

**TOWN OF HUMBOLDT
CHAPTER 15
OPERATING AGREEMENT FOR THE NEW FRANKEN
FIRE DEPARTMENT**

SECTION 13.15
HUMBOLDT CODE OF ORDINANCES
TOWN OF HUMBOLDT, BROWN COUNTY, WISCONSIN

AN ORDINANCE TO ADOPT THE OPERATING AGREEMENT FOR THE
NEW FRANKEN FIRE DEPARTMENT

Recitals

WHEREAS, the Town of Humboldt previously entered into an agreement creating and establishing a joint fire department with the Towns of Scott and Green Bay on February 15, 1972; and

WHEREAS, the joint fire department has at all times been known as the "New Franken Fire Department"; and

WHEREAS, the New Franken Fire Department has at all times been a joint fire department organized by the Towns of Green Bay, Humboldt and Scott pursuant to the mandate and authority granted by Section 60.55(1)(a)(2) Wisconsin Statutes; and

WHEREAS, the Town Board believes that the adoption of an Operating Agreement for the New Franken Fire Department will promote the public safety and general welfare of the Town of Humboldt and assist with the orderly and efficient provision of fire protection services to the Town of Humboldt.

NOW, THEREFORE, based on the above and pursuant to Section 60.55 of the Wisconsin Statutes, the Town Board of the Town of Humboldt, Brown County, Wisconsin, does hereby ordain as follows:

Section 1. The Town of Humboldt hereby reaffirms the original agreement establishing the joint fire department with the Towns of Green Bay and Scott which was originally entered into on February 15, 1972.

Section 2. This Ordinance ratifies each and every act of the Fire Commission which has administered the New Franken Fire Department since its inception except that the resolution dated May 20, 1982 authorizing the three Town Chairmen to cause to be prepared and sign documents incorporating the New Franken Fire Department is hereby repealed and abolished.

Section 3. There is hereby established the Operating Agreement of the New Franken Fire Department, a true and correct copy of which is attached hereto and denominated "Attachment 1" including all of its terms and conditions which are hereby adopted and incorporated into this Ordinance by this reference as though fully set forth herein.

Section 4. This Ordinance shall become effective upon the day following the date of posting by the Town Clerk and shall henceforth be known as Section 13 of the Town of Humboldt Code of Ordinances.

The above and foregoing Ordinance was adopted by the Town Board of the Town of Humboldt at a regular meeting held on the 1 day of October, 2007 by a vote of 3 in favor, 0 opposed and 0 not voting.

TOWN OF HUMBOLDT

By *Norbert Dantine, Jr.*
Norbert Dantine, Jr.
Town Chairman

By *Judy Baierl*
Judy Baierl
Town Clerk

This Ordinance was duly posted in three (3) places within the Town of Humboldt by the Town Clerk on the 24 day of Sept, 2007.

By *Judy Baierl*
Judy Baierl
Town Clerk

**TOWN OF HUMBOLDT, BROWN COUNTY, WISCONSIN
RESOLUTION NO. 2014-1**

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF CHARGES FOR THE NEW FRANKEN
FIRE DEPARTMENT FEE SCHEDULE AND THE EMERGENCY FEE SCHEDULE AS PART OF THE
FIRE CHIEF ENFORCEMENT ORDINANCE**

BY THE TOWN BOARD OF THE TOWN OF HUMBOLDT:

WHEREAS, the Town of Humboldt Town Board wishes to adopt the New Franken Fire Departments Fee Schedule as determined by the Chief, which shall be posted, and from time to time thereafter, updated, revised and reposted, see Addendum A – NFFD Fee Schedule;

AND WHEREAS, the Town of Humboldt Town Board did adopt Chapter 24 - Fire Chief Enforcement Ordinance on April 2, 2012; which established the Emergency Fee Schedule, and which shall be determined by the Chief, which shall be posted, and from time to time thereafter, updated, revised and reposted, see Addendum B – NFFD Emergency Fee Schedule;

AND WHEREAS, the Town of Humboldt Town Board as part of the New Franken Fire Department wishes that all charges paid as part of these fee schedules be applied to the New Franken Fire Department Capital Account.

AND WHEREAS, the Town of Humboldt Town Board as part of the New Franken Fire Department, desires to authorize the Fire Chief to charge said fees as established by the New Franken Fire Department Fee Schedule and Fire Chief Enforcement Ordinance. The Town of Humboldt Town Board also wishes other municipal officials issue citations;


BE IT RESOLVED by the Town Board of the Town of Humboldt, Wisconsin, that the following additional municipal officials be authorized to issue Town of Humboldt citations:

Brown County Sheriff and Deputy
Building Inspector/Zoning/Code Enforcement personnel
Town of Humboldt Constable


BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file and record a certified copy of this resolution with the New Franken Fire Department and the Brown County Joint Municipal Court and Brown County Sheriff Department.

Adopted by the Town Board of the Town of Humboldt, Wisconsin, this 3rd day of February, 2014.

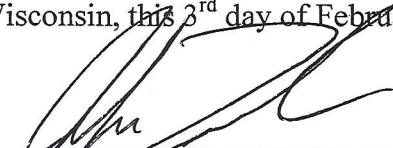
APPROVED:



Steve Dart, Town Chairman



Warren Jadin, Supervisor



John Zimonick, Supervisor



ATTEST: Judy Baiert, Clerk

ADDENDUM A

NEW FRANKEN FIRE DEPARTMENT (NFFD) FEE SCHEDULE - 2013

In accordance with the direction and action of the New Franken Fire Commission the Fire Chief of the NFFD established the following Fee Schedule.

ANNUAL INSPECTION OF COMMERCIAL PROPERTIES

The Chief of the NFFD, or his designee (Inspecting Officer), shall inspect all commercial properties within the NFFD jurisdiction. Inspections will be conducted annually and shall follow all requirements as established by the State of Wisconsin. All owners of commercial properties required to be inspected shall conform to the requirements as specified by the Inspecting Officer. The following timeline and reporting requirements shall be followed by the Inspecting Officer. The fee schedule shall be applied to all property owners who fail to comply.

1st Inspection

The Inspecting Officer shall inspect all commercial property in the NFFD's jurisdiction.

7 Days to Report

The Inspecting Officer shall create a written Inspection Report of the inspection. The Report shall specify the Inspecting Officer's findings, specifically any violations and necessary corrections to said violations. The Inspecting Officer shall either hand deliver or mail the Report to the property owner, within seven (7) calendar days.

If no violations are document in this 1st Report by the Inspecting Officer no additional action is necessary by the property owner. (No charge for inspection)

30 Days to Comply

In the case of a violation, the property owner shall have 30 calendar days, from the date of receiving the Report, to correct or repair any violations documented in the Report. After the 30 days has expired the Inspecting Officer shall conduct a second inspection and provide a written Report.

2nd Inspection (37 days from date of initial Inspection)

The second written Report shall be hand delivered or mailed to the property owner within seven (7) calendar days. The 2nd Inspection Report shall also specify the Inspecting Officer's findings, specifically any violations and necessary corrections to said violations. The property owner has the right to request a 2nd inspection prior to the 30 days if corrections or repairs have been completed.

If violations are corrected in this 2nd Report by the Inspecting Officer no additional action is necessary by the property owner. (No charge for inspection)

Continued Violation

In the case of an unresolved or continuing violation, the property owner shall be granted an additional 30 days, from the date of receiving the 2nd Report, to correct or repair any violations documented in the

Report. After the 30 days has expired the Inspecting Officer shall conduct a third inspection and provide a written Report.

3rd Inspection (*74 days from date of initial Inspection*)

The 3rd written Report shall be hand delivered or mailed to the property owner within seven (7) calendar days. This 3rd Inspection Report shall also specify the Inspecting Officer's findings, specifically any violations and necessary corrections to said violations. The property owner has the right to request the 3rd inspection prior to the 30 days if corrections or repairs have been completed.

3rd Inspection Fee = \$100

Non-Compliance (*81 days from date of initial Inspection*)

Following receipt of the 3rd Inspection Report the property owner shall have 10 calendar days from the receipt of the 3rd Inspection Report to comply. Failure to repair or correct any violations shall render the property Non-compliant. A non-compliant property will be issued a citation of \$100 for each violation, each day the property is not in compliance shall be considered another violation.

Each Inspection after the 3rd Inspection = \$200