Emergency Government Services shall be the County Executive, who shall participate in joint action and shall:

- (1) Direct the municipal Emergency Government Organization.
- (2) Develop, promulgate and integrate into the County plan, emergency government plans for the operating services of the municipality.
- (3) Direct participation of the municipality in such emergency government training programs and exercises as may be required on the County level or by the State administrator.
- (4) Direct the municipal emergency government training programs and exercises.
- (5) Perform such other duties relating to emergency government as may be required by the municipal governing body.

6.05 COUNTY EMERGENCY GOVERNMENT COMMITTEE.

(1) Organization. The County Emergency Government Committee shall consist of the following:

- (a) Chairman of the County Board who shall serve as chairman of this Committee.
- (b) One member from the Board of Social Services.
- (c) One member from the standing committee with jurisdiction over judiciary and law enforcement.
- (d) One member from the Highway Committee.
(One of such members shall be a rural supervisor.)

(2) Duties.

- (a) Develop and promulgate emergency government plans for the County including planning for municipalities participating in joint action, consistent with the State plan of emergency government.
- (b) Coordinate and assist in the development of nonjoint action municipal emergency government plans within the County and integrate such plans with the County plans.
- (c) Direct Countywide emergency government training programs and exercises.
- (d) Have the additional duties and responsibilities of County-municipal head of emergency government services in the event of a declared emergency by the President or Governor.

(e) Perform all administrative duties necessary for the rendering of reports and procurement of federal matching funds for each municipality participating in joint action and requesting federal matching funds.

(f) Advise the State administrator of emergency government of all emergency government planning for the County and render such reports as may be required by the administrator.

(g) Appoint additional staff members, subject to approval by the County Emergency Governmental Committee as may be deemed necessary.

(3) Term. The term of office of the Committee members shall be for 1 year and concurrent with the annual organizational meetings of the County Board.

(4) Duties. The Committee shall retain policy making and rule making powers in the establishment and development of County emergency government plans and programs.

6.06 EMERGENCY GOVERNMENT ORGANIZATION.

All County and municipal officers and employees, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may by agreement or operation of law be charged with the protection of life and property in this County during disasters, shall constitute the Emergency Governmental Organization of the County.

6.07 UTILIZATION OF EXISTING SERVICES.

In preparing and executing the Emergency Government Program, the services, equipment, supplies and facilities of the existing departments and agencies of the County and municipalities shall be utilized to the maximum extent practicable, and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.

(1) Department Head Responsibilities. In order to assure that in the event of an emergency all facilities of an existing county emergency government agency are expended to the fullest to meet such an emergency, the following responsibilities are assigned to specific department heads named as directors of emergency government services:

- a) County Sheriff -- Director of Police, Fire and Rescue Services
- b) County Highway Commissioners -- Director of Engineering
- c) Director of Social Services -- Director of Emergency Welfare
- d) County Coroner -- Director of Mortuary Services

(2) Joint Action by Other Municipalities. Municipalities entering into joint action with Outagamie County shall provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this chapter.

(3) Exceptions. Nothing in this section shall be construed to prohibit the County and municipalities from employing their Emergency Government organizations, facilities and resources to cope with the problems of local emergencies except where restrictions are imposed by federal regulations on property donated by the federal government.

6.08 COST SHARING.

All funds incidental to the administration of the County office of emergency government services shall emanate from a budget prepared by the County Head of Emergency Government Services. Administrative expenses shall consist of salaries, office expense, travel and such other expenses as relate to the administrative operation of the total program. Cost of equipment and/or services related **directly to** the implementation of the emergency government program by municipalities herein after adopting a similar ordinance shall be borne 100% by the municipality through separate budgeting. All monies received as revenues derived from federally subsidized programs shall revert to the County or municipality as appropriate.

6.09 FALLOUT SHELTERS IN PUBLIC BUILDINGS.

(1) **Shelters Required.** Every officer, board, department, commission or commissions of the County charged with the duty of preparing specifications, or awarding or entering into contracts for the design, erection or construction of buildings, or other structures, including additions to existing structures, for the County, shall incorporate or cause to be incorporated in such buildings, or other structures, fallout protection for at least its normal anticipated population which shall meet or exceed the minimum space and fallout protection criteria recommended by the Office of Civil Defense, United States Department of Defense, unless exempted from such shelter requirement in accordance with Section 6.09(2).

(2) **Exemption.** The County Board may exempt buildings or structures from this requirement by means of a letter where they find that such incorporation of fallout shelters will create an additional cost in the construction of such structures in excess of 0% of the estimated cost thereof without shelters so incorporated or that other factors as they may determine make it unnecessary or impracticable for the incorporation of fallout shelters in such structures.

6.15 PENALTY.

(1) No person shall obstruct, hinder or delay any member of the Emergency Government Organization in the Enforcement of an order, rule, regulation or plan issued pursuant to the authority contained in this chapter, or represent himself as a member of the County Emergency Government Services Organization.

(2) Any person who violates any provision of this chapter shall be subject to a penalty as provided in Section 25.04 of this code.

CHAFFER 2

Fire Protection

5-2-1	Organization of Fire Department
5-2-2	Impeding Fire Equipment Prohibited
5-2-3	Police Power of the Department; Investigation of Fires
5-2-4	Damaging Fire Hose Prohibited; Parking by Hydrants; Blocking Fire Lanes
5-2-5	Firemen May Enter Adjacent Property
5-2-6	Duty of Bystanders to Assist
5-2-7	Vehicles to Yield Right-of-Way
5-2-8	Interference with Use of Hydrants Prohibited
5-2-9	Open Burning
5-2-10	Water-Related Fire Protection Costs

SEC. 5-2-1 ORGANIZATION OF FIRE DEPARTMENT.

- (a) **Volunteer Fire Department.** There is created in the Village of Nichols a volunteer fire department with at least twenty-two (22) active members as is required by State Law. The Village Board and President shall constitute the Fire Commission and shall appoint the Fire Chief who shall serve at the pleasure of the Board. The Fire Chief shall appoint an Assistant Chief, a Captain, a Lieutenant and a Secretary-Treasurer subject to confirmation by the members of the Volunteer Fire Department.
- (b) **Bylaws.** The Fire Department is authorized and directed to adopt bylaws for the control, management, regulation and operation of the Volunteer Fire Department by a two-thirds (2/3) **vote of the membership present and** voting. Said bylaws shall be effective when presented to the Village Board, read and approved unless rejected in whole or part by the Village Board. Amendments to the bylaws shall be adopted in the same manner.
- (c) **Funds for Operation.** The Village Board shall appropriate a sum sufficient to provide for the equipment and operation of the Volunteer Fire Department and the legal title of fire trucks, tanks, equipment, hose, carts, hooks, ladders, buildings, real estate of every kind and nature shall and is vested in the Village of Nichols as a municipal corporation operating a Volunteer Fire Department, subject to control and management by the Volunteer Fire Department.
- (d) **Duties of Fire Department.** The Volunteer Fire Department on its own initiative or upon call shall extinguish fires and prevent fire hazards and perform such other duties as the Fire Chief, his designee or the Village Board or Village President may direct.
- (e) **Fire Department Contracts With Others.** The Village of Nichols Volunteer Fire Department may contract with any city, village or town to furnish said community with fire protection.

SEC. 5-2-2 IMPEDING FIRE EQUIPMENT PROHIBITED.

No person shall impede the progress of a fire engine, fire truck or other fire apparatus of the Fire Department serving the Village of Nichols along the streets or alleys of such Village at the time of a fire or when the Fire Department of the Village is using such streets or alleys in response to a fire alarm or for practice.

SEC. 5-2-3 POLICE POWER OF THE DEPARTMENT; INVESTIGATION OF FIRES.**(a) Police Authority at Fires.**

- (1) The 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 Department may cause the arrest of any person failing to give the right-of-way to the Fire Department in responding to a fire.
- (2) The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons, excepting firemen and policemen and those admitted by order of any officer of the Department, shall be permitted to come.
- (3) The Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire he 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

(b) Fire Inspection Duties.

- (1) The Fire Chief, or his designee, shall be the Fire Inspector of the Village of Nichols and shall have the power to appoint one 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 Industry, Labor and Human Relations, particularly Sec. 101.14, Wis. Stats.
- (2) While acting as Fire Inspector pursuant to Sec. 101.14(2), Wis. Stats., the Fire Chief, or any officer of the Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the Village of Nichols at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code of Ordinances, he may deem necessary. 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 duty to give such directions for the abatement of such conditions as he shall deem necessary and, if such directions be not complied with, to report such noncompliance to the Village Board for further action.
- (3) The Chief of the Fire Department is required, by himself or by officers or members of the Fire Department designated by him as fire inspectors, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, 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. Such inspections shall be made at least once in six (6) months in all of the