

**VILLAGE OF MELROSE  
FIRE DEPARTMENT AND FIRE PREVENTION – CHAPTER 4**

**4.01 PURPOSE:** The purpose of this chapter shall be the establishment of a local volunteer fire department and the promotion of regulations which control activities which may create an unreasonable risk of fire within the community.

**4.10 MELROSE VOLUNTEER FIRE DEPARTMENT:**

1. **CREATED:** There is hereby created a volunteer fire department which shall be known as the Melrose Volunteer Fire Department, with the duty of firefighting and prevention of fire within the Village of Melrose and any surrounding jurisdictions participating in the same. Its organization and internal regulation shall be governed by the provisions of this section and the Constitution and By-Laws of said Melrose volunteer fire department as enacted on May 22, 1962, and as subsequently amended.
2. **BY-LAWS:** The department is hereby authorized and directed to adopt By-Laws for the control, management, and government and for regulating the business and proceedings of the Department. Unless amended by the procedures set forth below, the constitution and By-Laws of the Department as enacted on May 22, 1962, shall remain in full force and effect, with the exception of any provision which is in conflict with this section.
3. **ORGANIZATION:**
  - a) **Officers:** The Department shall consist of the following officers:
    - 1) **Business Officers:** Business officers shall include a Chief, a 1st Assistant Chief, a 2nd Assistant Chief, a Secretary, and a Treasurer.
    - 2) **Firefighting Officers:** Firefighting officers shall include a Chief, two Assistant Chiefs, and two Captains.
  - b) **Membership/Retirement:** The Melrose volunteer fire department shall consist of not less than 22 or more than 30 active members. Any member who has been a member of the Department for 10 years or more may become an honorary member of the Melrose Fire Department. He may become an honorary member by making such request at any regular meeting of the Department or upon being retired at the age of 65. Honorary members shall have all of the privileges of an active member except that they shall not have the privilege to hold office or be eligible for any compensation.
  - c) **Election of Members:** Election of members of the Department shall be in accordance with the following provisions:

- 1) All persons elected to the Melrose Volunteer Fire Department must be 21 years old, be a resident of the Village of Melrose, or reside within a reasonable and clear hearing distance of the fire siren or within reasonable reach by the Fire Captains' fire phone, be of good character and standing in the community, and be in good physical and mental condition.
  - 2) Proposals for membership shall be submitted to the Department by membership committee at a regular meeting.
  - 3) Applicants must be approved a two thirds majority of votes cast at the regular meeting to be elected to membership on the Department.
  - 4) New members must pass a general test including the use of equipment and location of hydrants given by the Chief.
  - 5) Every applicant of this Department upon becoming a member shall take an oath to uphold the Constitution and By-Laws of the Melrose Volunteer Fire Department.
  - 6) Any fireman that reaches the age of 65 or is over that age shall be retired to the honorary list.
- d) Vacancies: Whenever a vacancy shall occur in any of the offices of the Department, it shall be the duty of the Department to fill the vacancy at the next regularly scheduled meeting.
- e) Election of Officers/Term:
- 1) Election: Election of all officers shall be made by ballot at a regular meeting of the Department, except the two Captains, who shall be appointed by the Chief. Election of business officers shall be held at the annual meeting held in March of each year. No member may hold more than one elective office.
  - 2) Term: Officers elected at the Annual Meeting shall take office commencing on the day of the April monthly meeting, and shall hold office for a term of one year, or until the next year's April meeting, whichever occurs last.
- f) Meetings:
- 1) Monthly Meeting: The regular monthly meeting shall be held the last Tuesday of each month.

2) Annual Meeting: The regular Annual Meeting shall be held on the last Tuesday of March.

4. FIRE BOARD:

a) Created: A Fire Board is hereby created, consisting of one member from each township under contract for fire protection and one member from the Village Board.

b) Powers and Duties: It shall be the duty of the Fire Board to raise all necessary money needed by the Melrose Volunteer Fire Department. The Fire Board shall be sure contracts for fire protection are honored and said Board shall make recommendations to the Chief regarding purchase of major firefighting equipment.

5. REMOVAL OF MEMBERS: Any member of the Department may be expelled from the Department by a two-thirds majority of the membership at a regular monthly meeting based upon any infraction of the rules of the Department. Any member absent from five regular meetings or drills, or having missed five consecutive alarms shall be brought before the Department at a regular monthly meeting, at which time a vote shall be taken to determine whether that member shall be removed from the Department. Any member failing to make his inspections of the fire equipment as instructed by the Captains may be removed by the Chief. A member may also be removed from the Department for failing to carry out orders of the officers of the Department, and such removal shall be by a two-thirds majority of the members at the regular monthly meeting at which the removal is decided.

6. DUTIES OF OFFICERS:

a) Chief: In addition to the powers and duties established by the Constitution and By-Laws of the Melrose Volunteer Fire Department, the Chief of said Department shall have the following powers and duties:

1) Not later than October 1st of each year, the Chief shall file with the Village Clerk a detailed estimate of the appropriations needed for the conduct of the Department during the ensuing fiscal year, based on a budget of estimated receipts and expenditures.

2) It shall be the duty of the Chief to submit a written report to the Village Board not later than February 1st of each year, and at such other times as he deems desirable, relating to the conditions of the various pieces of apparatus and appurtenances, the number of hydrants, and the condition of the same, the number of fires occurring since the previous report, and the date of same and loss occasioned thereby, the number of members in the Department, active and honorary, and resignations and expulsions from the

Department. He shall also report upon the drill and training program of the Department, together with other pertinent information, including recommendations of such improvements as he deems proper and necessary for the operation of the Department.

- 3) He shall enforce all fire prevention ordinances of this village and state laws and regulations pertaining to fire prevention, and shall keep citizens informed on fire prevention methods, and on the activities of the Department.
  - 4) He shall keep a fire record book of every fire to which the Department was called and shall enter in such book the locality of the fire, time alarm was received, cause of fire, where fire started, cause of delay, (if any) in responding, amount of insurance carried on building and contents, estimated fire loss, time fire was extinguished, names of men responding, and general remarks.
  - 5) He shall keep an inventory of all apparatus and equipment and an inventory of all hose, showing dates, and results of tests of each length, which shall be individually numbered.
  - 6) The Chief shall also appoint members to committees of the Fire Board, including the Membership, Constitution and By-Laws, and Claim and Injury committees, each such committee consisting of three or more members, and which committees shall work under the direct supervision of the Chief.
  - 7) The Chief shall perform such other duties as are usually incumbent upon the commanding officer of a fire department.
- b) 1st Assistant Chief: The 1st Assistant Chief shall assist the Chief in the discharge of his duties and in the absence of the Chief shall assume charge and perform the duties of the Chief.
  - c) 2nd Assistant Chief: The 2nd Assistant Chief shall take over the duties of the Chief in the absence of the Chief and the 1st Assistant Chief.
  - d) Secretary: The duties of the Secretary shall include, but are not limited to, the following:
    - 1) The Secretary shall keep accurate records in writing of all transactions and business of the Melrose Volunteer Fire Department.

- 2) The Secretary shall keep a record of each and all fire drills, meetings and alarms, and of the hose history.
  - 3) The Secretary shall record the attendance of drills and fires at the scene of said drill or fire by sounding the siren on the unit being used when the Chief wishes to dismiss the firemen. The firemen must be present at that time to be counted so present.
  - 4) The Secretary shall notify all members of each meeting of the Department, whether special or regular.
- e) Treasurer: The duties of the Treasurer shall include, but are not limited to, the following:
- 1) The Treasurer shall receive all monies due the Department and pay all bills approved by the same.
  - 2) The Treasurer shall turn over all books, money, and equipment to the Department upon leaving office. Books and records shall be audited by a committee of the business officers.
  - 3) The Treasurer shall provide a bond which shall be approved by the Department for the faithful performance of his duties, the amount of which shall be fixed by the business officers, who shall approve his surety.
  - 4) The Treasurer shall be the finance officer for any fund-raising projects by the Department, and he shall receive all profits from such projects and shall distribute the same as the Department chooses.
- f) Captains: It shall be the duty of each of the two Captains to supervise the operation of firefighting units called to a fire or drill, to make sure that weekly inspections of the trucks and equipment are conducted, and to make sure that firefighting equipment is returned to the fire hall and made ready for the next fire call after being dismissed by the Chief from the call previously completed.
7. APPARATUS; CONTROL AND CARE THEROF: The Chief shall have control of all apparatus used by the Department and shall be responsible for its proper maintenance. Emergency repairs may be authorized by the Chief.
8. CONTRACTUAL AUTHORITY: The Melrose Volunteer Fire Department is hereby authorized to enter into any joint fire protection district that it deems to be in the best interest of the citizens of the Village of Melrose. It may further enter

into contractual arrangements with surrounding villages and/or townships agreeing that the Village of Melrose and the Melrose Volunteer Fire Department shall provide fire protection services as called for by such contracts. Such contracts and/or joint fire protection district shall be subject to ultimate approval by the Village Board of the Village of Melrose.

9. SIREN USAGE: The siren of the Department shall be sounded in case of fire or for any other reason the Department may approve.

10. POLICE POWERS:

- a) Authority Vested: The Chief and his 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.
- b) Powers Specified: The Chief may prescribe certain limits in the vicinity of any fire within which no persons, except firemen and policemen and those admitted by order of any officer of the Department, shall not be permitted to enter. 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 order the removal or 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 impedes the work of the Department during the progress of a fire.
- c) Entrance To Property: It shall be lawful for any fireman, while acting under the direction of the Chief or other officer in command, to enter upon the premises adjacent to or in the vicinity of any building or any property than that which is on fire for the purpose of extinguishing such fire; in case any person shall hinder, resist, or obstruct any fireman in the discharge of his duty as is heretofore provided, the person shall be subject to penalty as provided by this Code or the laws of the State of Wisconsin.
- d) Duty to Assist: Every person who shall be present at a fire shall be subject to the order of the Chief or officer in command, and may be required to render assistance in fighting the fire, or removing or guarding property. Such officer shall have the power to cause the arrest of any person or persons refusing to obey said orders.
- e) Injury to Apparatus: No person shall willfully injure in any manner any hose, hydrant, or fire apparatus belonging to the Village of Melrose,

Wisconsin, and no vehicle, street care or railroad equipment shall be driven over any unprotected hose of the Department when laid down on any street, private driveway, track, or other place to be used for any fire or alarm of fire without the consent of the Fire Department official in command.

11. PENALTY: Any person, firm, or corporation who violates any of the provisions of this section shall forfeit not less than \$100.00 nor more than \$1000.00 together with the costs of prosecution, and default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until such forfeiture costs are paid, but not exceeding 20 days. Each day a violation of the provisions of this section continues shall be considered a separate offense.