

**CHAPTER 5**  
**FIRE PROTECTION**

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## 5.01 FIRE DEPARTMENT ORGANIZATION.

The Ephraim Volunteer Fire Department shall consist of the Chief, a First Assistant Chief, and a Second Assistant Chief and as many other qualified fire fighters as may be necessary to man and effectively operate all available equipment.

## 5.02 APPOINTMENT AND QUALIFICATIONS.

1. **CHIEF.** The Fire Chief shall be appointed by the Village Board as provided in Chapter 1.20 of the Ephraim code of ordinances.
2. **ASSISTANT FIRE CHIEFS.** Every 2 years, coinciding with the spring election of Village Board members, the Fire Chief shall select two voluntary fire fighters: one to serve as Assistant Fire Chief and the second to serve as Second Assistant Fire Chief. To avoid interruption of the services of the Department, the Fire Chief shall notify the Assistant Fire Chief of the time and possible duration of any contemplated absence from the Village. The Assistant Fire Chief and the Second Assistant Fire Chief shall maintain their designation until their services are terminated by resignation, death or the appointment of another individual to serve in their stead at the end of any 2 year appointment period. ***The Chief shall appoint the Assistant Fire Chief to keep a record of membership, of attendance at practice drills, at fires, at rescue missions, and at emergency government call in which the Department may participate.***
3. ~~**SECRETARY.** The Chief shall appoint a secretary who shall keep a record of membership, of attendance at practice drills, at fires, at rescue missions and at emergency government calls in which the Department may participate.~~ **Moved to Assistant Chief 5.02 (2) above.)**
4. ~~**TREASURER.** The Chief shall accept a treasurer who shall record and hold any moneys received by the Department from sources other than the Village Treasurer. Such funds shall be used for Fire Department purposes as approved by a majority vote of the members of the Department.~~ **(Moved to compensation 5.05 (4) below.)**
5. **QUALIFICATIONS.** The Chief shall appoint as volunteer fire fighters in the Department such able-bodied applicants as shall be not less than 18 years of age.
6. **DISMISSAL.** The Chief may demote or expel any officer or member of the Department for neglect or refusal to perform departmental duties, subject to the right of any member so demoted or expelled to appeal to the Village Board for reinstatement.

## 5.03 DEPARTMENT'S POWERS AND DUTIES.

1. **THE DEPARTMENT.**
  - a. **RESPONSE TO FIRE ALARMS.** The Department personnel will perform all operations necessary for the prompt extinguishment of a fire, the protection of persons and the safeguarding of property.
  - b. **PRACTICE DRILLS.** Members shall attend all practice drills and familiarize themselves with the use and operation of all equipment and apparatus.
  - c. **INSPECTIONS.** Members of the Department shall assist the Chief or assistant Chiefs in inspections of property when called upon to do so.
  - d. **RESCUE AND EMERGENCY GOVERNMENT.** The Department will respond to all calls for rescue missions where its resuscitator might be of service. ***Upon request the EFD will render assistance to the Emergency Government Director or Coast Guard in any emergency for which such service is requested, including water rescue calls as indicated in 5.08 of this ordinance.***

## 2. THE CHIEF.

- a. **SUPERVISION.** The Chief and, in his absence, the First and Second Assistant Chief, in that order, shall have general supervision of the Department's personnel and equipment.
- b. **COMMAND.** The Chief or his assistants shall command all firefighting operations. ***The Chief, his/her assistant chief, or the first firefighter(s) to first arrive at a fire will be in command of the operations until relieved by his/her supervisor.***
- c. **TRAINING.** The Chief or his assistants shall supervise all training activities to assure the competence of all members of the Department in using available equipment most effectively.
- d. **CARE OF EQUIPMENT.** The Chief shall have custody, care, and control of all equipment and apparatus of the Department and shall be responsible for its maintenance in constant operating conditions.
- e. ~~**BURNING.** When notified of intention to burn, as provided in **9.02 (2)**, the Chief shall issue a written permit only after he has inspected the site. If he feels it necessary, he shall send men and equipment to supervise the burning, in which case the owner or occupant shall be charged for the expense involved.~~
- e. **INSPECTIONS.** The Chief of the Fire Department is, ex officio, a deputy of the Wisconsin Department of Commerce and in that capacity he is empowered and required to make inspections at least twice a year of all premises open to the public to ascertain the degree of their compliance with the fire prevention and protection regulations of the Department of Commerce, Such inspections shall be made by him or by other members of the Fire Department under his supervision or by an independent firm specializing in fire inspection service.
  - i. **REPORTS.** The Chief shall make ***annual written reports to THE DEPARTMENT OF COMMERCE regarding the results of such inspections. The Chief shall make an electronic report to NIFRS regarding the results of such inspections.***
  - ii. **INSPECTIONS OF PRIVATE PROPERTY.** At the request of any property owner, the Chief shall inspect his private dwelling to determine and recommend such steps as might be taken to minimize fire hazards and provide satisfactory equipment for fire protection. For commercial buildings, Ephraim's Fire Chief or his designate must inspect and sign off on the project prior to issuance of a certificate of compliance. (9/10/01)
- f. **REPORTS TO VILLAGE BOARD.** The Chief shall make monthly written reports to the Village Board of any fire alarms or rescue calls to which the Department has responded and the results of such responses.
- g. **RAZING OF HAZARDOUS BUILDINGS.** Whenever the Fire Department inspections determine that a building, because of age, deterioration, neglect or vandalism is no longer fit for human habitation, the Department shall call the matter to the attention of the Building Inspector and one or both of these bodies shall notify the owner of their findings and order him to make necessary repairs or raze the building.
- h. **HAZARDOUS MATERIALS.** The Chief shall keep a record of the storage places of such hazardous materials as shall have been reported to him and shall determine whether they are maintained as required.
- i. **ABSENCE FROM THE VILLAGE.** The Chief shall not leave the Village without first reporting to one of his assistants or to the Village President, provided he may leave without such report when in the course of discharging his official duties.

### **3. POLICE POWERS OF THE DEPARTMENT.**

- a. **AUTHORITY AT FIRES AND RESCUE MISSIONS.** The Chief and his assistant chiefs or other officer in command are hereby vested with full and complete police authority and may cause the arrest of any person:
- i. Interfering in any manner with the work of the Department or failing to leave the scene when ordered to do so.
  - ii. Failing to yield the right of way to the Fire Department when responding to a call.
  - iii. Failing to render such assistance as he may be ordered to render.

### **5.04 MUTUAL ASSISTANCE AGREEMENTS.**

Because of the limited nature of both the firefighting equipment and the water supplies in the northern portion of Door County, it is advisable that the municipalities in this area should enter into and maintain mutual assistance agreements under which they can call upon one another for the use of additional man power and equipment when necessary. The Ephraim Volunteer Fire Department is authorized to request and render such assistance under the following conditions:

1. Calls for assistance must be made by the Fire Chief or other officer in command at the scene of the fire or by the President or the corresponding official of the calling municipality.
2. The Chief or either of his assistant chiefs is authorized to call for such assistance when, in his judgment, a fire cannot be controlled without such assistance.
3. The Chief or either of his assistant chiefs is authorized to respond immediately in answer to such an appeal for assistance.
4. In no case shall all equipment be sent beyond the Village boundaries at one time. Sufficient equipment and manpower to handle any local emergency temporarily shall remain in the Village, the amount and nature of such facilities to be determined by the Chief or other commanding officer of the Department.

### **5.05 COMPENSATION.**

1. Members of the Department shall be compensated at the rate set by the Village Board for firefighting within the Village limits.
2. At the time of each fire the Fire Chief, assistant fire chiefs or member in charge shall determine the maximum number of volunteer fire fighters needed and avoid retaining needless personnel.
3. Prior to the next Village Board meeting the Chief shall submit to the Village Clerk the names of each volunteer fire fighter serving and the hours spent by each man at such fires.
4. ~~Payment by the Village Treasurer shall be by single check to the treasurer of the Department who shall compensate the fire fighters serving.~~ The Village Treasurer and/or Clerk shall issue payments to each volunteer fire fighter based on the time sheets submitted.
5. Payment by the Village to the Department for services in fighting fires shall apply to volunteer fire fighters only. ~~or to nonmembers recruited by the officer in charge.~~

### **5.06 EQUIPMENT.**

No equipment or apparatus shall be used for any purpose except for firefighting and protecting life and property from flood and other disaster within the Village limits or in training therefore, except pursuant to an agreement approved by the Village Board after the Chief has given his recommendations on such use. With the approval of the Chief such equipment or apparatus

may be used for emergency purposes other than firefighting within the Village. A written report of such uses shall be made quarterly to the Village Board.

#### **5.07 OBSTRUCTION OF FIRE DEPARTMENT FUNCTIONS.**

1. No person shall interfere in any manner with the operations of the Fire Department or refuse to obey any order given him by an officer in command of any firefighting activity as covered in **5.03 (3)(a)**.
2. No person shall knowingly turn in a false fire alarm.

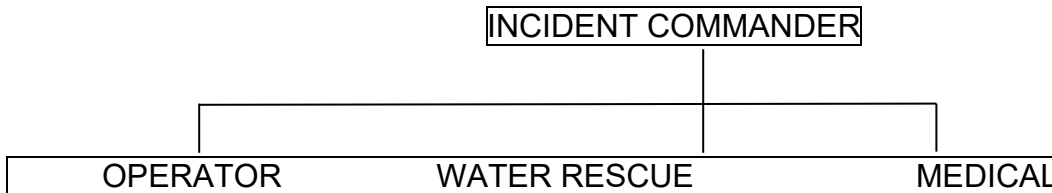
#### **5.08 COMMERCIAL TRANSIENT LODGING ESTABLISHMENT.**

Any newly established commercial transient lodging within the Village limits that does not have 24-hour on-site management shall have installed a Knox box system which will allow the Fire Department or other emergency personnel access to the building through Door County Communications Center on a controlled and restricted basis. Existing businesses without 24-hour on-site management as of the passage of this ordinance (10/8/01) shall have Knox boxes installed no later than 05/01/02 to comply.

#### **5.09 WATER RESCUE PROGRAM.**

1. Mission. To provide a fast-response professionally trained rescue effort for water –related emergencies involving the safety of people. The Water Rescue Program is overseen by the Community Protection Committee, which is authorized by the Ephraim Village Board.
2. Coverage Area. All of Eagle Harbor to Horseshoe Island and bordering the Village of Ephraim (see map) as well as:
  - a. Nicolet Bay;
  - b. Incidents occurring somewhat outside these limits may justify response in the judgment of the Incident Commander using response protocol attached as Addenda A and B;
  - c. Assistance to other communities may require that operations extend beyond Ephraim using the same protocol.
3. Limitations. Use of the rescue boat and related equipment shall only be for water rescue needs or other functions as approved by the CPC. The staff and equipment shall not generally respond to mariners' calls for non-emergency situations such as equipment failures, out of gas, boats aground, etc., unless potentially life-threatening. Policy changes will be approved by the Village Board.
4. Staff. The water rescue team will be comprised of three distinct groups of designator personnel who have qualified to specific training levels and/or certification as identified in "Training Standards/Functions" below. The distinct groups shall be:
  - a. Operational,
  - b. Water Rescue,
  - c. Medical. It is probable that some personnel will be cross-qualified in the three above identified groups.
5. Training. Prior to being assigned to any of the three categories, those persons will be required to give evidence of their experience and/or qualifications to the satisfaction and approval of the Fire Chief. Candidates for staff positions, if not previously qualified by recognized institutions, may require qualification through other methods identified in "Training Standards/Functions." Each staff member shall consistently update and acquire additional and/or higher levels of training as well as cross-training.

6. Equipment. Boat equipment, configuration and maintenance shall be the responsibility of the Community Protection Committee. Boat and equipment shall be the property of the Village. The Fire Chief shall have the responsibility for the day-to-day operations and maintenance of equipment.
7. Command Structure. During an emergency response, an Incident Commander (Fire Chief or his designate) assumes control. A list of his designates shall be kept on file with the Community Protection Committee. The chain of command is:



The basic crew aboard the rescue vessel would be one member of each specific discipline, with whatever shore-side support is deemed necessary by the Incident Commander. A minimum of two, including an operator, is needed for operating the vessel. There shall be a maximum of four rescue personnel on the vessel. The Fire Chief shall have the responsibility to develop a Standard Operating Guideline for these procedures.

The Fire Chief or his designate shall assume responsibility for personnel meeting the minimum requirements to improve their skills and accomplish cross-training into other disciplines. The Fire Chief shall make periodic reports to the Community Protection Committee outlining the individual levels of training accomplished.

The Fire Chief or his designate shall assume responsibility for instituting Search procedures for emergencies involving missing persons. He will coordinate the Water Rescue unit's efforts with other appropriate agencies and yield command to higher authorities such as the U.S. Coast Guard, etc., when they become involved.

The Fire Chief shall be responsible for all written documentation related to responses by the Water Rescue unit, with copies provided to the Community Protection Committee.

8. Communication Procedure.
  - a. The Fire Department is paged out by the 911 dispatcher for calls when an incident is "called in" to Door County 911. The dispatcher then pages Ephraim Fire Department on the County fire radio network. Simultaneously, an ambulance crew (EMS), normally out of Sister Bay is also dispatched. Ephraim Fire Department acknowledges the page and starts its typical response procedures. When a call is received by telephone the dispatcher has some information available up front to help determine what needs an incident may require. Dispatchers only pass information to the responding agency. From that point forward, it is up to the incident commander at the Ephraim Fire Department as to what level of response to take, using as guidelines current protocol methods of the U.S. Coast Guard.
  - b. An officer of the Fire Department or paramedic, road deputy or first responder may notice or be informed of an incident second hand and radio the information in on the county radio network. He or she may relay known facts about the incident to the 911 dispatcher so the information may be directed to the correct responding agency.
  - c. Other routes of notification may be the U.S. Coast Guard, telephone operators, or alarm companies.

9. Water Rescue Procedures.

- a. Rescue team members shall wear Ephraim Fire Department pagers when the members are available for water rescue calls. This will ensure enough members are available at anytime, 24 hours a day.
- b. The water rescue vessel shall have no less than two forms of communication on board (ideally, three forms) in proper working order to communication with the Ephraim Fire Department, EMS, Door County, DNR and Peninsula Park, U.S. Coast Guard, Ephraim Yacht Harbor/Club, South Shore Pier, Ephraim Harbormasters, other marinas and other vessels.

10. Community Involvement.

The Fire Chief or his designate shall have the responsibility to communicating with community groups and businesses to advise them how they may participate in the water rescue program if they choose. Any one of the groups or businesses may become aware of an incident on Eagle Harbor and it is imperative that they activate 911. It is understood that these groups may have valuable resources such as personnel, boats and equipment that could aid in the water rescue effort.

11. Training Standards/Functions.

- a. Operators (Pilots) are responsible for operating, navigating, steering, and safety of all crew members while on the water.
  - i. Must possess acceptable boat handling experience, as determined by the Fire Chief or his designate;
  - ii. Must demonstrate proficiency in:
    - 1. Reading charts and maps
    - 2. Communications
    - 3. Scene-approach techniques
    - 4. Engine trouble shooting
    - 5. Piloting the Water Rescue vessel
  - iii. Must possess thorough knowledge of Eagle Harbor and its environs including topography, shoals, reefs, etc.
- b. Water Rescue Personnel shall demonstrate proficiency in accepted water rescue techniques. They shall be responsible for assisting victims in boarding the rescue craft and/or receiving incapacitated victims.
  - i. Must have water rescue training;
  - ii. Must have a basic First Aid course;
  - iii. Must be CPR qualified.
- c. Medical Personnel shall render aid to a victim. In certain situations it may be necessary to board the victim's watercraft to render aid.
  - i. EMT Basic or Paramedic credentials are the optimal qualifications.
  - ii. As a minimum, must be qualified as a Wisconsin Certified First Responder.

d. All Water Rescue Team Members should:

- i. Seek training in operating, water rescue and medical disciplines other than their own for the benefits derived from “cross Training”;
- ii. Upgrade their own disciplines by taking advantage of training opportunities as they become available throughout the year. Training may come from the following sources:
  1. Fire/Rescue Schools.
  2. NWTC and other technical colleges.
  3. EMS conference and seminars.
  4. Coast Guard and Auxiliary courses.
  5. Fire Department conferences and seminars.
  6. Military/Reserve/ National Guard courses.
  7. State Emergency Government courses.
  8. National Fire Academy courses.
- iii. Share in the responsibility of maintenance and upkeep of the water rescue craft and related equipment/supplies;
- iv. Be members of the Ephraim Fire Department or Mid-Door Fire Coalition;
- v. Wear appropriate PFD’s while on the water;
- vi. Demonstrate courteous and prudent behavior consistent with that reflecting Ambassadors of the Village.

**5.10 PENALTY.**

Except as otherwise provided, any person found to be in violation of any provision of this chapter shall be subject to a penalty as provided in Chapter **25.04** of the Ephraim Code of Ordinances.

1. **Removal of Property.** 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 spread of fire or protect adjoining property and during the progress of any fire he shall have the power to order the destruction of any property necessary to prevent the further spread of the fire. He shall also have the power to cause the removal of all wires or other services where the same impedes the work of the Department during the progress of a fire.
2. **Fire Fighters May Enter Adjacent Property.** Any fire fighter acting under the direction of the Fire Chief or any officer in command may enter upon the premises adjacent to or in the vicinity of any building or other property then on fire for the purpose of extinguishing such fire and no person shall hinder, resist or obstruct any fire fighter in the discharge of his duty as provided above.

**5.11 BURNING WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF EPHRAIM.**

~~A Village of~~ **The Ephraim Fire Chief**, as designated by the Village Board of Trustees, will issue all Burning Permits. No burning of any kind shall take place until the designated Village of Ephraim official has issued a permit. ~~The cost of the permit shall be \$10.00 and the permit will be valid for a period of up to one year expiring May 31.~~ Permits may be issued only after the proposed site is inspected and approved by the Village of Ephraim **Fire Chief** designee. ~~Permits for building structures will be available at the Village Administrative Office and cost will be that of applicable zoning permits.~~



## Definitions for the purpose of this chapter:

“**Outdoor Fireplace**” an outdoor fireplace is a place for building fires outside of the home. Similar in construction to an indoor fireplace, an outdoor fireplace is usually added to a stone, brick, or concrete patio. It often consists of a firebox and a chimney. Must have a mesh like screen covering the chimneystack to prevent sparks from escaping.

“**Chiminea**” a freestanding front-loading fireplace or oven made from clay with a bulbous body and usually a vertical smoke vent or chimney. Must have a mesh like screen covering the chimneystack to prevent sparks from escaping.

“**Outdoors fire pits**” must be a pit contained **above or** below grade and not larger than 36 inches in diameter. Must be lined with a non-combustible material, soil, metal or stone. ~~at least six inches deep.~~ Portable fire pits **are acceptable.** ~~do not meet the requirements of this ordinance.~~

“**Recreational burning**” burning done for entertainment or enjoyment, not for the purpose of commercially preparing food.

1. Burning permits may be issued for the following:
  - a. ~~Recreational outdoor fireplaces, chimineas, and outdoor fire pits. Regardless of zoning of property.~~
  - b. Brush piles and wooden construction debris under certain conditions. See section (2)(e) and (2)(f) below.
2. Requirements to obtain a burning permit are as follows:
  - a. ~~Applicant must be the owner of the property applying for the permit and the permit is non-transferrable in the event of a property transfer or assignment.~~
  - b. Outdoor fire pits must be located at least 25 feet from any structure and no closer than 10 feet from any fence, deck or other combustible material.
  - c. ~~Outdoor fire pits must be contained within a above or below grade fire pit not greater than 36 inches in diameter and lined with a non-combustible material, soil, metal or stone. at least six inches deep.~~
  - d. Refer to Village of Ephraim Code of Ordinances Chapter 17.15(3)(A) for setback guidelines.
  - e. Applicant must have a water source available to control the fire at each location where burning is desired.
  - f. In order to obtain a ~~separate~~ permit to burn brush ~~there shall be at least two inches of snow on the ground surrounding the location, and,~~ the wind speed, wind direction and weather conditions must be favorable. The suitability of the location and weather conditions is at the sole discretion of Village the **Fire Chief** official granting the permit and may have restrictions on times and days when valid.
3. The following types of burning are prohibited within the municipal boundaries of the Village of Ephraim:
  - a. Garbage
  - b. Asphalt and roofing materials.
  - c. Waste oil or other oily wastes.
  - d. Painted or treated wood including composite wood products.
  - e. All plastic or rubber products.

f. Leaf piles.

4. Suspension of permit – in the event that weather conditions warrant, a special fire warning notice shall be posted by the Ephraim Fire Chief, Village President, or designee. The Village Offices shall be notified by the Ephraim Fire Chief, Village president, or designee as well and all outdoor burning shall immediately cease and any issued burning permits shall be temporarily suspended. When the County or ~~Peninsula State Park~~ issues a **Burn Ban** ~~no burning warning~~, all outdoor burning shall immediately cease and any issued burning permits shall be temporarily suspended.

**LIST OF POSTING AREAS IF CONDITIONS ARE NOT RIGHT FOR BURNING:**

Village Administration Office  
Ephraim Visitor's Center  
Ephraim Post Office

5. A person utilizing or maintaining an outdoor fire of any kind and/or the owner of the property where the fire occurs shall be responsible for all fire suppression costs and any other liability costs or expenses resulting from damage or injury caused by the fire, irrespective of whether a burning permit is issued.
6. A violation of this ordinance may result in a fine **based on State Statue 941.10 Negligent use of Burning Material** ~~of not less than five times the permit fee~~ and all fees associated with any fire suppression necessary.
7. A copy of all issued permits shall be maintained ~~at the Village and~~ **with the** Fire Department offices

## Chapter 5 - Coast Guard Protocol—Current as of 2002

