

ORDINANCE
ORDINANCE CREATING FIRE DEPARTMENT

Ordinance 39

THE TOWN BOARD OF THE TOWN OF WHEATON DOES HEREBY ORDAIN AS FOLLOWS:

Chapter 39 Creating Town Fire Department

(1) **Authority.** The Town Board is authorized to establish a Town Fire Department under Section 60.55(1) Wis. Stats., in order to provide emergency services for the Town. The Town Board is authorized under Section 60.55(2) Wis. Stats., to provide funding for the Town Fire Department. The Town Board is authorized under Section 60.57 to create a Fire Commission to govern the Fire Department. This Ordinance is established under the foregoing authority for the purpose of establishing a Town Fire Department and Fire Commission.

(2) **Town Fire Department.**

- A. Creation. The Town Fire Department, to be known as Wheaton Fire & Rescue (Department), is hereby established for the Town of Wheaton.
- B. Dissolution. The Town Fire Department can only be dissolved by action of the Town as required by State law.
- C. Constitution and Bylaws. The constitution for Wheaton Fire & Rescue shall be established by the Wheaton Town Board and Fire Commission, which shall regulate, control, or empower the Department. The bylaws for Wheaton Fire & Rescue shall be approved by the Fire Commission as recommended for adoption by the members of Wheaton Fire & Rescue. A copy of the constitution and bylaws shall be kept on file with the Town Clerk.
- D. Fire Commission. The Town Chair, with approval of the board, shall appoint three (3) fire commission members who shall serve staggered terms, in compliance with Wis. Stat. s. 62.13, as may be amended and revised in the future. The commission shall be known as the Wheaton Fire Commission (herein, the “Fire Commission”).
- E. Appointment of Chief. The Fire Commission shall appoint a chief of Wheaton Fire & Rescue who shall also be the administrative officer of the Department. The Chief shall be required to sign the Town oath of office. Thereafter, whenever a vacancy exists in the office of the chief, the Fire Commission, by a majority vote, shall appoint a person to fill such office. The Chief may resign only by submitting a written resignation to the Town Clerk. The chief shall serve at the pleasure of the Fire Commission. The Chief shall enjoy all rights and privileges granted to Fire

Chiefs by the State of Wisconsin and shall be subject to all duties imposed by the State, the Town, or other lawful authority. As directed by the Town Board or Fire Commission, but not less than annually, the Chief shall render to the Town Board a complete report of the Activities of the Department for the preceding year.

- F. Officers and all other members of Wheaton Fire & Rescue. All other Department officers and members shall be appointed in accordance with the bylaws.

- G. First Responders. By this Ordinance, the Town further authorizes formation of the Town of Wheaton First Responders unit, which shall fall within the purview and governance of the Town Fire Department created hereunder.

- H. Compensation. The Town Board shall, from time to time, by resolution adopted by a majority of the Town Board, establish any salary, compensation or other benefits of all members of Wheaton Fire & Rescue, including all administrative positions.

(3) Authorization for separate Department Association Funds

- A. **Separate accounts.** The Department members shall be allowed to maintain separate financial accounts in any public depository in the name of their association. The association shall have exclusive control over the deposit and expenditure of any funds raised, donated, or otherwise. These funds shall remain the property of the association.

TOWN OF WHEATON

By: _____

Attested By: _____

STATE OF WISCONSIN }
 }ss.
CHIPPEWA COUNTY }

I hereby certify that the above and foregoing ordinance was adopted at a regular meeting of the Common Council of the Town of Wheaton, Chippewa County, Wisconsin, duly called and held at the Town Hall in said Town of Wheaton on the ____ day of March, 2020.
