

**Chapter 2.08**  
**Fire Department**

**Sections:**

- 2.08.010 Organization.**
- 2.08.020 Fire chief and fire inspector.**
- 2.08.030 Membership.**
- 2.08.040 Equipment and apparatus.**
- 2.08.050 Police power of department.**
- 2.08.060 Volunteer fund.**

**2.08.010 Organization.**

A. The fire department of the village of Oakfield shall consist of the fire chief, a first assistant chief, a second assistant chief, a captain and lieutenant for each company, a secretary-treasurer, one master mechanic, and as many drivers and firemen who live and normally work within the village of Oakfield as may be appointed by the chief, provided that at no time shall the department consist of less than twenty-two (22 active members.

B. The Oakfield Fire Department shall adopt bylaws for the control, management, and governance of the department, and for the regulation of business and the proceedings of the department, which bylaws shall be proposed to the village board for adoption. Amendments shall be adopted in the same manner. The Oakfield Fire Department bylaws shall be entitled the "Constitution of the Oakfield Fire Department and First Responders" and shall be placed as an addendum at the back of this code book.

**2.08.020 Fire chief.**

A. The fire chief shall be nominated by majority vote of fire department members, appointed by the village president, and confirmed by a majority vote of the village board. The village president shall not vote on the confirmation of this appointment, except in the case of a tie.

B. The fire chief shall be appointed for a one-year term of office, subject to removal by

a three-fourths vote of the village board for incompetence, misconduct, inefficiency, or failure to perform the duties of the chief, unless terminated sooner by resignation, death, or change of residence to a location outside the village limits.

C. The fire chief, by virtue of the office, shall also hold the office of fire inspector.

D. The fire chief shall:

1. Be a member of the fire department in good standing who resides within the fire district, and who has the proper training and experience in fire department operations;

2. Supervise and direct the department personnel and the use of fire department equipment, subject to the ordinances of the village and the bylaws of the department;

3. Be present at all fires and command all fire fighting operations;

4. Demote or expel any officer or member of the department for neglect or refusal to perform departmental duties, subject to appeal to the village board;

5. Enforce all fire prevention ordinances, laws, and regulations of the state and the village.

E. As fire inspector, the chief may appoint one or more deputy fire inspectors, and shall perform all duties required of fire inspectors by state law and the state industrial commission.

**2.08.030 Membership.**

Membership shall be as directed in the bylaws.

**2.08.040 Equipment and apparatus**

Use equipment and apparatus only for fire fighting or training, except for emergencies or under agreements approved by the fire chief.

**2.08.050 Police power of department.**

A. The chief, assistant chiefs, and officers in command are vested with full and

complete police authority at fires, and may cause the arrest of any person failing to give the right-of-way to the fire department responding to a fire call.

B. The chief shall have the authority to remove 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 facilities and the turning off of all electricity or other services where the same impede the work of the department during the progress of a fire.

C. Firemen 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 fireman in the discharge of his duty as provided here.

D. Every person 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. Any person refusing to obey such orders may be arrested.

#### **2.08.060 Volunteer fund.**

The fire department is authorized to establish and maintain a volunteer fund, separate from the village general fund, for the purpose of depositing money either raised by the fire department or donated to the fire department. The fire department treasurer is authorized to deposit money and exercise control of the fund. The volunteer fund is subject to audit and remains the property of the village until disbursed.

## **Chapter 2.12 Commissions, Boards, and Committees**

### **Sections:**

**2.12.010 Plan Commission.**

**2.12.020 Board of Review.**

**2.12.030 Board of Appeals.**

**2.12.040 Committees.**

### **2.12.010 Plan Commission.**

A. Pursuant to s. 62.23(1) of the Wisconsin Statutes, a plan commission is established consisting of 7 members appointed by the village president, subject to confirmation by the village board. The village president shall also choose the presiding officer. A minimum of 3 members shall be residents who are not village officials. Members of the commission shall be appointed to hold office for a term of 3 years, on a staggered basis in order to ensure continuity in planning, with terms beginning on May 15th.

B. The plan commission shall make and adopt a master plan for the physical development of the village, including any areas outside its boundaries that, in the commission's judgment, bear relation to the development of the village. Coordination of said plan shall be made in conjunction with town and county planning agencies. The commission may, from time to time, amend, extend, or add to the master plan.

C. The commission may make reports and recommendations to the village board and other village officials relating to the planning and development of the village.

D. Commission members may, in the performance of commission functions, enter upon any land, make examinations and surveys, and place and maintain necessary monuments and marks thereon.

E. In general, the commission shall have such powers as may be necessary to enable it to perform its functions and promote

municipal planning. Any matter relating to the use of land within the village shall be referred to the plan commission.

F. The commission shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record.

#### **2.12.020 Board of Review.**

A. Pursuant to s. 70.46(1) of Wisconsin Statutes, the village president, village trustees, and village clerk shall constitute a board of review. The village clerk shall be the clerk of the board of review and shall keep an accurate record of all proceedings.

B. No board of review may be constituted unless it includes at least one voting member who, within 2 years of the board's first meeting, has attended a training session under s. 73.03(55) and unless that member is the village president or the president's designee. The village clerk shall provide an affidavit to the department of revenue stating whether the requirement has been fulfilled.

C. The board of review shall meet annually at any time during the 30-day period beginning on the 2nd Monday of May, and shall meet at the community center. The assessor shall attend the first meeting.

D. At least 15 days before the first session of the board of review, the clerk shall publish a notice of the meeting. All meetings of the board of review shall be open to the public.

E. At its first meeting, the board of review:

1. Shall receive the assessment roll and sworn statements from the clerk.

2. Shall be in session for at least 2 hours for taxpayers to appear and examine the assessment roll and other assessment data.

3. Shall schedule for hearing each written objection that it receives during the first 2 hours of the meeting, or that it received prior to the first meeting.

4. Shall grant a waiver of the 48-hour notice of an intent to file a written or oral objection if a property owner who failed to do so appears during the first two hours of the meeting.

F. The board may adjourn from time to time until its business is completed.

G. The board shall carefully examine the assessment roll and correct all apparent errors in description or computation, and shall add omitted property.

H. From the evidence presented before it, the board shall determine whether the assessor's assessment is correct or whether the assessment must be corrected and state on the record its reasoning for arriving at the corrected assessment. A majority vote of the members present at the hearing is necessary to correct an assessment. If there is a tie vote, the original assessment is sustained.

#### **2.12.030 Board of Appeals.**

A. Pursuant to s. 62.23(7)(e) of the Wisconsin Statutes, a board of appeals is established consisting of 5 members appointed by the village president, subject to confirmation by the village board. The village president shall also choose the presiding officer. Members of the board shall be appointed to hold office for a term of 3 years, on a staggered basis, with terms beginning on May 15th. The village president may appoint 2 alternate members to the board.

B. The board of appeals may, in appropriate cases, and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance in harmony with its general purpose and intent.

C. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, and such minutes shall be public record.

D. Any person aggrieved by an action or decision of a village official may submit an appeal. The board of appeals shall fix a

reasonable time for the hearing of the appeal and give public notice of the hearing, as well as due notice to the parties of interest, and shall render a decision within a reasonable time. Any party to the hearing may appear in person or by agent or by attorney.

E. The board of appeals shall have the power to:

1. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of a village ordinance;

2. Hear and decide special exception to the terms of an ordinance;

3. Authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

F. The concurring vote of 4 members of the board shall be necessary to reverse any order, requirement, decision, or determination of an administrative official, or to grant a variance to an ordinance. The grounds of every determination shall be stated for the record.

G. The village board may establish by resolution a reasonable fee for filing an appeal to the board of appeals.

#### **2.12.040 Committees.**

A. Committees are an extension of the village board and may be created from time to time for specific purposes. The village clerk shall maintain a list of current committees and committee members. The village president shall appoint and the village board shall confirm all committee chairpersons and committee members. Committee members serve indefinite terms of office and the

makeup of each committee shall be at the discretion of the committee chairperson, with the concurrence of the village board. Committee Members may ask to leave their committee position for an approved reason and with the support of the Committee Chairperson. Committee Members can also be relieved of their duty as a member for failure to perform their duties on the committee and/or failure to attend scheduled meetings with unexcused absences. The Committee Chairperson shall inform the Village Board of the situation and the Board may take appropriate action to resolve the situation. All committees shall have an odd number of members to facilitate voting.

B. All committee meetings are open to the public, unless s. 19.85 of the Wisconsin Statutes is invoked.

C. Each committee shall designate a recorder, and the minutes of all committee meetings shall be submitted to the village board at its next regular meeting.

D. Committees may be modified or dissolved at the discretion of the village board.