

## TITLE 5

### Public Safety

Chapter 1	Law Enforcement
Chapter 2	Fire Department
Chapter 3	Fire Prevention Code; Hazardous Materials
Chapter 4	Regulation of Private Alarm Systems
Chapter 5	Emergency Government

### CHAPTER 1

#### Law Enforcement

5-1-1	Organization of Police Department
5-1-2	Records and Reports
5-1-3	General Powers of Police Officers
5-1-4	Responsibilities of Chief of Police
5-1-5	Rules and Policies for the Police Department
5-1-6	Maintenance of Personnel Records and Performance Evaluations
5-1-7	Hearing Authorities for Suspension or Removal of Law Enforcement Officers
5-1-8	Police Chiefs Responsibility for Training
5-1-9	Civilians to Assist

#### SEC. 5-1-1 ORGANIZATION OF POLICE DEPARTMENT.

- (a) **Composition.** The Police Department shall consist of a Chief of Police and such other officers, assistants, and patrolmen as from time to time may be appointed by the Village Board pursuant to the provisions of the Wisconsin Statutes and Village ordinances.
- (b) **Salary; Collection of Fees.** The Chief of Police and the police officers shall receive a salary as fixed by the Village Board. All fees, bail deposits and other special remuneration or funds collected or received by the Police Department or any officer thereof shall be deposited with the Village Administrator not later than the second business day following the receipt thereof.
- (c) **Tenure of Chief, Police Officers.** The Chief of Police and police officers shall serve at the pleasure of the Village Board, subject to the provisions of Section 5-1-7.

#### SEC. 5-1-2 RECORDS AND REPORTS.

- (a) **Monthly Reports.** The Chief of Police shall submit a monthly general report to the Village Board of all activities of the Department during the preceding month.
- (b) **Police Records.** There shall be kept by the Department a suitable record in which shall be entered the name of every person arrested in the Village, the name of the person making the arrest, the date and cause of the arrest, the Court from which the warrant was issued, the disposition made of the case, the amount of fine and costs paid and to whom paid, bond posted, and all complaints in full.

#### SEC. 5-1-3 GENERAL POWERS OF POLICE OFFICERS.

Every member of the Police Department shall:

- (a) Familiarize himself with the ordinances of the Village and the Statutes and attend to the enforcement of such ordinances by all lawful means.
- (b) Help prevent crimes, misdemeanors and violations of Village ordinances and protect the health, safety, public peace and order of the Village and its inhabitants.

- (c) Report all street and sidewalk obstructions, unlighted street lamps, unlawful street signs or signals, and defective or dangerous streets and sidewalks to the appropriate person or organization responsible for their repair or service.
- (d) Maintain order at the scene of a fire or any other fire response within the Village.
- (e) See that the necessary permits and licenses issued by the State or Village are in the possession of or properly displayed by any person engaged in an activity or business within the Village for which such permit or license is required and that the terms of such permits or licenses are complied with.
- (f) Perform such other lawful duties as ordered by the Chief of Police or his authorized representative.

**SEC. 5-1-4 RESPONSIBILITY OF CHIEF OF POLICE.**

- (a) **Duties.** In addition to the duties imposed upon him elsewhere in this Code of Ordinances, the Chief of Police shall:
  - (1) Have command of the Police Department on administrative matters, subject to the direction of the Village Board and appropriate designated committees thereof.
  - (2) Cause to be maintained accurate records of complaints, crimes, traffic accidents, ordinance violations, arrests, summons, incidents, and calls for police service and shall provide a system of periodic summary and analysis to ensure the most efficient and effective deployment and use of the Department's resources. He shall submit or cause to be submitted to the various agencies such reports and summaries as are required by State Statutes or ordinances and shall participate in voluntary programs designed to improve law enforcement and public safety.
  - (3) Submit such reports and comply with such administrative procedures as may be prescribed by the Village Board relative to fiscal and administrative matters.
  - (4) Submit such reports and/or information and comply with such policies as may be prescribed by Village Board.
  - (5) Plan, organize, staff, direct, and control, in cooperation with the Village Administrator and Village Board, all of the human and material resources of the Department for the most effective and efficient discharge of its duty to protect persons and property, preserve the peace, protect the rights of citizens and enforce the Wisconsin Statutes and the ordinances of the Village as are within its jurisdiction. He shall supervise the preparation and presentation of annual reports and budgets for the Police Department. He shall be required to certify to the correctness of all bills incurred by the Department.
  - (6) Strive to maintain suitable, productive relationships with other Village departments and with other governmental agencies and private organizations concerned with law enforcement, crime prevention, administration of justice and public safety. He shall cooperate and exchange information with other Village departments in matters relating to their various functions.
  - (7) Plan and execute programs designed to prevent and repress crime, apprehend and prosecute offenses, recover property, and regulate non-criminal conduct, giving highest priority in the allocation of resources to crime and other offenses most hazardous to life and property.
- (b) **Custody of Department Equipment.** The Chief of Police shall be the custodian of all Village property, equipment and supplies under the control of, or used by, the Police Department and shall be responsible Custody of Department Property. for the care, maintenance, safeguarding and accurate records of such property, equipment, and supplies.
- (c) **Custody of Department Property.** The Chief of Police shall be the custodian of all property and shall be responsible for the safekeeping, lawful disposition and accurate record of the same. He shall see that all property is returned to its lawful owner or otherwise disposed of according to the applicable statutes.

**SEC. 5-1-5 RULES AND POLICIES FOR THE POLICE DEPARTMENT.**

The Chief of Police shall establish and promulgate Rules of Conduct, Directives and Policies and Procedures and prescribe such duties for individual members as he may deem necessary for the effective and efficient command and operation of the Department; provided no such Rules of Conduct, Directive or Policy Procedure duties or assignment shall be in conflict with the statutes, ordinances and approved Village personnel rules and regulations.

**SEC. 5-1-6 MAINTENANCE OF PERSONNEL RECORDS AND PERFORMANCE EVALUATIONS.**

The Chief of Police shall cause to be maintained adequate personnel records of employment, assignment, promotions, attendance, performance and training for all members of the Department. Such personnel records shall be filed with the Village Administrator. He shall also comply with all provisions of the Law Enforcement Standards Board in regard to background investigations. He shall keep himself adequately informed of the activities of the Department and be assured that the duties of his subordinates are properly discharged. He shall formulate procedures for recognizing outstanding performance by Department members for investigating complaints of misconduct by any Department member and for taking appropriate disciplinary action subject to the provisions of the applicable statutes, Rules of the Department and this Code of Ordinances.

**SEC. 5-1-7 HEARING AUTHORITIES FOR SUSPENSION OR REMOVAL OF LAW ENFORCEMENT OFFICERS.**

- (a) Pursuant to Sec. 62.13(6m), Wis. Stats., the Village may not suspend, reduce, suspend and reduce or remove any police chief or other law enforcement officer who is not probationary unless the Village follows the procedure under Sec. 62.13(5), Wis. Stats. To act under this Subsection in place of the Board of Police and Fire Commissioners under Sec. 62.13(1) through (6), Wis. Stats., the Village may do either of the following:
  - (1) Establish a committee of not less than three (3) members, none of whom may be an elected or appointed official of the Village or be employed by the Village. The Village shall pay each member for the member's cost of serving on the committee.
  - (2) Send a written request for a hearing examiner to the division of hearings and appeals under Sec. 15.103(1), Wis. Stats. The Village shall reimburse the state for the state's costs under this paragraph.
- (b) The provisions of this Section, required by Sec. 61.65(1)(am), Wis. Stats., first applies to law enforcement officers, when such officers are subject to a collective bargaining agreement which is in conflict with the statutory requirements, but which is still in effect on April 9, 1986, only after the expiration date of such agreement.

**SEC. 5-1-8 POLICE CHIEFS RESPONSIBILITY FOR TRAINING.**

The Chief of Police is responsible for the training of all members of the Department. He shall cause adequate and progressive programs of training to be organized and conducted to prepare Department members in the knowledge, procedures, and techniques of their duties and responsibilities. He will insure that, within budgetary limitations, members of the Department attend training courses, seminars, and conferences necessary to maintain and improve their job skills and professional knowledge. He shall encourage Department members to further their education in Law Enforcement through study, special courses, college attendance, extension programs, and independent readings.

**SEC. 5-1-9      CIVILIANS TO ASSIST.**

All persons in the Village, when called upon by any police officer or peace officer , shall promptly aid and assist him in the execution o his duties and whoever shall neglect or refuse to give such aid or assistance shall be subject to the general penalty as provided in Title 1 of this Code of Ordinances.

## CHAPTER 2

### Fire Department

5-2-1	Fire Department Organization; Goals of the 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
5-2-9A	Detached Energy System ( <i>Rev. 10-04</i> )
5-2-10	Smoke Alarms and/or Heat Detectors Required in Rental Dwelling Units

#### SEC. 5-2-1 FIRE DEPARTMENT ORGANIZATION; GOALS OF THE DEPARTMENT.

- (a) **Fire Department Recognized.** The Edgar Volunteer Fire Department is officially recognized as the Fire Department serving the Village of Edgar, and the duties of fire fighting and fire prevention in the Village are delegated to such Department. The Edgar Volunteer Fire Department shall be responsible for the program of fire defense for the citizens and property within the Village of Edgar.
- (b) **Fire Protection Agreement.** The Village of Edgar, surrounding municipalities, and the Volunteer Fire Department have entered into a contract under Sec. 66.30, Wis. Stats., for the operation of a Fire District under the management of the Fire Board. Such contract is on file with the Village Administrator and shall govern the operation of the Department and the relation of the Village thereto.
- (c) **Appropriations.** The Village Board shall appropriate funds for Fire Department operations and for such apparatus and equipment for the use of the Fire Department as the Board may deem expedient and necessary to maintain efficiency and properly protect life and property from fire.
- (d) **Goals of the Fire Defense Program.**
  - (1) The primary objective of the fire defense program is to serve all citizens, without prejudice or favoritism, by safeguarding, collectively and individually, their lives against the effects of fires and explosions.
  - (2) The second objective of the fire defense program is to safeguard the general economy and welfare of the community by preventing major conflagrations and the destruction by fire of industries and businesses.
  - (3) The third objective of the fire defense program is to protect the property of all citizens against the effects of fire and explosions. All property deserves equal protection, regardless of location or monetary value.
- (e) **Organization.** The Edgar Volunteer Fire Department shall be organized and governed pursuant to its bylaws.

#### 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 Edgar Volunteer Fire Department 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 shall be the Fire Inspector of the Village of Edgar 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 Section 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 Edgar 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 territory served by the Fire Department, and more often as the Chief of the Fire Department orders. Each six (6) month period shall begin on January 1 and July 1 each year.
- (4) Written reports of inspections shall be made and kept on file in the office of the Chief of the Fire Department in the manner and form required by the Department of Industry, Labor and Human Relations. A copy of such reports shall be filed with the Fire Chief.

State Law Reference: Section 101.14(2), Wis. Stats.

**SEC. 5-2-4 DAMAGING FIRE HOSE PROHIBITED; PARKING BY HYDRANTS; BLOCKING FIRE LANES**

- (a) **Driving Over Fire Hose.** No person shall willfully injure in any manner any hose, hydrant or fire apparatus belonging to the Edgar Volunteer Fire Department, and no vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street, private driveway or other place, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.
- (b) **Parking Vehicles Near Hydrants.** It shall be unlawful for any person to park any vehicle or leave any object within ten (10) feet of any fire hydrant at any time.
- (c) **No Parking Near Fire.** It shall be unlawful for any person, in case of fire, to drive or park any vehicle within one block from the place of fire without the consent and authority of the Fire Chief or any police officer.

**SEC. 5-2-5 FIREMEN MAY ENTER ADJACENT PROPERTY.**

- (a) **Entering Adjacent Property.** It shall be lawful for any fireman while acting under the direction of the Fire Chief or any other officer in command to enter upon the premises adjacent to or in the vicinity of a building or other property then on fire for the purpose of extinguishing such fire and in case any person shall hinder, resist or obstruct any fireman in the discharge of his duty as is hereinbefore provided, the person so offending shall be deemed guilty of resisting firemen in the discharge of their duty.
- (b) **Destruction of Property to Prevent the Spread of Fire.** During the progress of any fire, the Fire Chief or his assistant shall have the power to order the removal or destruction of any property necessary to prevent the further spread of fire; provided that it is inevitable that, unless such property is removed, other property is in danger of being destroyed by fire.

**SEC. 5-2-6 DUTY OF BYSTANDERS TO ASSIST.**

Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer shall have the power to cause the arrest of any person or persons refusing to obey said orders.

**SEC. 5-2-7 VEHICLES TO YIELD RIGHT-OF-WAY.**

Whenever there shall be a fire or fire alarm or the Fire Department shall be out for practice, every person driving or riding in a motorized or other vehicle shall move and remain to the side of the street until the fire engine and fire truck and other fire apparatus shall have passed.

**SEC. 5-2-8 INTERFERENCE WITH USE OF HYDRANTS PROHIBITED.**

No person shall occupy any portion of such streets or alleys with a motorized or other vehicle between such fire engine or fire truck or other fire apparatus or any hydrant to which a fire hose may be, or may be about to be, attached.

**SEC. 5-2-9 OPEN BURNING.**

- (a) **Open Burning Prohibited.** No person, firm or corporation shall build any outdoor fire within the corporate limits of the Village of Edgar excepting as set forth in Subsection (b) of this Section. This prohibition on burning includes burning of construction waste and debris at construction sites. Incineration of any material in a barrel is prohibited.
- (b) **Exceptions.**
  - (1) Outdoor cooking over a fire contained in a device (eg. grill) or structure (eg. outdoor fireplace) designed for such use is permissible;
  - (2) Controlled burning of grass or similar vegetation for environmental management purposes, with the prior written approval of the Fire Chief, may be permitted; this exception IS not to be used for the burning of grass, leaves or other lawn debris;
  - (3) Ceremonial campfire or bonfires, with prior written approval of the Fire Chief, may be permitted;
  - (4) Recreational campfires or cooking fires are permitted for citizens living in single or two-family residences subject to the following conditions:
    - a. Fire rings are to be made of steel no greater than 30" (thirty inches) in diameter and no less than 6" (six inches) above grade. Stone, concrete block or fire brick may be substituted for the steel, subject to the same dimensions set forth for a steel fire ring.
    - b. Firewood, cut to no greater than 20" (twenty inches) in length may be burned in the fire ring. This specifically excludes all other materials (cardboard, plywood, magazines or other garbage) with the exception of newspaper which may be used only to start the

- campfire.
- c. At no time may firewood, (the solid combustible) in the fire ring, be stacked to a height greater than 24" (twenty four inches).
- d. No campfire may be burned without supervision. (Amended 6-13-05)
- (5) Other occasions of desirable outdoor burning not specified by this Subsection, but not as an alternative to refuse removal or disposal of which other methods are available, may be granted single occasion approval as in Subsections (2) and (3) above.
- (6) Whenever approval and special permit are granted by the Fire Chief under Subsection (b)(2), (3) and (5) of this Section, the permit may specify and be conditioned on observance of safety restrictions and insurance requirements set forth therein.
- (c) **Chief May Prohibit.** The Fire Chief is permitted to prohibit any or all bonfires and outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.
- (d) **Burning on Streets.** No materials may be burned upon any street, curb, gutter or sidewalk.
- (e) **Liability.** A person utilizing and maintaining an outdoor fire shall be responsible for any liability resulting from damage caused by his fire.

**SEC. 5-2-9A DETACHED ENERGY SYSTEMS**

- (a) Purpose: The purpose of this section is to promote the health and well being of the residents of the Village of Edgar.
- (b) Definition: "Detached energy system" means an outdoor device designed or constructed for solid fuel combustion so that the useable heat derived is for the interior of buildings.
- (c) The construction or use of "Detached Energy Systems" within the Village limits of the Village of Edgar is prohibited *in all areas of the Village served by Village water and sewer.*
- (d) *The construction or use of "Detached Energy Systems" within the Village limits of the Village of Edgar for those areas not serviced by Village water and sewer is allowed, provided the detached energy system is minimum of 300 feet from neighboring property lines.*

**SEC. 5-2-10 SMOKE ALARMS AND/OR HEAT DETECTORS REQUIRED IN RENTAL DWELLING UNITS.**

- (a) **Smoke Detector Devices Required.** The owner of every premises on which is located one (1) or more rental dwelling units within the Village shall install a smoke detection device so located as to protect the sleeping areas of each dwelling unit. If sleeping areas are separated, the number of detection devices installed shall be that deemed sufficient by the Village Fire Inspector to protect each sleeping area.
- (b) Definitions. For the purposes of this Section, the following words and phrases shall have the following meanings:
  - 1) Dwelling Unit. A group of rooms constituting all or part of a dwelling which are arranged, designed, used or intended for use exclusively as living quarters.
- (c) **Installation and Design Standards.**
  - (1) The Chief of the Fire Department shall advise the owner of the premises of the types of detectors and points of installation within the dwelling which meet the requirements of this Section.
  - (2) All smoke and heat detection devices shall be installed in locations approved by the Fire Inspector as meeting the installation standards of the National Fire Protection Association (NFP A) standards, pamphlet #72E edition, and pamphlet #74, 1975 edition and state law. The smoke detector shall be installed, according to the directions and specifications of the manufacturer, in the basement, at the head of any common stairway on each floor level (except attic and storage areas) and in each sleeping area. Installation of a smoke detector in a common hallway leading to the sleeping areas, but not more than six (6) feet from the

doorway of each sleeping area, may take the place of a smoke detector in each sleeping area adjacent to the hallway.

- (3) All smoke and heat detection devices shall bear the Underwriters' Laboratory seal of approval or Factory Mutual approval. All smoke detection devices shall meet the Underwriters' Laboratory standard 217. At least one (1) smoke or heat detection device shall be installed for every dwelling unit located so as to protect sleeping areas.
  - (4) In multiple-family dwellings, additional devices connected to the building alarm system, if any, shall be installed in every public corridor serving one (1) or more dwelling units and on every separate level of the building, regardless of whether a sleeping area is located on such level. If a local fire alarm system is not provided or required, detection devices shall be connected to a signal outside of the enclosure which will be audible throughout the entire building.
  - (5) In multi-family dwellings, in addition to smoke detectors in every living unit, all storage areas shall be protected with heat-sensing devices. These devices shall be connected to the building fire alarm system. If a local fire alarm system is not required, such device shall be connected to a signal outside of the enclosure which will be audible throughout the entire building. Heat-sensing devices shall be installed in space according to good engineering practice, but in no case shall detectors be spaced more than thirty (30) feet on center and fifteen (15) feet from any wall.
  - (6) Smoke detector or heat-sensing devices shall be installed in all furnace, -boiler and incinerator rooms in a multi-family dwelling.
- (d) **Owner Responsible for installation and Maintenance.** The owner of the dwelling unit shall be responsible for the installation and/or maintenance of smoke and heat detection devices required by this Section unless the Fire Chief is notified in writing by registered mail of the designation of some other authorized qualified individual to assume that responsibility.

State Law Reference: Chapter 101, Wis. Stats.

## **CHAPTER 3**

### Fire Prevention Code; Hazardous Materials

- 5-3-1 Adoption of State Codes
- 5-3-2 Disclosure of Hazardous Materials and Infectious Agents; Reimbursement for Clean-up of Spills
- 5-3-3 Recovery of Costs of Extinguishing and Cleaning Up Fires Involving Hazardous Materials
- 5-3-4 Removal of Abandoned Underground Flammable Liquid Storage Tanks

#### **SEC. 5-3-1 ADOPTION OF STATE CODES.**

The following Orders, Rules and Regulations of the Department of Industry, Labor and Human Relations, all of which are set forth in the Wisconsin Administrative Code as from time to time amended, are incorporated herein by reference and adopted as part of this Fire Prevention Chapter:

- a) Wis. Adm. Code Ch. ILHR 1; Safety.
- b) Wis. Adm. Code Ch. ILHR 5; Explosives and Blasting Agents.
- c) Wis. Adm. Code Ch. ILHR 7; Cleaning and Dyeing.
- d) Wis. Adm. Code Ch. ILHR 8; Flammable and Combustible Liquids.
- e) Wis. Adm. Code Ch. ILHR 9; Liquefied and Petroleum Gases.
- f) Wis. Adm. Code Ch. ILHR 20; Dusts, Fumes, Vapors and Gases.
- g) Wis. Adm. Code Ch. ILHR 21; Spray Coating.
- h) Wis. Adm. Code Ch. ILHR 35; Safety in Construction.
- i) Wis. Adm. Code Ch. ILHR 43; Anhydrous Ammonia Code.
- j) Wis. Adm. Code Ch. ILHR 50; Administration and Enforcement.
- k) Wis. Adm. Code Ch. ILHR 51; Definitions and Standards.
- l) Wis. Adm. Code Ch. ILHR 52; General Requirements.
- m) Wis. Adm. Code Ch. ILHR 53; Structural Requirements.
- n) Wis. Adm. Code Ch. ILHR 54; Factories, Office and Mercantile Buildings.
- o) Wis. Adm. Code Ch. ILHR 55; Theatres and Assembly Halls.
- p) Wis. Adm. Code Ch. ILHR 56; Schools and Other Places of Instruction.
- q) Wis. Adm. Code Ch. ILHR 57; Apartment Buildings, Hotels and Places of Detention.
- r) Wis. Adm. Code Ch. ILHR 58; Health Care, Detention and Correctional Facilities.
- s) Wis. Adm. Code Ch. ILHR 59; Hazardous Occupancies.
- t) Wis. Adm. Code Ch. ILHR 60; Child Day Care Facilities.
- u) Wis. Adm. Code Ch. ILHR 61; CBRF.
- v) Wis. Adm. Code Ch. ILHR 62; Specialty Occupancies.
- w) Wis. Adm. Code Ch. ILHR 64; Heating, Ventilating and Air Conditioning.
- x) Wis. Adm. Code Ch. ILHR 65; Fire Protection.
- y) Wisconsin Electrical Code.

#### **SEC. 5-3-2 DISCLOSURE OF HAZARDOUS MATERIALS AND INFECTIOUS AGENTS; REIMBURSEMENT FOR CLEAN UP OF SPILLS**

- (a) **Application.**
  - (1) All persons, firms or organizations using, researching or producing hazardous materials and/or infectious agents shall notify the Fire Department as prescribed by this Section.
  - (2) The provisions of this Section shall apply to all persons, firms or organizations using, researching, producing or storing hazardous materials and/or infectious agents on and after the effective date of this Section.

(b) **Definitions.**

- (1) "Infectious agent" is a bacterial, mycoplasmal, fungal, parasitic or viral agent known to cause illness in humans which is used, researched, produced or stored within or on premises.
- (2) "Hazardous materials" are those materials that can cause death or disabling injury from brief exposure; those materials that could cause a lost-time injury from exposure; and those materials that could cause temporary disability or injury without permanent effects which are used, researched, produced or stored within or on premises except those household consumer products used at the point of consumption and not used for commercial or experimental purposes. This definition of hazardous materials shall include radioactive materials.

(c) **Information Required**

- (1) Any person, firm or organization using, researching, producing and/or storing any hazardous materials shall provide in writing to the Fire Department the following information:
  - a. Address, location of where hazardous materials are used, researched, stored or produced;
  - b. The trade name of the hazardous material;
  - c. The chemical name and any commonly used synonym for the hazardous material and the chemical name and any commonly used synonym for its major components;
  - d. The exact locations on the premises where materials are used, researched, stored and/ or produced;
  - e. Amounts of hazardous materials on premises per exact location;
  - f. The boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids and appearance and odor of the hazardous material;
  - g. The flashpoint and flammable limits of the hazardous substance;
  - h. Any permissible exposure level, threshold limit value or other established limit value for exposure to a hazardous material;
  - i. The stability of the hazardous substance;
  - j. Recommended fire extinguishing media, special firefighting procedures and fire and explosion hazard information for the hazardous material;
  - k. Any effect of over-exposure to the hazardous material, emergency and first aid procedures and telephone numbers to call in an emergency;
  - l. Any condition or material which is incompatible with the hazardous material and must be avoided.
  - m. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming into contact with the hazardous materials;
  - n. Procedures for handling or coming into contact with the hazardous materials.
- (2) Any person, firm or organization using, researching, producing and/or storing infectious agent and/or carrier of an infectious agent shall provide in writing to the Fire Department the following:
  - a. The name and any commonly used synonym of the infectious agent;
  - b. Address/location where infectious agents are used, researched, stored and/or produced;
  - c. The exact locations where infectious agents are used, researched, stored and/or produced;
  - d. Amount of infectious agent on premises per exact locations;
  - e. Any methods of route of transmission of the infectious agents;
  - f. Any symptoms of effect of infection, emergency and first aid procedure and a telephone number to be called in an emergency;

- g. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming in contact with the infectious agent.
  - h. Procedure for handling, clean-up and disposal of infectious agents leaked or spilled.
- (d) **Reimbursement for Cleanup of Spills.** Any person who possesses or controls a hazardous material or infectious agent which was discharged or caused the discharge of a hazardous material or infectious agent shall reimburse the Village for actual and necessary expenses incurred by the Village or its agent to contain, remove or dispose of the hazardous substance or infectious agent or take any other appropriate action which is deemed appropriate under the circumstance.

Cross Reference: Section 8-2-1.

**SEC. 5-3-3 RECOVERY OF COSTS.**

- (a) Every person, firm or corporation using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses or other hazardous materials shall comply with the requirements of Chapter ILHR 8, Wis. Adm. Code, as the same is now in force and may hereafter from time to time be amended.
- (b) Every person, firm or corporation using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gasses or other hazardous materials shall be liable to the Village for the actual cost of labor and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar material or equipment employed to extinguish, confine or clean up any such hazardous material which is involved in any accidental spill or in threat of any fire or accidental spill.

**SEC. 5-3-4 REMOVAL OF ABANDONED UNDERGROUND FLAMMABLE LIQUID STORAGE TANKS.**

Underground flammable liquid storage tanks which are abandoned, as defined in Chapter ILHR 10, Wis. Adm. Code, shall not be abandoned in place. Such tanks shall be removed within ninety (90) days from the date they become abandoned and the excavation filled with clean, well-compacted fill to the surface of the adjacent grade.

## CHAPTER 4

### Regulation of Alarm System

5-4-1	Title
5-4-2	Declaration of purpose
5-4-3	Definitions
5-4-4	Administrative Rules
5-4-5	Automatic Dialing Devices
5-4-6	Direct Connections to the Police Department
5-4-7	Testing
5-4-8	Notification
5-4-9	Fee for Answering Alarms
5-4-10	Village liability
5-4-11	Permits for Private Alarm Systems
5-4-12	Revocation of Permits

#### **SEC. 5-4-1 TITLE.**

This Chapter shall be known as the Village of Edgar Alarm Systems Ordinance.

#### **SEC. 5-4-2 DECLARATION OF PURPOSE.**

The purpose of this Chapter is to provide minimum standards and regulations applicable to burglar, fire and holdup alarm systems, alarm business and alarm users. Both society in general and public safety in particular will be aided by providing a useful and usable system of private security which properly balances quick response by law enforcement with minimization of law enforcement time spent on alarms which are false or otherwise not the intended function of private security systems.

#### **SEC. 5-4-3 DEFINITIONS.**

Within this Chapter, the following terms, phrases and words and their derivations have the means given herein.

- (a) The term "alarm business" means any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm systems.
- (b) The term "alarm system" means an assembly of equipment and devices or single device such as a solid state unit which plugs directly into 110-volt AC line or otherwise receives electrical energy arranged to signal the presence of a hazard requiring urgent attention and to which the Police or Fire Department is expected to respond. In this Chapter, the term "alarm system" shall include the terms "automatic holdup alarm systems," "burglar alarm systems," "holdup alarm systems" and "manual holdup alarm systems" as those terms are hereinafter defined, and fire alarm systems which monitor temperature, humidity or any other condition directly related to the detection of fire. Excluded from this definition and from the coverage of this Chapter are alarm systems used to alert or signal persons within the premises in which the alarm system is located of an attempted, unauthorized intrusion or holdup attempt or fire.
- (c) The term "annunciator" means the instrumentation of an alarm console at the receiving terminal of a signal line through which both visual and audible signals show when an alarm device at a particular location has been activated or which, in the event of malfunction, may also indicate line trouble.
- (d) The term "answering service" refers to a telephone answering service providing among its services the service of receiving on a continuous basis through trained employees emergency signals from

- alarm systems, and thereafter immediately relaying the message by live voice to the dispatch center of the Police or Fire Department.
- (e) The term "automatic dialing device" refers to an alarm system which automatically sends over regular telephone lines by direct connection or otherwise a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
  - (f) the term "automatic holdup alarm system" means an alarm system in which the signal transmission is initiated by the action of the robber.
  - (g) The term "manual holdup alarm system" refers to an alarm system in which the signal transmission is initiated by the direct action of the person attached or by an observer thereof.
  - (h) The term "burglar alarm system" refers to an alarm system which signals an entry or attempted entry into the area protected by the system.
  - (i) The term "direct connect" means an alarm system which has the capability of transmitting system signals to the Police or Fire Department.
  - (j) The term "false alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employees or agents or other undetermined cause. False alarm does not include alarms caused by tornadoes or other violent climatic conditions.
  - (k) The term "interconnect" means to connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.
  - (l) The term "central station" means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits.
  - (m) The term "primary trunk line" means a telephone line leading directly into the dispatch center of the Police or Fire Department that is for the purpose of handling emergency calls on a person-to-person basis and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory or numbers in sequence therewith.
  - (n) The term "subscriber" means a person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.

#### **SEC. 5-4-4 ADMINISTRATIVE RULES.**

The Chief of Police and Fire Chief shall promulgate such rules as may be necessary for the implementation of this Chapter. Such rules shall require the approval of the Village Board and shall be open to inspection by the public.

#### **SEC. 5-4-5 AUTOMATIC DIALING DEVICES.**

No person shall interconnect any automatic dialing device to a Police or Fire Department primary trunk line. No person shall permit such devices, which were installed prior to the effective date of this Chapter, to remain interconnected from any property owned or controlled by that person. Such devices may be connected to a central station or an answering service. Relaying messages so received to the Police or Fire Department shall only be done person to person on the telephone line.

#### **SEC. 5-4-6 DIRECT CONNECTIONS TO THE POLICE DEPARTMENT.**

Direct connections to the Police or Fire Department are prohibited, but may be authorized pursuant to the direct connection policies of each Department, a copy of which is on file with the Village Administrator and Fire Chief.

**SEC. 5-4-7 TESTING.**

- (a) No alarm business or alarm system designed to transmit emergency messages to the Police or Fire Department shall be tested or demonstrated without prior notification and approval of the Police or Fire Department dispatcher. Alarm businesses or alarm system owners or lessor's will be advised on proper test procedure.
- (b) No alarm system relayed through intermediate services to the Police or Fire Department will be tested to determine the Police or Fire Department's response without first notifying the appropriate authority. However, the Police or Fire Department may inspect or test on-site alarm systems authorized under this Chapter.
- (c) Alarm systems shall be in compliance with all pertinent response policies of the Police and Fire Department.

**SEC. 5-4-8 NOTIFICATION.**

When the service provided by an alarm business to its subscribers is disrupted for any reason by the alarm business or the alarm business becomes aware of such disruption, it shall promptly notify its subscribers by telephone that protection is no longer being provided. If, however, the alarm business has written instructions from its subscriber not to make such notification by telephone during certain hours, the alarm business may comply with such instructions.

**SEC. 5-4-9 FEE FOR ANSWERING ALARMS.**

- (a) **Generally.** Each false alarm requires response of public safety personnel, involves unnecessary expense to the Village, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the Village. Such false alarms constitute a public nuisance and must be abated.
- (b) **Intentional.** No person shall intentionally cause the activation of a burglar/fire alarm device knowing that no criminal activity, fire or other emergency exists.
- (c) **False Alarms; Administrative Charges.** Any person, business, corporation or other entity having permissible alarm system with alarm device(s) at one or more locations in accordance with this Chapter shall pay to the Village a charge for false alarms responded to by the Police or Fire Department according to the following schedule for each calendar year for each location connected, separate accounts to be kept for false alarms as to criminal activity and false alarms for fire or other emergencies:
  - (1) Responded to by Police Department:
    - a. First two (2) false alarms for a location No Charge
    - b. Third (3rd) false alarm per location \$25.00
    - c. Fourth (4th) false alarm per location \$35.00
    - d. Fifth (5th) false alarm per location \$45.00
    - e. Sixty (6th) and subsequent false alarm per location \$65.00
  - (2) All false alarms responded to by Fire Department firefighting personnel and apparatus, in addition to a police response:
    - a. First two (2) false alarms for a location No Charge
    - b. Third (3rd) and subsequent false alarm per location. \$100.00

This Subsection is intended to impose a strict liability on the person, business, corporation or other entity responsible for alarm connection to either the police alarm panel or to alarm receiving firm to which the Police or Fire Department have responded and shall be applied regardless of the cause of the false alarm excepting those alarms excluded from the definition of "False Alarm." Failure to pay such administrative charge(s) in and of itself shall constitute a violation of this Section, and such charge(s) shall be collectible as a forfeiture upon prosecution and conviction thereof, together with an additional forfeiture(s) which may be imposed under the next Subsection (d) hereof for violation of this Section for allowing or maintaining condition(s) or act(s) violative of the intent of this

Section of eliminating and minimizing the occurrence of false alarms, together with costs of prosecution.

- (d) **Other Violations.** Any person, corporation or other entity violating this Chapter in any manner, other than for collection of unpaid administrative charges treated in the preceding Subsection (a) of this Section, shall be subject to forfeiture as provided in Section 1-1-6 of this Code. When any premises located in the Village is owned, leased or occupied by two (2) or more persons as joint tenants, tenants in common, joint lessees, or in any other manner, each person shall see that the provisions of this Chapter are complied with, and each person may be subjected to a penalty on violation of this Section.
- (e) **Default of Payment for Forfeiture and/or Costs.** On default of payment of forfeiture and/or costs under the immediately preceding Subsections (c) and/or (d), such person or responsible officer of the violating corporation or other entity shall be confined in the county jail until the same be raid but not to exceed a length of time specified by the court which length o time shall not exceed six (6) months. Upon nonpayment of the fee, the amount due may be placed on the tax roll as a special charge pursuant to Sec. 66.60(16), Wis. Stats.

#### **SEC. 5-4-10 VILLAGE LIABILITY.**

The Village of Edgar shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this Chapter, including, but not limited to, any defects in an alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms.

#### **SEC. 5-4-11 PERMITS FOR PRIVATE ALARM SYSTEMS.**

- (a) **Permit Required.** A permit is required for each private alarm system on premises within the Village. There shall be a Ten Dollars (\$10.00) permit fee.
- (b) **Interior Alarms.** A permit under this Chapter is not required for an alarm system which gives a signal, visual or audible or both, solely within the interior of the building in which It is located.
- (c) **Issuing Authority.** The Chief of Police shall issue the permits and collect the fees.
- (d) **Application.** Application for permit required under this Chapter shall be filed with the Chief of Police. The Chief of Police shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the permit application. The Chief of Police shall deny a permit if the alarm system for which it is sought does not comply with this Chapter.
- (e) **Appeal.** Any person required by this Chapter to have a permit who has been denied such a permit by the Chief of Police shall have a right to appeal that decision to the Village Board. The procedure for this appeal shall be as set forth in Section 5-4-12.

#### **SEC. 5-4-12 REVOCATION OF PERMITS.**

- (a) **Hearing.** Before a permit issued pursuant to this Chapter may be revoked, a hearing shall be held before the Chief of Police. Notice setting forth the time, place and nature of the hearing shall be sent by mall or delivered to the permittee at the address shown on the permit application not less than seven (7) days prior to the hearing.
- (b) **Grounds for Revocation.** The Chief of Police may revoke a permit on the following grounds:
  - (1) The application for a permit contains a false statement of a material fact.
  - (2) A licensee has repeatedly failed to comply with the provisions of this Chapter.
  - (3) An alarm system repeatedly actuates false alarms.
- (c) **Appeals.** Any permittee may appeal the decision of the Chief of Police by filing a written notice of appeal with the Chief of Police within ten (10) days after the decision. Such appeal shall be heard by the Village Board within thirty (30) days after filing the appeal. The Village Board may affirm, amend or reverse the decision or take other action deemed appropriate. An appeal timely taken suspends the revocation until the Village Board gives its decision. The Village Administrator shall give written notice of the time and place of the hearing to the appellant by certified mail or personal

delivery not less than seven (7) days before the hearing In conducting the hearing, the Village Board shall not be limited by the technical rules of evidence.

## CHAPTER 5

### Emergency Government

5-5-1	Emergency Government - Definition
5-5-2	Emergency Government Director
5-5-3	Declaration of Emergency
5-5-4	Emergency Regulations
5-5-5	Obstruction of Emergency Government Organization
	Appendix - Marathon County Joint Action Emergency Government Ordinance

#### SEC. 5-5-1 EMERGENCY GOVERNMENT - DEFINITION.

Emergency Government shall mean the preparation for and the carrying out of all emergency functions other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disaster caused by an enemy attack, sabotage or other hostile action or by fire, flood or other natural causes.

#### SEC. 5-5-2 EMERGENCY GOVERNMENT DIRECTOR.

- (a) **Appointment.** The emergency government director shall be the Fire Chief.
- (b) **Duties and Powers.** The director shall be the executive head of the Village Emergency Government organization and shall have direct responsibility for the organization, administration and operation of the organization, except as provided for in the Marathon County Joint Action Emergency Government Ordinance, subject to the direction and control of the Village President and the Village Board. In addition to such powers and responsibilities as may be imposed on him from time to time by the Village Board, he shall have the authority and it shall be his duty to:
- (1) Coordinate all activities for Emergency Government within the Village.
  - (2) Maintain liaison and cooperation with Emergency Government agencies and organizations of other political subdivisions and of the County, State and Federal Government.
  - (3) Participate in County and State Emergency Government activities upon request.
  - (4) Prepare a comprehensive general plan for the Emergency Government of the Village and present such plan to the Village Board for approval.
  - (5) Subject to the approval of the Village Board, enter into a mutual agreement with other political subdivisions and file copies of any such agreements with the State Director of Emergency Government.
  - (6) Upon the declaration of an emergency, issue all necessary proclamations as to the existence of such state of emergency and such disaster warnings or alerts as shall be required in the Emergency Government plan or by the County Emergency Government Director.

#### SEC. 5-5-3 DECLARATION OF EMERGENCIES.

The Emergency Government organization shall take action in accordance with the Emergency Government plan only after the declaration of an emergency and issuance of the official disaster warning. Declaration of emergency shall be made by the Governor, the Village President or, in his absence, by the Director. Such state of emergency shall continue until terminated by the issuing authority, provided that any declaration not issued by the Governor may be terminated by the Village Board.

**SEC. 5-5-4      EMERGENCY REGULATIONS.**

Whenever necessary to meet an Emergency Government emergency for which adequate regulations have been adopted by the Village Board, the Village President and, in his absence, the Director of Emergency Government, may proclaim, promulgate and enforce orders, rules and regulations relating to the conduct of persons and the use of property which are necessary to protect the public peace, health and safety, and preserve lives and property, and to insure the cooperation in Emergency Government activities. Such proclamation shall be posted in three (3) public places and may be rescinded by resolution of the Village Board.

**SEC. 5-5-5      OBSTRUCTION OF EMERGENCY GOVERNMENT ORGANIZATION.**

No person shall willfully obstruct, hinder or delay any member of the Emergency Government organization in the enforcement of any order, rule, regulation or plan issued pursuant to this Section or violate any order, rule, regulation or plan issued pursuant to the authority contained in this Section. Any person who shall violate any provision of this Section shall, upon conviction thereof, be subject to a penalty as provided in Section 1-1-6 of this Code.

## APPENDIX

### MARATHON COUNTY

#### JOINT ACTION EMERGENCY GOVERNMENT ORDINANCE

An Ordinance to Repeal an Ordinance Providing for a Civil Defense Organization and for Protection and Promotion of Public Safety, Health and Welfare in the County of Marathon During Government Emergencies and to Create an Ordinance Providing for Emergency Government in the County of Marathon Entitled "Emergency Government" for Marathon County.

The County Board of Supervisors of Marathon County do ordain as follows: Section 1. The Ordinance entitled "An Ordinance Providing for a Civil Defense Organization and for Protection and Promotion of Public Safety, Health and Welfare in the County of Marathon during Civil Defense Emergencies" is repealed effective May 24, 1977. Section 2. An Ordinance entitled "Emergency Government for Marathon County" is created to read:

#### SECTION 1. POLICY AND PURPOSE.

- (1) Purpose. To ensure that the County of Marathon will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from man-made and natural disasters, an Office of Emergency Government is created to carry out the purposes set out in Chapter 22 of the Wisconsin Statutes, 1969.
- (2) Definitions. As used in this ordinance:
  - (a) "Emergency Government" includes "civil defense" and means all measures undertaken by or on behalf of the State and its subdivisions:
    1. To prepare for and minimize the effect of enemy action and natural or man-made disaster upon the civilian population.
    2. To make emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.
  - (b) "Civil Defense" means all measures undertaken by or on behalf of the State and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.
  - (c) "Enemy action" means hostile action by a foreign power which threatens the security of this State or portion thereof.
  - (d) The term "natural disaster" includes all other extraordinary misfortunes affecting the county, natural or man-made, not included in the term "enemy action."

#### SECTION 2. COUNTY EMERGENCY GOVERNMENT COMMITTEE.

- (1) How Constituted. The Advisory Committee of the County Board as created under its rules is hereby designated as the County Emergency Government Committee. When acting as such Committee, the Chairman of the County Board shall be its Chairman.

- (2) Duties of County Emergency Government Committee. The County Emergency Government Committee shall be an advisory and planning group and shall advise the County Emergency Government Director and the County Board of Supervisors on all matters pertaining to emergency government. It shall meet upon call of the Chairman.

### SECTION 3. COUNTY/MUNICIPAL EMERGENCY GOVERNMENT DIRECTOR.

- (1) Joint Director. There is hereby created the Office of County/Municipal Emergency Government Director. The County Emergency Government Director shall also hold the office of Emergency Government Director of such municipalities of Marathon County as may hereafter enact an ordinance parallel to this ordinance. In addition to his duties as County Emergency Government Director, he shall have the additional duties and responsibilities of a Municipal Emergency Government Director as provided for in Sec. 66.30 of the Wisconsin Statutes.
- (2) Salary, Term, Appointment and Statutory Provision.
  - (a) The County/Municipal Emergency Government Director shall be a full-time position.
  - (b) Salary. The salary of the Director and members of his staff shall be as determined by the County Board.
  - (c) Term. The term of the Director shall be at the pleasure of the County Board.
  - (d) Appointment. The Director shall be appointed by the Emergency Government Committee in accordance with the standard employment procedures as used by the County Board and subject to approval by the County Board.
  - (e) Statutory Provision. The provisions of Sec. 22.16(9), Laws of 1969, Wisconsin Statutes, relating to personnel, shall apply to the selection of the Director and his staff.
- (3) Status. The Director shall be considered to be an employee of the county not under civil service and shall be entitled to all of the rights, privileges and benefits that county employees have. He shall report to the County Emergency Government Committee.

### SECTION 4. SHARING OF COSTS.

- (1) Office and Staff. The Marathon County Board shall provide offices, office furniture, stenographic help and such office supplies as may be necessary to carry out the functions of the County Emergency Government Director, and the cost thereof shall be defrayed by the County of Marathon with the help of federal matching funds.
- (2) Major Equipment and Services. Costs of equipment and services shall be borne one hundred percent (100%) by the municipal government requiring such procurement with federal matching funds procured by the County /Municipal Director when applicable. Federal matching fund reimbursements shall be returned to the Treasurer of the municipality procuring the equipment or services.

### SECTION 5. JOINT ACTION MEETINGS.

Whenever it is deemed necessary by either the County Emergency Government Committee or the Emergency Government Committee of a municipality participating in joint action, there shall be a joint meeting of the committees to decide such matters as they arise.

SECTION 6. DUTIES OF THE COUNTY EMERGENCY GOVERNMENT DIRECTOR.

- (1) Countywide Duties. The Director, in his capacity as County Director, subject to the control and direction of the County Emergency Government Committee and under the general supervision of the County Board, shall:
  - (a) Develop and promulgate emergency government plans for the county, including planning for Joint action municipalities, consistent with the state plan of emergency government;
  - (b) Coordinate and assist in the development of non-joint action municipal emergency government plans within the county and integrate such plans with the county plan;
  - (c) Direct the county and joint action municipality emergency government services programs;
  - (d) Direct county-wide emergency government services training programs and exercises;
  - (e) Advise the State Administrator of Emergency Government through the Northeast Area Director of all emergency government planning for the county and make such reports as may be required by the Administrator;
  - (f) In case of a state of emergency proclaimed by the Governor, direct the county and joint action municipalities in emergency government activities and coordinate the non-joint action municipal emergency government activities within the county, subject to coordinating authority of the State Administrator; and
  - (g) Perform such other duties relating to emergency government as may be required by the County Board.
  
- (2) Municipal Duties. The Director, in his capacity as director for a municipality participating in joint action, shall:
  - (a) Direct the municipal emergency government organization;
  - (b) Develop, promulgate and integrate into the county plan emergency government plans for the operating services of the municipality; ,
  - (c) Direct participation of the municipality in such emergency government training programs and exercises as may be required on the county level or by I the State Administrator;
  - (d) Direct the municipal emergency government training programs and exercises;
  - (e) Perform all administrative duties necessary for the submission of reports and procurement of federal matching funds for each municipality requesting federal matching funds;
  - (f) In case of a state of emergency proclaimed by the Governor, direct the activities of the municipal emergency government organization;

- (g) Perform such other duties relating to emergency government as may be required by the municipal governing body.

SECTION 7. UTILIZATION OF EXISTING SERVICES, PERSONNEL AND FACILITIES.

- (1) Policy. In preparing and executing the Emergency Government Program, the services, equipment, supplies and facilities of the existing departments and agencies of the county shall be utilized to the maximum extent practicable; and the officer and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.
- (2) Joint Action. Municipalities entering into joint action with Marathon County will provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this Section of the county ordinance.
- (3) Responsibilities. To assure that during emergencies all the facilities of the existing county government are expanded to the fullest to meet the emergency, the following specific responsibilities are assigned to the following department heads. The Director of Emergency Government will assist in organizing and planning for the expansion of their departments prior to or during an emergency and for recruiting volunteers to supplement the regular work force.

County Sheriff	Director of Emergency Police Service
County Highway Commissioner	Director of Emergency Engineering Services
Director of Public Welfare	Director of Emergency Welfare Services
Purchasing Agent	Director of Emergency Supply Services
County Coroner	Director of Emergency Mortuary Services
District Attorney	Director of Emergency Legal Services

Other department heads not specifically named will fulfill emergency and non-emergency duties as assigned under the Marathon County/Municipal Operations Plan. Nothing in this Section shall be construed so as to limit the Director of Emergency Government from immediately starting organizational and planning programs as required by the State of Wisconsin Operations Plan adopted by the County Board.

- (4) Marathon County Succession to Command. To insure continuity of government, the following is the succession to leadership for Marathon County:
  - (a) County Board Chairman.
  - (b) Vice-Chairman, County Board.
  - (c) Chairman of Property, Purchasing and Insurance Committee.

SECTION 8. OTHER EMERGENCIES.

- (1) Joint Action Municipalities. In the event the Governor determines that an emergency exists growing out of natural or man-made disaster, the County Emergency Government Director will activate and direct the emergency government services at the appropriate level of government affected by the emergency.
- (2) Non-Joint Action Municipalities. In the event of a natural or man-made disaster, the County Emergency Government Director will coordinate the municipalities affected and render such assistance as is required and available from county resources.
- (3) Penalties. It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the emergency government organization in the enforcement of any order, rule, regulation or plan issued pursuant to this ordinance or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. For a violation of any of the provisions

of this ordinance, he shall forfeit not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) and, in default of payment thereof, shall be imprisoned in the county jail for a period not exceeding ninety (90) days.