

# *Village of Port Edwards*

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Municipal Building  
201 Market Ave. P.O. Box 10  
Port Edwards, Wisconsin 54469  
Phone: 715-887-3511

## **VILLAGE OF PORT EDWARDS**

### **PLANNING, LEGISLATIVE, PROPERTY AND INFORMATION TECHNOLOGY COMMITTEE MEETING**

**Wednesday, 29 March 2023**

**5: 00 P.M. AT THE MARSHALL BUEHLER CENTER**

The meeting room can accommodate up to 10 people including some public. If you a member of the public and wish to listen, please call the dial in number below and you will be acknowledged

**Join Zoom Meeting** – <https://us06web.zoom.us/j/87512364946?pwd=OTFKTGFGcUI3ZFBGSDI5QVZUeTc3QT09>

Meeting ID: 875 1236 4946, Passcode: 270785, One tap mobile +13092053325

**Phone Audio only: Meeting Dial-in number: 715-423-6698, Access Code ID: 02067**

#### **Agenda:**

1. Call to order.
2. Roll call.
3. Approve the agenda.
4. Approve minutes from the 8 MARCH 2023 meeting.
5. Public comments on agenda items.
6. Chairperson comments.
7. Discuss Development options in the TIF district and incentives utilizing TIF funding, approve the Village Economic Development Program utilizing TIF funds for 2023-2024. Move to FHR for discussion.
8. Discuss and possible **MOTION** to approve the update to Chapter 8 Public Works. Changes reflect administrative wording and the clarification of the change in special assessments due to the Village having an Infrastructure fee. This has been reviewed by the Public Works Committee and they support the changes.
9. Discuss Chapters 4 (Police) and Chapter 5 (Fire) for any adjustments
10. Review village Task organization chart
11. Discuss Old Business
12. Discuss New Business
13. Discuss any correspondence
14. Future Agenda Items
15. Next meeting date, TBD at the Marshall Buehler center
16. Adjourn

Erik Saylor - Chairman

# VILLAGE OF PORT EDWARDS

Port Edwards, Wisconsin

COMMITTEE: Planning, Legislature, Property  
& Information Technology

DATE: 8 March, 2023

TO: JOSEPH ZURFLUH

cc: BETSY MANCL	ERIK SAYLOR	RAYMOND BOSSERT
SUE MITCHELL	DAILY TRIBUNE	JASON WORDEN
TIARA GRUNDEN	WFHR/WGLX	DIANE TREMMEL
SCOTT DREW	NICK ABTS	LONN RADTKE
CALEB MCGREGOR		

**Purpose of Meeting:** Regular Monthly Meeting

**Attendance:** J. Zurfluh, E. Saylor, C. McGregor, T. Grunden, R. Bossert

**Citizens:** Eric Hummel

**Subjects Discussed, Action Taken & Board Action Required:**

## Regular Monthly Meeting

- **Call to order:** Meeting called to order by Saylor - Chairman at 4:30 p.m.
- **Roll Call:** All present from above.
- **Approve the agenda & previous month's minutes:** MOTION (McGregor/Grunden) to approve minutes from 2 February 2023 & agenda. **Motion carried.**
- **Public comments on agenda items:** None.
- **Committee Chairman's comments:** None
- **Planning, Legislature, Property, & Information Technology Updates**
- **Discuss & review Chapter 10, Public Nuisance, MOTION to approve changes to Chapter 10. Administrative changes & updates to outdated rules.**

**MOTION** (Saylor/McGregor) to approve the changes to Chapter 10 with the discussed updates to the outdated ordinances. **Motion Carried.**

10.02- 3	Greatly offend the Public morals or decency- REMOVE
10.04	Public Nuisances Offending Morals & Decency - remove all
10.05 - 10	Remove the words "or any considerable number of persons within the Village."

- 10.06 – (3) (a) Add a 10 day limit for all junked vehicles in the village.
- 10.06 – (4) (a) Add a 10 day limit for all unlicensed vehicles in the village.
- 10.12 - 11 Remove “*thru the Public Works committee*”, replace with  
“*Administrator with appeals through the PLPIT committee.*”

- ***Discuss chickens-fowl in the village & the rules governing them.*** Tabled due to the absence of citizen Amanda Erdmann
- ***Discuss development options in the TIF district & incentives utilizing TIF funding.*** The administrator will provide some recommendations for a Village policy on these funds to specify their use. The Current authority under the development agreement and the TIF amendment “A” while authorizing the funding and ability is not clear to what level.
- ***Discuss the Contract to support a NEPCO lake study.*** This was tabled based on some options to gain other Funding from residents or the County. This action may come back to this committee for review in June 2023. Resident Eric Hummel spoke and offered his opinion on other avenues where this funding can come from as to not burden the Village
- ***Discuss Chapters 4 (Police) and Chapter 5 (Fire) based on any conflicts with the PFC or PEFD Bylaws.*** This discussion expanded *beyond the topic and thus needs to be a collective Board discussion on the Fire department in whole.* The understanding was that the Village will not officially Audit the Fire department but work out a resolution on a annual financial statement to be provided for filing. The Administrator will work with the Fire Chief on the specific language of that product.

As for the Police department, there was a conflict of language in 4.01-(4) where the ability of the Chief and Village fire a probationary officer does not involve the PFC, however once the officer becomes FTE then the PFC will be included. As for the Chief the language of a probationary chief will be stricken. There is no such thing and the contract of the Police Chief does not circumvent the PFC for discipline or firing.

- ***Old Business.*** None.
- ***New Business:*** None.
- ***Correspondence received.*** Some emails on Boat rules on NEPCO lake, these will be included in the discussion next month on those relevant chapters.
- ***Future Agenda items for next meeting:*** Review of Chapter 8- Public Works and Chapter 9 – Orderly Conduct
- ***Next meeting date:*** 5 April 2023 at 4:30 p.m., in person at the Marshall Buehler Center.
- ***Adjourn:*** Adjourned at 5:35 p.m. by Saylor.

Erik Saylor – Committee Chairman

# Village of Port Edwards



Raymond. D "Boz" Bossert Jr.  
Village Administrator

Municipal Building  
201 Market Ave  
Port Edwards, Wisconsin, 54469  
Phone: 715-887-3511  
Fax: 715-887-3524

23 March 2023

TO- All concerned

FROM- Village Administrator Bossert

RE- The Village of Port Edwards Economic Development Incentives 2023-2024

The Village of Port Edwards established a Tax Incremental District around the Old Mill in 2008. As part of that initiative the Village allocated \$250K for the use of economic development in the district as well as ½ mile from the district boundary. The Village can utilize these funds thru June of 2024 or they will be re-allocated.

## Per the TID development plan amended in 2018

### ***Economic Development Incentives\****

*These costs include, but are not limited to, cash grants, loans, incentives, and any expenditures of the type described in any of the other categories listed in this section by or on behalf of a developer in order to induce development and ensure project feasibility. All development projects that receive some form of direct or indirect TIF participation will first enter into a development agreement approved by the Village Board that specifies the terms of the TIF Village of Port Edwards, Wisconsin TID #2, Amendment No. 1 DOR Submission contributions and the obligations of the receiving property or business owner. Such contributions may be in the form of direct cash grants or in "pay-as-you-go" payments over time.*

*Other developer recruitment incentives may include, but are not limited to, land write-down, low interest loans, capital start-up costs, cash grants and other costs needed to recruit the types of businesses targeted for recruitment. This activity could help fund the Village's effort to implement the Green Energy Employment District concept by providing funds that could be used to attract businesses in the targeted industry sectors identified by the Village. Used in combination with the availability of reliable, green power and the ability to market a "green" business location, these recruitment incentives could be very powerful and effective.*

*The amount and form of TIF participation for a particular project, if any, will be determined on a project-by-project basis as described in a project development agreement depending upon a project's specific needs, funding availability, and the project's consistency with the goals and objectives stated in this plan and other Village plans and policies.*

The process to request these funds will be a submission of a letter of intent by the requestor that address: project description, amount requested, timeline of execution, budget sheet on expenditures with any other funding and impacts to the Village. These requests will be submitted to the Village Administrator for presentation to the FHR committee, and possibly the PLPIT committee for review and discussion. The applicant can present their case at that time. Once vetted the full board will vote on the project allocation.

#### Types of programs-

**Job Creation-** A Village business who hires a resident and they stay employed for 3 months will submit pay stubs and if the employee is still employed the applicant will receive a \$500 Grant . MAX of 3 employees per business.

**Façade Improvements-** A Business in the Village who presents an upgrade their façade to improve business and the aesthetic's of the location can be awarded a \$2500 grant. MAX one per business location.

**GREEN energy upgrade-** A Business who improves their electrical footprint internal of external to the premise can be awarded a \$1500 Grant to help defray costs. MAX one per business location.

**ARTWORK project-** A organization or Business in the Village can apply for a \$1000 grant to install a art project or display that improves the aesthetics of the Village. MAX two per organization.

Questions or concerns, contact me at 715-315-0304 or [villageadmin@portedwardswi.gov](mailto:villageadmin@portedwardswi.gov).

-----Original Signed-----  
Raymond D” Boz” Bossert Jr  
Village Administrator

**CHAPTER 8**  
**PUBLIC WORKS**  
**UPDATED 11 APRIL 2023**

- 8.01 Official Map
- 8.02 Street Grades
- 8.03 Street and Sidewalk Excavations and Openings
- 8.04 Obstructions and Encroachments
- 8.05 Snow and Ice Removal
- 8.06 Utility Extensions Required
- 8.07 Public Improvements and Assessments
- 8.08 Special Assessment Procedure
- 8.09 Driveways
- 8.10 Public Construction Bidding
- 8.11 Moving Buildings
- 8.12 Planting and Care of Trees
- 8.15 Penalty

## CHAPTER 8 - PUBLIC WORKS

Updated 11 April 2023

### 8.01 OFFICIAL MAP.

- (1) ADOPTED. Pursuant to §62.23(6), Wis. Stats., the Official Map of the Village adopted July 1, 2002 is hereby adopted by reference. The Official Map and amendments thereto shall be kept in the office of the Clerk-Treasurer and recorded as required by law. [Where is the MAP???](#)
- (2) AMENDMENTS TO OFFICIAL MAP.
- (3) ANNEXATIONS TO VILLAGE.

Commented [NA1]: Good question, I was curious about this myself.

### 8.02 STREET GRADES.

- (1) ESTABLISHMENT. The grade of all streets and alleys shall be established or reviewed by the Village ~~Engineer~~ Administrator and approved by the Village Board. No street or alley shall be worked or sidewalk constructed until the grade thereof is established.
- (2) ALTERATION OF GRADE PROHIBITED. No person shall alter the grade of any street, alley, sidewalk or public ground, or any part thereof, in the Village unless authorized or instructed to do so by the Village Board or the Village ~~Administrator Engineer~~. All such alterations of grade shall be recorded in the office of the Clerk-Treasurer.

### 8.03 STREET AND SIDEWALK EXCAVATIONS AND OPENINGS.

- (1) PERMIT REQUIRED. No person shall, without first obtaining a permit from the Village ~~Administrator Engineer~~, make any opening in any street, alley, sidewalk or any public way within the Village. No permit shall be granted when the ground is frozen unless the Director of Public Works determines such opening is necessary.
- (2) APPLICATION. Application for a permit shall be made on a form supplied by the Village ~~Administrator Engineer~~. The application shall be accompanied by a signed agreement to save the Village harmless from any liability arising from the work or activity covered by the permit, the fee provided in sub. (3) below and a written description of the work, including a sketch designating the trench location.
- (3) FEE. The permit fee shall be as provided in the Village Fee Schedule on file in the office of the Clerk-Treasurer.
- (4) INSURANCE. A certificate of insurance evidencing that the applicant has in force and will maintain during the term of the permit public liability insurance of not less than \$500,000 for any one person, \$1,000,000 for any one accident and \$50,000 for property damage.
- (5) REQUIREMENTS FOR THE PROTECTION OF THE PUBLIC. Every permittee shall enclose each opening which he may make in the streets or public ways of the Village with sufficient barricades and barricade lights in order to warn the traveling public.
- (6) EXCAVATION, REFILLING AND REPAVING REQUIREMENTS. The permittee shall comply with all Public Works Committee rules and regulations governing excavation, refilling and repaving and shall be responsible for any costs incurred by the Village. The permittee shall make a determination whether or not sheathing and bracing shall be required. Any damage to curbs and gutters, grass covered terraces and sidewalks shall be restored. The permittee shall notify the Director of Public Works when repaving has been completed. In the event settling occurs within one year of the completion of the project, the permittee shall be responsible for restoring the street.
- (7) EMERGENCY EXCAVATIONS AUTHORIZED. In the event of an emergency, any person owning or controlling any sewer, conduit or utility in or under any street may take immediate proper emergency measures to remedy dangerous conditions for the protection of property, life, health or safety without obtaining an excavation permit; provided that such person shall immediately notify the Director of Public Works and shall apply for an excavation permit not later than the end of the next succeeding business day.
- (8) VILLAGE WORK EXCLUDED. The provisions of this section shall not apply to excavation work done by Village employees or contractors performing work under contract with the Village necessitating excavation in Village streets.

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### 8.04 OBSTRUCTIONS AND ENCROACHMENTS.

#### (1) PROHIBITED.

- (a) No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in sub. (2) below.
- (b) No person shall rake leaves **onto** a Village street, except during the leaf collection period established by the Village. See sec. 11.03(10)(e) of this Code.
- (c) No person shall cause the obstruction of the free flow of water in any gutter, ditch or swale.

#### (2) EXCEPTIONS. The prohibition of sub. (1) above shall not apply to the following:

- (a) Signs or clocks attached to buildings which project not more than 6 feet from the face of such building and which do not extend below any point 10 feet above the sidewalk, street and alley.
- (b) Awnings that do not extend below any point 7 feet above the sidewalk, street or alley.
- (c) Public utility encroachments authorized by the village.
- (d) Goods, wares and merchandise that do not extend more than 3 feet on a sidewalk.
- (e) Building materials when placed upon the street, alley or sidewalk upon conditions prescribed by the Public Works Committee. It may require such materials to be protected by barricades or appropriate lights.
- (f) Excavations and openings permitted under sec. 8.03 of this chapter.

### 8.05 SNOW AND ICE REMOVAL.

- (1) SIDEWALKS TO BE KEPT CLEAR. The owner, occupant or person in charge of each and every building or structure or unoccupied lot in the Village fronting or abutting any street shall clean, or cause to be cleaned, the sidewalk in front of or adjoining each such building or unoccupied lot of snow or ice to the width of such sidewalk and to the street surface within **24 hours after the cessation of a snowstorm or last Village plowing effort (whichever has occurred more recently)**. When the ice has formed on any sidewalk so that it cannot be immediately removed, the persons herein referred to shall keep the same sprinkled with salt, ashes, sawdust or sand.
- (2) DEPOSIT IN STREET PROHIBITED. No person shall deposit, or cause to be deposited, any snow or ice taken and removed from his premises or elsewhere upon any sidewalk, alley, parkway, public place or street in the Village. Snow shall not be piled at or near intersections so as to obstruct the view of pedestrians or operators of motor vehicles.
- (3) REMOVAL BY VILLAGE. The failure to remove or the deposit of any snow or ice upon any sidewalk, alley or street of the Village contrary to the provisions of this section shall be and is declared to be a nuisance and, in addition to the penalty provided for violation of this section, the Village may summarily remove any snow so deposited and cause the cost of said removal to be charged to the owner of the property from which said snow or ice has been removed. If not paid within 30 days, such charge shall be extended upon the current or next tax roll as a charge for current services, as provided in §66.0627, Wis. Stats.

### 8.06 UTILITY EXTENSIONS REQUIRED. All utilities and sewer and water mains and service laterals to the abutting property shall be installed before any street is permanently surfaced or resurfaced.

### 8.07 PUBLIC IMPROVEMENTS AND ASSESSMENTS.

#### (1) GENERAL APPLICATION.

- (a) The installation of any public improvement shall be an exercise of the police power of the Village, as may from time to time be determined by the Village Board, and the property served shall be assessed pursuant to the provisions of §§66.0703 and 66.0701, Wis. Stats., **if deemed appropriate by the Village Board.**



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However, as of 17 August 2021, Resolution #2021-05 (Enacting the Motor Vehicle Registration Infrastructure fee) ~~All Village assessments have been waived, except in special-those circumstances, deemed appropriate by the Village Board to be appropriate circumstances requiring assessment.~~

- (b) ~~If a special assessment is deemed appropriate by the Village Board,~~ The total cost of any public improvement to be paid in whole or in part by special assessment shall include the direct and indirect costs reasonably attributable thereto including, but not limited to, materials, supplies, labor, equipment, site preparation and restoration, damages occasioned by the public improvement, interest on bonds or notes issued in anticipation of the collection of assessments, and a reasonable charge for engineering, legal and administrative costs.
  - (c) ~~If a special assessment is deemed appropriate by the Village Board,~~ The total assessment for any public improvement shall be based upon the total cost, as defined in par. (b) above, and shall be apportioned among the individual parcels benefited on a fair and equitable basis.
- (2) SEWER AND WATER MAINS.
- (a) All sewer and water main extensions shall be constructed by the Village, or by a developer as required under Ch. 19 of this Code, in accordance with specifications established by the Village Board.
  - (b) ~~If a special assessment is deemed appropriate by the Village Board, s~~Special assessments for all sewer and water main extensions shall be levied at 100% of the total cost of construction.
- (3) STREETS.
- (a) Streets shall be constructed by the village, or by a developer as required under Ch. 19 of this Code, in accordance with specifications established by the Village Board.
  - (b) Except as provided in Ch. 19 of this Code, the cost of all streets shall be borne by the Village. ~~In certain circumstances with new developments the developer will be required to install new roadway per Village standards to provide access to the development at their cost.~~
- (4) CURB AND GUTTER.
- (a) Curb and gutter shall be located in such places and at such grades designated by the Village Board and shall be constructed by the Village, or by a developer as required under Ch. 19 of this Code, in accordance with specifications established by the Village Board.
  - (b) ~~If a special assessment is deemed appropriate by the Village Board, Special-special~~ assessments for all new curb and gutter shall be levied at 100% of the total cost. ~~However in most situations, The cost of replacement curb and gutter shall be borne by the Village.~~
- (5) SIDEWALKS.
- (a) The sidewalk shall be located in such places and at such grades as designated by the Village Board and shall be constructed in accordance with standards established by the Village Board.
  - (b) ~~If a special assessment is deemed appropriate by the Village Board, Special-special~~ assessments for all new sidewalks shall be levied at the total cost. ~~However in most situations, The cost of replacement sidewalk shall be borne by the Village.~~

**Commented [NA2]:** What are the "certain circumstances" here and where can they be found? You say they "will be required" to install new roadway, but if that's the case, it's got to be in writing somewhere that the "certain" circumstances are.

### 8.08 SPECIAL ASSESSMENT PROCEDURE.

- (1) ALTERNATE METHOD SELECTED. As provided in §66.0701, Wis. Stats., in addition to other methods provided by law, special assessments for any public work or improvement may be levied by alternate methods. The Village Board hereby elects to levy such special assessments as provided in this section.
- (2) PRELIMINARY RESOLUTION. ~~As of 17 August 2021, Resolution #2021-05 (Enacting the- Motor Vehicle Registration Infrastructure Ffee), All Village assessments have been waived, except in special circumstances, deemed appropriate by the Village Board.~~ Whenever the Village Board shall determine that any public work or improvement shall be financed in whole or in part by special assessments levied under this section, it shall adopt a preliminary resolution setting forth the following:
  - (a) Its intent to exercise its police powers for the purpose of levying special assessments for the stated municipal purpose.

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- (b) The limits of the proposed assessment district.
  - (c) The time, either before or after completion of the work or improvement, when the amount of such assessments shall be determined and levied.
  - (d) The number of installments in which the special assessments may be paid, or that the number of installments shall be determined after the public hearing required by sub. (4) below, and shall be included in the final resolution.
  - (e) The rate of interest to be charged on the unpaid installments or that the rate of interest will be determined after the public hearing required by sub. (4) below, and shall be included in the final resolution.
  - (f) The terms on which any of such assessments may be deferred while no use of the improvement is made in connection with the property, or that such terms will be determined after the public hearing required by sub. (4) below, and will be included in the final resolution.
  - (g) The Village ~~Engineer-Administrator~~ shall prepare a report as required by sub. (3) below.
- (3) REPORT OF VILLAGE ~~Administrator~~ **ENGINEER**. Whenever the Village Board, by preliminary resolution, directs the Village ~~Administrator~~ **Engineer** to prepare a report, the Village ~~Administrator~~ **Engineer** shall prepare a report consisting of the following:
- (a) Preliminary or final plans and specifications for the public work.
  - (b) An estimate of the entire cost of the proposed work or improvement, except that when the Village Board determines by preliminary resolution that the hearing on such assessments shall be held subsequent to the completion of the work or improvement, the report shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of such costs.
  - (c) A schedule of the proposed assessments.
  - (d) A statement that each property against which the assessments are proposed has been inspected and is benefited, setting forth the basis for such benefit.
  - (e) Upon completion of the report, the Village ~~Administrator~~ **Engineer** shall file a copy of the report with the Clerk-Treasurer.
- (4) INCORPORATION OF STATUTORY PROVISIONS. The provisions of §66.0703, Wis. Stats., including those related to notice, hearing and the adoption of a final resolution shall, to the extent not inconsistent with this section, apply to special assessments levied under this section.
- (5) LIEN. Every special assessment levied under this section shall be a lien against the property assessed from the date of the final resolution of the Village Board determining the amount of such levy.

### 8.09 DRIVEWAYS.

- (1) PERMIT REQUIRED. No person shall construct or enlarge any driveway onto a Village street without first obtaining a driveway permit from the ~~Village Director of Public Works~~. The applicant for a driveway permit shall file the application with the Director and furnish a drawing designating his property lines, the location and width of the proposed driveway and the location of any driveway and street intersection within 150 feet of the proposed driveway.
- (2) SPECIFICATIONS FOR DRIVEWAY CONSTRUCTION.
  - (a) Width. No driveway shall exceed 30 feet in width for residential and 42 feet for nonresidential at the outer or street edge of the sidewalk unless approved by the Village Board.
  - (b) Interference With Intersections Prohibited. At street intersections, a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Village Board for effective traffic control or for highway signs or signals. All applications providing for location of a driveway within 50 feet of an intersection in residential districts and 150 feet in commercial and industrial districts shall be submitted to the Village Board. The Board shall approve or disapprove the granting of the permit upon determining whether or not such driveway would be detrimental to traffic control and safety.

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- (c) Interference With Street Prohibited. No driveway apron shall extend out into the street farther than the face of the curb or roadway surface.
  - (d) Other Driveways. No driveway shall be located within 10 feet of another driveway.
  - (e) Number of Driveways Limited. No more than one driveway shall be constructed for any residential lot or premises without the approval of the Village Board.
  - (f) Workmanship and Materials. All driveway entrances and approaches, which are constructed across sidewalks, shall be paved in accordance with the requirements for sidewalk construction in sec. 8.07(5) of this chapter. When curb or gutter is removed, the new connection shall be of equivalent acceptable material and curb returns shall be provided or restored in a neat workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in a neat workmanlike manner.
- (3) CULVERTS REQUIRED. The Public Works Director shall determine if a culvert shall be required and the length and diameter thereof in conjunction with any driveway construction. The property owner shall be responsible for the cost of the culvert and installation.

### 8.10 PUBLIC CONSTRUCTION BIDDING.

- (1) GENERAL. Except as provided in sub. (2) below, all Village public construction contracts shall be let in accordance with §62.15, Wis. Stats. ~~Any Public-public works construction project, over \$25,000 in cost shall be bidden by the Village. This will involve proper noticing and at least 2 bidders. The Bids-bids will then be compared with the same comparable tools (Costcost, Referenceesreferences, Timelinetimeline, Extra-extra Serviceservices, last project conducted in the Village, Administrator's assessment).~~ Projects costing less than \$25,000 shall be left to be sourced by the Village Administrator to be sole sourced, or bidden by the Village at the option of the Village Board or its duly authorized representative.
- (2) STREET CONSTRUCTION. Pursuant to §62.15, Wis. Stats., the Village Board hereby determines that Village street construction shall be done directly by the Village by contracting for such construction with Wood County without submitting the same for bids.

### 8.11 MOVING BUILDINGS.

- (1) PERMIT REQUIRED. No person shall move any building or mobile home into or within the Village without a permit from the Director of Public Works and a building permit from the Building Inspector upon 30 days' notice.
- (2) APPLICATION. Application for a permit shall be made on a form provided by the Director of Public Works.
- (3) PERMIT FEE. For any building that is moved by use of heavy moving trucks or rollers, the fee shall be \$100. For any building that is moved by the use of common carrier trucks or skids, the fee shall be \$10.
- (4) BOND REQUIRED. Before a permit is issued, the mover must give a bond in the amount of \$10,000 with good and sufficient sureties to be approved by the Village Attorney conditioned that the mover shall save the Village harmless from any liability arising out of the move and shall restore any street damaged by the move. This provision may be waived for small buildings.
- (5) INSURANCE REQUIRED. Before a moving permit shall be issued, the applicant shall submit to the Clerk-Treasurer a certificate of insurance evidencing that the applicant has in force and will maintain during the term of the permit public liability insurance of not less than \$500,000 for any one person, \$1,000,000 for any one accident and \$50,000 for property damage.
- (6) NOTICE TO UTILITIES. Prior to the issuance of said permit, the owner or mover shall certify that he has notified all public utilities whose lines or poles may be interfered with during the movement of the building. Such utilities shall take whatever steps are necessary to permit the building to be moved without damage to its lines and poles and may charge the permittee the cost thereof.
- (7) INSPECTION AND REPAIR OF STREETS AND HIGHWAYS. Every permittee shall, within one day after reaching his destination, report that fact to the Director of Public Works. The Director shall thereupon inspect the streets and highways over which said building has been moved and ascertain their condition. If the moving of said building has caused any damage to the streets or highways, the house mover shall forthwith place them in as good

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condition as they were before the permit was granted. Upon failure of the house mover to do so within 10 days thereafter to the satisfaction of the Public Works Committee, the Village shall repair the damage done to such streets and highways and hold the sureties of the bond given by the house mover responsible for the payment of the same.

### 8.12 PLANTING AND CARE OF TREES.

- (1) DUTIES OF DIRECTOR OF PUBLIC WORKS. The Director of Public Works shall plant, trim, spray preserve and remove trees, plants and shrubs located along the streets and boulevards and other public places of the Village to ensure the safety and preserve the symmetry and beauty of such public places. The Director of Public Works is hereby given all the rights, powers and duties as set forth in §27.09, Wis. Stats.
- (2) ORDER TO PRESERVE OR REMOVE TREES ON PRIVATE PROPERTY. The Director of Public Works shall order the trimming, preservation or removal of trees, plants and shrubs located on private property when he shall determine such action is necessary for public safety or to prevent the spread of disease or insects. (See also sec. 10.08 of this Code).
- (3) PLANTING AND CARE BY PRIVATE PERSONS. No person shall spray, remove or plant any trees, plants or shrubs on any public street or in any public place without securing a permit from the Director of Public Works.
- (4) DUTIES OF PRIVATE OWNERS. It shall be the duty of any person growing a tree, plant or shrub on any private property abutting on public streets or public places:
  - (a) To trim them to create a clearance of 14 feet above the street and 8 feet above the sidewalk so that they are not a hazard to persons using the streets, or sidewalks or to interfere with the proper lighting of the streets. The Director of Public Works may waive the requirement for newly planted trees if the Director determines that no interference with public travel is created.
  - (b) To treat or remove any tree, plant or shrub which the Director of Public Works shall determine is diseased or insect-ridden or a hazard to trees or persons using the streets.
  - (c) To remove and prohibit planting any tree, plant or shrub designated by the State Department of Agriculture and published in its regulations to be a host or carrier of a dangerous plant disease or insect pest.
  - (d) To prohibit planting or permitting the growth of any box elder, cottonwood or willow tree.
  - (e) To prohibit planting any tree which may grow to a mature height of 18 feet or more under overhead electric wires. The Director of Public Works shall provide a list of trees that may be planted.The owners of any property may arrange to have any tree, plant or shrub sprayed, trimmed or removed by the Village and pay for such service at the rates established by the Village Board.
- (5) FAILURE TO COMPLY. When a person to whom an order is directed shall fail to comply within the specified time, the Director of Public Works shall remedy the condition or contract with others for such purpose and shall charge the cost thereof to the owner of the property to whom the order is directed. The person remedying a condition under a contract made hereunder shall have authority to enter upon the premises for that purpose.
- (6) MAINTENANCE OF NUISANCES. In addition to other remedies provided for herein, any diseased, dangerous or insect-ridden tree, plant or shrub is hereby declared a public nuisance and may be removed as such.
- (7) SPECIAL ASSESSMENT. The ~~Director of Public Works~~ Village Administrator shall notify the property owner of the cost of remedying any condition hereunder and if the same is not paid within 30 days thereafter, it shall be a lien upon such property and collected as a special assessment.

**8.15 PENALTY.** The penalty for violation of any provision of this chapter shall be a penalty as provided in sec. 25.04 of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

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**CHAPTER 4**  
**POLICE DEPARTMENT**  
**(AMENDED 11 January 2023)**

- 4.01 Police Department
- 4.02 Chief of Police, Powers and Duties
- 4.03 Police Officers
- 4.04 Mutual Assistance
- 4.05 Regulation of Alarm Devices
- 4.10 Penalty

## CHAPTER 4 - POLICE DEPARTMENT (Amended 1 December 2022)

### 4.01 POLICE DEPARTMENT.

- (1) PERSONNEL. The Police Department shall consist of the Chief of Police and such police officers as the Village Board may prescribe by ordinance or resolution.
- (2) SALARIES. The Chief and the police officers shall receive salaries as fixed by the Village Board and shall not be entitled to any other compensation.
- (3) DISPOSITION OF FEES. All fees, bail deposits and other special remuneration or funds collected or received by the Department or any officers thereof shall be deposited with the Clerk of Courts or the Clerk-Treasurer not less than weekly.
- (4) TENURE OF ~~CHIEF AND~~ POLICE OFFICERS. After a ~~6-month~~ **12-month** probationary period, ~~the Chief of Police and ALL police officers shall hold office during good behavior, subject to suspension or demotion by the Police Chief or removal for cause by the Police Committee. A non-probationary police officer suspended or demoted may appeal to the Police & Fire Commission. A non-probationary police officer may only be terminated after a hearing held before the Police & Fire Commission. The Tenure and any probationary period of the Police chief shall be determined by the employment contract.~~

### 4.02.1 CHIEF OF POLICE, POWERS AND DUTIES.

- (1) **The Chief** shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon marshals and constables.
- (2) **The Chief** shall exercise supervisory control over all the personnel of his Department and may adopt, subject to the approval of the Village Board, rules and regulations for the government, discipline, equipment and uniforms of police officers.
- (3) The Chief shall obey all lawful written orders of the Village President and the Village Board.
- (4) **The Chief** shall cause the public peace to be preserved and see that all laws and ordinances of the Village and the State are enforced and, whenever any violation thereof shall come to his knowledge, the chief shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender.
- (5) **The Chief** shall be solely responsible for the care and condition of the equipment used by his Department.
- (6) **The Chief** shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions and dispositions of the Department.
- (7) **The Chief** shall submit a monthly report to the Village Board of activities and transactions of the Department during the preceding month.
- (8) **The Chief** shall promulgate rules and regulations for the operation of the Department; particularly the rules and regulations mandated by the legislature, subject to the approval of the Village Board.
- (9) As provided in sec. 3.04 of this Code, the chief shall annually file the recommended Department budget with the Village Administrator.

### 4.03 POLICE OFFICERS.

- (1) GENERAL POWERS AND DUTIES. Each officer of the Department shall possess the powers conferred on marshals and constables by law, shall preserve the public peace and shall enforce the laws and ordinances of the State and the Village, subject to the orders, rules and regulations of the Chief, the Village President and the Village Board.
- (2) POWER OF ARREST. The Chief of Police and any police officer shall arrest any person in the Village found in the act of violating any law or ordinance of the Village or State or aiding or abetting in such violation, and they shall arrest, without warrant, all persons whom they have reasonable grounds to believe have violated any law or ordinance and who will not be apprehended unless immediately arrested, shall take all arrested persons in charge and confine them, and shall within a reasonable time bring such persons before the court having jurisdiction thereof to be dealt with according to law.

## CHAPTER 4 - POLICE DEPARTMENT

(Amended 1 December 2022)

- (3) **REPORTING DANGEROUS CONDITIONS.** The Chief of Police and any police officer shall report all street and sidewalk obstructions, unlighted street lamps, unlawful street signs or signals and defective or dangerous streets and sidewalks to the Director of Public Works.
- (4) **ASSISTING FIRE DEPARTMENT.** Whenever necessary, any police officer shall assist the Fire Department in maintaining order at the scene of a fire.
- (5) **PERMITS AND LICENSES.** The police officers shall ensure that the necessary permits and licenses issued by the State or the Village are in the possession of or are properly displayed by any person engaged in an activity or business within the Village for which a permit or license is required and that the terms of such license or permit are complied with.

**4.04 MUTUAL ASSISTANCE.** In accordance with §§66.1019(1) and 66.0513, Wis. Stats., and policies established by the Village Board, the Chief of Police may respond to requests for police personnel from Wood County or any municipality or town within said County, and may request said jurisdictions to provide police personnel to the Village.

### **4.05 REGULATION OF ALARM DEVICES.**

- (1) **PURPOSE.** The purpose of this section is to establish regulations, standards and controls relating to the type, use and installation of alarm devices.
- (2) **DEFINITIONS.** The terms used herein shall be defined as follows:
  - (a) Alarm System. An assembly of equipment installed for the purpose of notifying the Police Department by the Wood County Communications Center of urgent intention to either an intrusion and/or a robbery to said location.
  - (b) Alarm User. Any business or any citizen in the Village that installs or maintains an alarm system. A person is considered an alarm user when the Police Department receives notification by the Wood County Communications Center of the alarm signal. How the signal is reported to the Police Department does not determine whether or not the person is an alarm user.
  - (c) Automatic Dialing Service. Automatic dialing service is an alarm system which creates and sends a prerecorded message that is transmitted directly over telephone lines to the Communications Center indicating the existence of an emergency situation.
  - (d) On-Premises Alarm. An on-premises alarm generates a signal on or about the premises to notify that an intrusion is occurring. This is a visual or audible alarm signal that does not connect directly to any answering panel or service.
- (3) **ALARM PERMITS.** Any person intending to install or maintain an alarm system shall first obtain a permit from the Police Department. An alarm permit shall be granted only after satisfactory completion of an application submitted to the Police Department for approval. The application shall explain what type of alarm will be utilized along with a description of how the alarm works. If an alarm user fails to obtain a permit, he shall be held in violation of this section. If at any time the alarm user does not comply with the regulations set forth in this section, the alarm permit may be revoked by the Police Chief or his designee. There shall be no charge for the permit for a signal alarm received through an outside alarm service or an on-premises alarm.
- (4) **CENTRAL ANSWERING STATION ALARM.** The central answering station alarm is programmed directly to a private central answering station. This station is responsible for the monitoring of the alarm and notifying the Police Department by the Communications Center when an alarm is transmitted from the user to the service. The central answering station will advise the Police Department by the Communications Center of which alarm user had transmitted the signal. The Sheriff's Department shall, to the best of its ability and equipment potential, advise the Police Department of which area on the premises is experiencing the intrusion. If it is a robbery in progress alarm, the Communications Center shall give whatever information is available to it at the time. The central answering station shall be responsible for maintaining a current contact notification list for each user. The station shall contact a key holder or other representative to meet the Police Department responding officers to determine the cause of the alarm. Representatives shall be advised to respond to every

CHAPTER 4 - POLICE DEPARTMENT  
(Amended 1 December 2022)

alarm location in a timely fashion. Anyone utilizing a private alarm company is subject to all other guidelines of this section that apply.

- (5) **AUTOMATIC DIALING SERVICE PROHIBITION.** The Communications Center does not permit automatic dialing services with a prerecorded message to terminate on any of the telephone lines into their dispatch center. No person shall be granted a permit with this type of system.
- (6) **ON-PREMISES ALARMS.** Visual or audible alarms that do not connect to an answering panel or service shall be referred to herein as "on-premises alarms." This type of alarm generates a signal on or about the premises to notify that an intrusion is occurring. On-premises alarms are subject to other alarm permit requirements found under sub. (3) above and sub. (10) below.
- (7) **FALSE ALARMS.** A false alarm means a signal from an alarm system caused by intentional means, employee error in regulation of the alarm or equipment malfunction resulting in a response by the Police Department or the Wood County Sheriff's Department when an emergency situation does not exist. An alarm shall not be counted as a false alarm if it is due to a power outage or power interruption.
- (8) **OFFICER RESPONSE TO ALARMS.** The officer responding to an alarm call shall determine whether or not the transmission will be recorded as a false alarm. All incidents involving an alarm shall necessitate a final determination or disposition to be recorded on the CIS used by the Police Department. Officers shall rely on this computer information to determine whether or not a user shall be assessed a forfeiture for the false alarm.
- (9) **ALARM TESTING.** It is the responsibility of the alarm user and/or service company to notify the Communications Center or the Port Edwards Police Department of intentions to test the alarm. In the event of an alarm test and no prior notification of testing exists, the alarm test shall be considered a false alarm.
- (10) **PENALTY.**
  - (a) Violations of sub. (3) above utilizing an alarm without a permit.
    - 1. The first violation shall be subject to a written warning.
    - 2. All subsequent violations shall be subject to a forfeiture of \$100 plus costs.
  - (b) Violations of automatic dialing prohibition in sub. (5) above.
    - 1. The first violation shall be subject to a verbal warning.
    - 2. All subsequent violations shall be subject to a forfeiture of \$100 plus costs.
  - (c) False Alarm Schedule. False alarms shall be recorded on the Wood County computer. Statistics shall be available to the officer assigned to respond to an alarm. If the officer determines that the user has exceeded the permitted number of false alarms within a 12 month period, a citation shall be issued using the following schedules based on the number of violations occurring within the past 12 month period (a calendar year from January 1<sup>st</sup> – December 31<sup>st</sup>) from the alarm in question.
    - 1. The first two violations shall be subject to a written warning.
    - 2. The third and subsequent violations shall be subject to a forfeiture of \$10 plus costs.

**4.10 PENALTY.** Any person who shall violate any provisions of this chapter or any rule, regulation or order made hereunder shall be subject to a penalty as provided in sec. 25.04 of this Code.



**CHAPTER 5**  
**FIRE DEPARTMENT**  
**(Amended 1 December 2022)**

- 5.01 Composition of Department
- 5.02 Appointments
- 5.03 Government of Department
- 5.04 Compensation
- 5.05 Department Budget
- 5.06 Powers and Duties of Chief
- 5.07 Control and Care of Apparatus
- 5.08 Police Power of Department
- 5.09 Fire Inspectors
- 5.10 Village Fire Prevention Code; Adoption of Codes
- 5.11 Right of Way
- 5.12 Traffic Laws Apply to Volunteers
- 5.13 Activities Organization and Fund Raising
- 5.14 Open Burning Regulated
- 5.15 Hazardous and Other Spills
- 5.16 Emergency Medical Service
- 5.20 Penalty

## CHAPTER 5 - FIRE DEPARTMENT

**5.01 COMPOSITION OF DEPARTMENT.** The Department shall be known as the "Village of Port Edwards Fire Department" and shall consist of the Fire Chief and such subordinates as may be authorized by Department bylaws.

### **5.02 APPOINTMENTS.**

- (1) FIRE CHIEF. See sec. 1.02 of this Code.
- (2) OTHER OFFICERS; SUBORDINATES. Other officers and subordinates shall be ~~appointed~~ promoted by the Fire Chief ~~when not elected in accordance with Department bylaws,~~ with the approval of the Police and Fire Commission.

**5.03 GOVERNMENT OF DEPARTMENT.** The Department shall be governed by the bylaws of the Department, Village ordinances ~~and~~, resolutions, the Police and Fire Commission rules and the Wisconsin Statutes.

**5.04 COMPENSATION.** Members of the Department shall receive compensation in the amount and in the manner determined from time to time by the Village Board.

**5.05 DEPARTMENT BUDGET.** The Fire Chief shall file with the Village Administrator, as requested, a detailed estimate of the appropriations needed for the conduct of the Department during the ensuing fiscal year.

### **5.06 POWERS AND DUTIES OF CHIEF.**

- (1) GENERAL SUPERVISION. The Chief shall have the general supervision of the Department, which supervision shall be subject to and not conflict with this chapter and the bylaws of the Department. The Chief shall provide or be accountable for the safety of the members of the Department. The Chief shall also obey all lawful written orders of the Village President as approved by the Village Board.
- (2) PRESIDING OFFICER. The Chief or, in his absence, the highest ranking staff officer shall preside at all meetings of the Department, call special meetings, preserve order, decide all points of order that may arise, and enforce the provisions of this chapter and the bylaws.
- (3) COMMAND OF FIREFIGHTING OPERATIONS. The Chief or, in his absence, the highest ranking line officer shall be present at all fires, if possible, and have complete command and entire accountability for all firefighting operations, plan the control of the same, direct the action of the Department when it arrives at a fire, observe that the Department does its duty, grant leaves of absence at a fire when he may deem it proper, and see that the Department equipment is kept in operable condition at all times.
- (4) DISCIPLINARY ACTION. The Fire Chief shall, in accordance with the Department bylaws, have the power to suspend, demote, ~~expel~~ or otherwise discipline members of the Department, subject to the determination by the Police and Fire Commission. A non-probationary fire employee may only be terminated after a hearing held before the Police and Fire Commission. ~~appeal to the Village Board.~~
- (5) ENFORCEMENT OF FIRE PREVENTION ORDINANCES. The Chief shall enforce all fire prevention ordinances of the Village and the State laws and regulations pertaining to fire prevention and shall have a formal fire prevention program.
- (6) FIRE RECORDS. The Chief shall keep fire records, using the State form, of every fire to which the Department was called.
- (7) APPARATUS INVENTORY. The Chief shall keep an inventory of all apparatus and equipment.
- (8) DUTIES AS COMMANDING OFFICER. The Chief shall perform such other duties as are usually incumbent on the commanding officers of fire departments.

**5.07 CONTROL AND CARE OF APPARATUS.**

- (1) The Fire Chief shall have control of all apparatus used by the Department and shall be accountable for its operable maintenance. Emergency repairs may be authorized by the Chief or, in his absence, the highest-ranking officer available. If additional funds are needed for repairs, a request shall be made to the Village Board.
- (2) No apparatus shall be used for any purpose except for firefighting that is within the Village limits or in training therefore, except pursuant to contracts and mutual aid agreements approved by the Village Board. The Chief may authorize the use of apparatus for civic purposes.

**5.08 POLICE POWER OF DEPARTMENT.**

- (1) **POLICE AUTHORITY AT FIRES/EMS CALLS.** The Fire Chief and his assistants or officers in command at any fire are hereby vested with full and complete police authority. Any member of the Department may report to the proper authorities any person failing to give the right of way to the Fire Department in responding to the fire or EMS call.
- (2) **CONTROL OF FIRE DEPARTMENT EMERGENCIES.** The Fire Chief may prescribe certain limits in the vicinity of any fire within which no persons except firefighters, EMS personnel and police officers and those admitted by order of the Chief shall be permitted to enter. The Chief may 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, the Chief may order the removal or destruction of any property necessary to prevent the further spread of the fire. The Chief may also 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.
- (3) **ENTERING PREMISES.** Any firefighter, while acting under the direction of the Fire Chief or other officer in command, may enter upon the premises adjacent to or in the vicinity of any building or other property when the Chief reasonably believes such entry is required for the protection of persons or property. If any person shall hinder, resist or obstruct any firefighter or EMS personnel in the discharge of his duty, as is hereinbefore provided, the person so offending shall be deemed guilty of resisting the firefighter or EMS personnel in the discharge of his duties.
- (4) **DUTIES OF BYSTANDERS.** Every person who shall be present at a fire or EMS call 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 removing or guarding property. Such officer may cause the arrest of any person refusing to obey such orders.
- (5) **DAMAGE OR DESTRUCTION OF EQUIPMENT PROHIBITED.** No person shall willfully damage or destroy, in any manner, any equipment belonging to the Fire Department or the Village and no vehicle or railroad equipment shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, track or other place to be used at any fire or alarm of fire without the consent of the Fire Department official in command.

**5.09 FIRE INSPECTORS.**

- (1) **FIRE CHIEF TO BE FIRE INSPECTOR.** The Fire Chief shall hold the office of Fire Inspector with the power to appoint one or more Deputy Fire Inspectors, who shall perform the same duties and have the same powers as the Fire Inspector.
- (2) **INSPECTION DUTIES.** Fire Inspectors shall inspect, according to State regulations, all buildings, premises and public thoroughfares within the Village limits for the purpose of noting and causing to be corrected any conditions liable to cause fires. Repairs or alterations necessary to remove the hazardous condition shall be made within a reasonable time at the expense of the owner. The Inspector shall also investigate the storage and handling of all explosives and inflammable liquids within the Village.

- (3) **WRITTEN RECORD OF INSPECTIONS.** The Chief shall keep a written record of each property inspected, which shall conform to the requirements of the State Department of Commerce and shall make a report of such inspections available upon request.
- (4) **CORRECTION OF FIRE HAZARDS.** When any inspection by the Fire Chief or Deputy Inspector reveals a fire hazard, the Chief or the Deputy Inspector may serve a notice in writing upon the owner of the property giving the owner a reasonable time in which to remove the hazard. If the fire hazard is not removed within the time allowed, it shall be deemed a nuisance and the Fire Chief or the Deputy Inspector may have the same removed by the Village, and the cost of such removal shall be recovered in an action by the Village against the owner of the property and may also be entered on the tax roll as a special charge against the property.
- (5) **ENTERING ON PREMISES.** No person shall deny the Fire Inspector or the Deputy Inspector free access to any property within the Village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Inspectors in the performance of duties or refuse to observe any lawful direction given by the Inspector or Deputies.

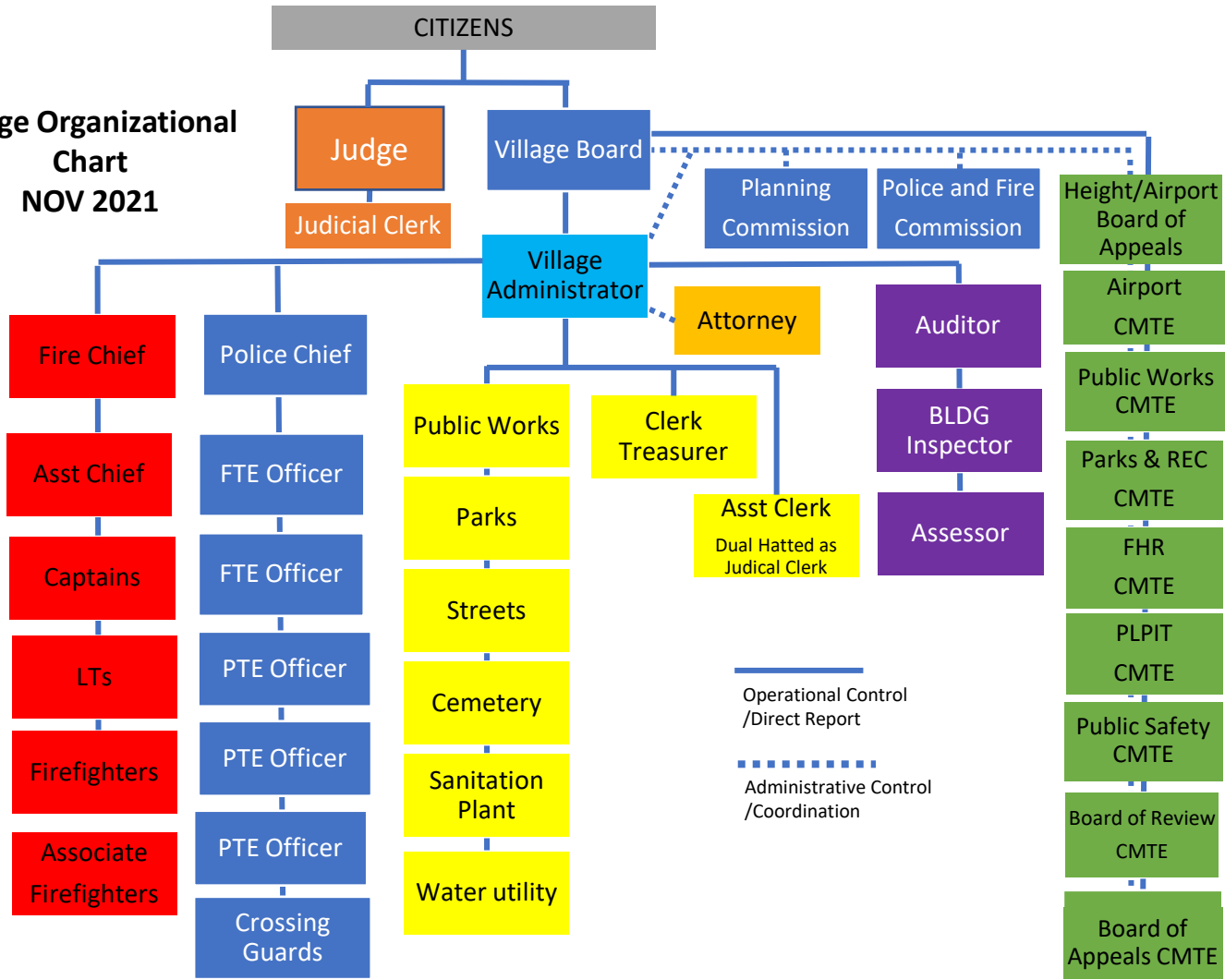
**5.10 VILLAGE FIRE PREVENTION CODE; ADOPTION OF CODES.** The following chapters of the Wisconsin Administrative Code, Rules of the Department of Commerce, are hereby adopted by reference and made a part of this Code.

COMM 10	Flammable and Combustible Liquids Code
COMM 11	Liquefied Petroleum Gas Code (Gold)
COMM 12	Liquefied Petroleum Gas Handbook (Blue)
COMM 14	Fire Prevention Code
COMM 16	Wisconsin State Electrical Code
COMM 20-25	Uniform Dwelling Code
COMM 28	Detection and Alarm Systems
COMM 30	Fire Department Health and Safety Standards
COMM 50-64	Building and Heating Ventilating and Air Conditioning Code
COMM 70	Historic Building Code
NFPA 10	Portable Fire Extinguishers
NFPA 13	Installation of Sprinkler Systems
NFPA 30	Flammable and Combustible Liquids Code
NFPA 30A	Auto and Marine Service Station Code
NFPA 58	Storage and Handling of Liquefied Petroleum Gases
NFPA 70	National Electric Code
NFPA 80	Fire Doors and Windows
NFPA 101	Safety to Life From Fire in Buildings and Structures
NFPA 101M	Alternative Approaches to Life Safety
NFPA 211	Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances
NFPA 385	Tank Vehicles For Flammable and Combustible Liquids
NFPA 395	Standard For the Storage of Flammable and Combustible Liquids on Farms and Isolated Construction Projects
NFPA 1031	Fire Inspector Professional Qualifications Wisconsin Fire Chiefs Guide Book

Copies of all applicable Federal, State and County codes, statutes and ordinances used in the operations of the Fire Department are adopted by reference and are on file in the office of the Fire Chief or are available through Federal, State, County or Village government and the National Fire Prevention Association.

- 5.11 RIGHT OF WAY.** The officers and members of the Fire Department, with their fire equipment of every kind, when going to or are on duty at a fire, shall have the right of way over all other vehicles upon Village streets when giving visual and audible signal, and the operator of any other vehicle, whether motor or otherwise, upon the approach of such emergency vehicles, shall immediately drive such other vehicle as far as possible to the right of the thoroughfare and shall keep such vehicle stationary until such emergency vehicles shall have passed. Except when actually responding to a fire alarm or other emergency call, or when on duty at a fire, the emergency vehicles of the Fire Department shall, however, have no special right of way or other privileges of any kind, but shall be subject to all traffic regulations applicable to other vehicles.
- 5.12 TRAFFIC LAWS APPLY TO VOLUNTEERS.** All firefighters and EMS personnel, when responding to a fire call or EMS call with a private vehicle, shall comply with all traffic regulations.
- 5.13 ACTIVITIES ORGANIZATION AND FUND RAISING.**
- (1) **ACTIVITIES ORGANIZATION.** Members of the Department may organize an activities organization and elect officers provided that social activities are not funded from Village funds unless approved by the Village Board.
  - (2) **FUND RAISING.** The members may raise funds for special activities. Monies raised by members shall be kept in a special fund and used as directed by the membership, and shall be audited annually by the Village Auditor.
  - (3) **PROPERTY OWNERSHIP.** The Department membership may own property and equipment purchased by monies earned by fund raising events. If the membership disbands through a majority vote of its members, all apparatus, equipment, buildings and land shall become the property of the Village.
- 5.14 OPEN BURNING REGULATED.**
- (1) **PROHIBITED BURNING.** It shall be unlawful to burn leaves and trash of any kind.
  - (2) **RECREATIONAL BURNING.** Open recreational burning is permitted in a fire pit; a minimum 3-sided enclosure; or a gas, electric or charcoal kettle, subject to the following:
    - (a) The fire is monitored by a responsible person until the fire is extinguished or burns out.
    - (b) The fire is not lit on windy days or when atmospheric conditions will endanger the public health or safety.
    - (c) The fire is located off the public right of way and in excess of 30 feet from the residence of another.
    - (d) The fire is not used for the covert burning of plastic, rubber, garbage or other offensive materials.
  - (3) **BURNING BY PERMIT.** Burning permits for burning brush in nonresidential areas may be issued by the Fire Chief. Burning permits for residential areas may be approved by the Village Board.
  - (4) **LIABILITY.** Any person open burning, whether permitted or not, which results in a response by the Village Fire Department shall be billed for the cost of such response.
- 5.15 HAZARDOUS AND OTHER SPILLS.** See Ch. 9 of this Code.
- 5.16 EMERGENCY MEDICAL SERVICE.** Emergency medical service is provided pursuant to a contract approved by the Village Board.
- 5.20 PENALTY.** Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty, as provided in sec. 25.04 of this Code.

**Village Organizational  
Chart  
NOV 2021**



# Board Commissions and Committees with mandatory attendance

Village Board

Planning Commission

Police and Fire Commission

Village Administrator

Village Administrator

Public Works CMTE

Parks & REC CMTE

FHR CMTE

PLPIT CMTE

Public Safety CMTE

Fire Chief

Police Chief

## REQUIRED ATTENDEES

Village Administrator

Village Administrator

Village Administrator

Village Administrator

Village Administrator

Public Works

Public Works

Clerk Treasurer

Fire Chief

Police Chief

Height Limitations Board

As Required Boards

Airport Commission

Board of Review

Airport Appeals CMTE

Zoning Board of Appeals

Admin Review BOARD

Special Projects

FHR- Finance and Human Resources

PLPIT- Property, Legislation, Planning, Information Technology