

# VILLAGE OF ELM GROVE

13600 Juneau Boulevard  
Elm Grove, WI 53122

ADMINISTRATIVE AND PERSONNEL COMMITTEE  
Monday, November 14, 2016 \* 7:30 AM \* Park View Room

## AGENDA

### 1. Call meeting to order

### 2. Review and act on October 10, 2016 minutes

*Documents:*

[AP101016md.pdf](#)

### 3. Review and act on amendments to Fire Department By-laws

*Documents:*

[Chapter 340 - FD bylaws mark-up 10072016.pdf](#)

[Chapter 340 - FD bylaws 10072016- clean copy.pdf](#)

### 4. Closed session

The Committee may convene into closed session as permitted under Wisconsin §19.85 (1)(c) to consider employment and compensation data over which the governmental body has jurisdiction and exercises responsibility, more specifically wages and benefits for non-represented and represented employees and under Wisconsin §19.85 (1) (e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session with respect to the City of Brookfield and Wisconsin Avenue extension and assessment contract.

### 5. May adjourn into open session to act on any closed session item.

### 6. Adjourn

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires that the meeting or materials for the meeting has to be in an accessible location or format must contact the Village Clerk, Mary S. Stredni, at 262-782-6700 or 13600 Juneau Boulevard by 3:00 PM Friday prior to the meeting so that any necessary arrangements can be made to accommodate your request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of

the Village may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in the above notice.

**VILLAGE OF ELM GROVE  
ADMINISTRATIVE AND PERSONNEL COMMITTEE  
October 10, 2016**

Present: Chairperson Michalski, President Palmer, Trustees Haas, Kressin and Domaszek..  
Also Present: Village Manager David De Angelis, Village Clerk Mary S Stredni, Finance Director Monica Hughes,  
and Thomas Harrigan Planning/Zoning Administrator and Fire Chief William Selzer.

1. **Call to Order**  
Chairman Michalski brought the meeting to order at 7:30 a.m.
2. **Minutes**  
President Palmer and Trustee Kressin moved and seconded to approve the January 11, 2016 minutes.  
Motion carried.
3. **Review and act on fire department by-law proposed changes**  
Originally written in 1969 with an amendment in 1980. As the committee did not have a complete packet of the changes, the item was tabled.
4. **Closed Session**  
By roll call vote at 7:45 a.m. the Committee went into closed session as permitted under Wisconsin §19.85(1)(c) to consider employment, compensation data or performance evaluation data of any public employee over which the governmental body has jurisdiction and exercises responsibility more specifically negotiation of contract with police union.
6. **Move back into open session**  
The Committee went back into open session at 8:17a.m.
7. **Adjourn**  
Trustees Haas and Domaszek moved and seconded to adjourn at 8:18 a.m. Motion carried.

Respectfully submitted,

Mary S Stredni, Village Clerk

Chapter A340: Fire Department Bylaws

[HISTORY: Adopted by the Village Board of the Village of Elm Grove 2-10-1969; amended in its entirety 12-11-2000. Subsequent amendments noted where applicable.]

**GENERAL REFERENCES**

Board of Police and Fire Commissioners — See Ch. 7, Art. II.

Fire Department — See Ch. 33.

§ A340-1 Authority of Police and Fire Commission.

Chapter A340: Fire Department Bylaws

§ A340-1 Authority of Police and Fire Commission.

§ A340-2 Organization.

§ A340-3 Application and qualification for membership.

§ A340-4 Membership titles and general job descriptions.

§ A340-5 Meetings.

§ A340-6 Duties and election of business officers.

§ A340-7 Duties of active and probationary fire fighters.

§ A340-8 Excused absences.

§ A340-9 Appointment of officers.

§ A340-10 Duties of Chief and other operating officers.

§ A340-11 Amendments.

§ A340-12 Distribution and consumption of alcoholic beverages.

§ A340-13 11 General rules.

§ A340-1 Authority of Police and Fire Commission.

The Elm Grove Volunteer Fire Department is subject to the authority of the Police and Fire Commission as provided in Chapter 7, Article II of the Code of the Village of Elm Grove and §§ 61.65 and 62.13, Wis. Stats.

§ A340-2 Organization.

A.

Organization of membership. The Fire Department shall consist of the following persons appointed by the Police and Fire Commission from time to time: one Chief, Fire Department officers and fire fighters. A Chairperson, a Secretary and a Treasurer may be appointed to carry out the business functions of the Department provided for in these bylaws. At no time shall the Department consist of fewer than 22 active members. The maximum and minimum number of fire fighters shall be as determined from time to time by the Village Board of Trustees.

B.

Gender. In the following sections of these bylaws, words in either the masculine form or feminine form shall be deemed to include or relate to both males and females.

C.

Member classification. Members shall consist of the following classifications:

(1)

Active fire fighters. Active fire fighters shall be competent and experienced members who are actively engaged in the fire-fighting, administration or rescue functions of the Fire Department. All active fire fighters shall be chosen by, and be subject to, such requirements as are from time to time established under Wisconsin Administrative Code §§ COMM 30.07SPS 330 and 30.08SPS 332. The status of all active fire fighters who have attained the age of 55 shall be subject to annual review by the Chief and the Police and Fire Commission.

(2)

Probationary fire fighters. Probationary fire fighters shall be members training to become active fire fighters. They shall be subject to extended training and supervision established under Wisconsin Administrative Code §§ COMM 30.07SPS 330 and 30.08SPS 332 and such supervision as the Chief shall require. All new fire fighters shall be permitted the opportunity to obtain the training specified in Wisconsin Administrative Code § COMM 30.08(1)SPS 330.08 (b) within 2412 months of the date of their appointment to the Fire Department. Probationary fire fighters shall become active fire fighters on recommendation of the Chief and approval by the Police and Fire Commission. A member with less than one year experience as a member of the Elm Grove Volunteer Fire Department or equivalent shall be a probationary fire fighter.

§ A340-3\_Application and qualification for membership.

A.

Any person at least 18 years of age who lives or normally works within or near the Village of Elm Grove and meets the position requirements established from time to time for fire fighters may apply for membership in the Fire Department.

B.

The application of the candidate shall be turned over to the Chief for evaluation. Following evaluation by the Chief, the Chief may recommend the applicant to the Police and Fire Commission for consideration as a probationary fire fighter. All applicants approved by the Police and Fire Commission shall be required to undergo a medical examination to determine their fitness for duty, and acceptance of all candidates shall be conditioned upon the results of said examination.

C.

All applicants, after appointment, shall serve a probationary training period. If after satisfactory completion of the probationary training period the Chief decides that the applicant shows satisfactory proficiency in drills and fire-fighting knowledge, the applicant shall become a full member upon confirmation by the Police and Fire Commission.

§ A340-4\_Membership titles and general job descriptions.

A.

The following membership titles and general job descriptions shall be applicable to the Elm Grove Volunteer Fire Department:

(1)

Administrative. An administrative member shall be a member appointed by the Chief. This member may or may not have fire-fighting duties.

(2)

Daytime member. Daytime members are those members who work for, within or nearby the village and respond and train on a daytime basis.

(3)

Explorer scout advisor. The explorer scout advisor is a line fire fighter or above in rank who is responsible for the efficient and safe operations of the explorer scout post.

(4)

Instructor. An instructor shall be a member with instructor status responsible for the probationary and Department training programs.

(5)

Probationary fire fighters. Probationary fire fighters shall be members in training to become active fire fighters. They shall be subject to training as required under Wisconsin Administrative Code § COMM 30.08(1)SPS 330 and supervision as the Chief shall determine. Probationary fire fighters may shall become active fire fighters after one year on after one year on recommendation by the Chief.

(6)

Active fire fighters. Active fire fighters shall be competent and experienced members who have met the educational and training standards set forth in Wisconsin Administrative Code § COMM 30.08(1)SPS 330 and are actively engaged in the fire-fighting, administrative or rescue functions of the Fire Department.

(7)

Motor pump operators. The motor pump operators are appointed by the Chief subject to approval of the Police and Fire Commission after successful completion of all required state certification under Wisconsin Administrative Code § COMM 30.08SPS 330. They are responsible for operation of the Fire Department apparatus.

(8)

Lieutenant. The Lieutenant of each company, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist his/her Captain in the discharge of his/her duties. In the absence of the Captain, the Lieutenant shall officiate in his/her capacity.

(9)

Captain. The Captain of each company, appointed by the Chief subject to approval of the Police and Fire Commission, shall command his/her company and be responsible for the condition of his/her assigned apparatus and equipment and such special projects or tasks as the Chief may assign from time to time.

Proposed changes for Administrative and Personnel Committee meeting 10/10/16, 11/14/16 Copy showing changes

(9) Battallion Chief. The Battallion Chief, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist the Chief in his/her duties and, in the absence of the Chief, Assistant Chief and Deputy Chief, shall act in the capacity of Chief.

(1011)

Deputy Chief. The Deputy Chief, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist the Chief in his/her duties and, in the absence of the Chief and Assistant Chief, shall act in the capacity of Chief.

(1112)

Assistant Chief. The Assistant Chief, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist the Chief in his/her duties and, in the absence of the Chief, shall act in the capacity of Chief.

B.

The number of positions available in each stated category shall be determined by the Elm Grove Board of Trustees on an annual basis as part of the annual budget.

§ A340-5\_Meetings.

A.

The annual meeting of the Department shall be held on the first Tuesday of the month of May.

B. A.

The regular monthly meeting shall be held the first Tuesday of each month at 7:00 p.m. or other hour specified. on the notice of the meeting.

C.

Special meetings may be called by the Chief at any time or shall be called by the Chief if given a written request signed by five members. The object of the meeting must be stated in the call, and no business other than the business stated in the call may be transacted. However, applications for membership may be presented and bills ordered paid. Notice of such meetings must be mailed five days in advance of special meetings, except in cases of a meeting made immediately necessary by an emergency, in which case the Secretary shall make every possible effort to notify directly all members of the Department of the meeting.

§ A340-6\_Duties and election of business officers.

A.

Duties of business officers.

(1)

The business officers of the Fire Department shall consist of the Chairperson of the meeting, the Secretary and the Treasurer.

(2)

The Chairperson shall preside at all meetings of members. The Chairperson shall appoint all committees deemed necessary by the membership.

(3)

The Secretary shall keep the minutes of all meetings, a signed copy of which shall be filed with the Village Clerk. The Secretary shall issue a copy of these bylaws to each new member upon acceptance for training.

(4)

The Treasurer shall receive all moneys of the Fire Department membership drill fund, pay out all moneys upon proper order and render an accounting at each regular membership meeting and submit. said accounting for audit annually.

B.

Election of business officers.

(1)

All business officers shall be elected by a majority vote of the active members at the annual meeting and shall hold office for a term of one year or until their respective successors have been elected. All nominations will be made from the floor. Any vacancies existing during the year may be filled for the balance of the year by a majority vote of the active members present at any regular monthly meeting.

(2)

Any business officer may be removed at any special meeting upon the affirmative vote of a majority of the active members present at such meeting as provided for in § **A340-5C**.

§ A340-7 Duties of active and probationary fire fighters.

A.

The regular monthly functions are:

(1)

First Tuesday of month: monthly and officer's meetings.

(2)

Second Tuesday: officers' meeting probationary member training/informal drill night.

(3)

Third Tuesday: required? monthly drill night.

(4)

Fourth Tuesday: rescue company/special drill night.

(5)

Fifth Tuesday: MPO training/special drill night.

(6)

Daytime monthly drill and meeting.

B.

It is required that fire fighters attend the first Tuesday monthly meeting and a regular monthly drill. It is expected that probationary fire fighters will attend as many special drills as possible. It is mandatory that all fire fighters attend no fewer than two drills per quarter and 10 drills per year. With few exceptions, all Tuesday night Fire Department activities begin at 7:00 p.m. Promptness in attendance is a requisite. If for any reason a

fire fighter is unable to attend a required drill or meeting, that person is expected to notify his/her company officer. Attendance at meetings and drills shall continue until released by a company officer.

C.

Active fire fighters shall proceed to the fire station or location of a fire as they may be commanded, immediately upon the alarm thereof, shall attend all fires and shall obey all commands of their officers in accordance with Department regulations. The tour of duty shall continue until released by a company officer.

D.

Membership records shall be reviewed regularly by the Chief.

E.

Leaves of absence may be granted by the Chief for reasons acceptable to the Chief. No more than two successive six-month leaves will be granted any member.

F.

Any member who voluntarily leaves the Department or is dismissed by the Chief for cause shall return to the commanding officer of his/her company all Department property in his/her care, including pager, radio, badges and insignia, or identification. He/she shall not use any Department insignia or identification upon any personal equipment purchased by him/her. Return of personal attire may be required at the option of the Chief or his/her designee.

§ A340-8\_Excused absences.

The Chief or any company officer shall have the power to excuse any member for absence from fires, meetings or other occasions if notified of good and valid reasons.

§ A340-9\_Appointment of officers.

The Chief may appoint from active fire fighters such Assistant Chiefs and such other officers as the Chief may deem necessary, subject to the approval of the Police and Fire Commission and subject to removal in the manner provided for in § 62.13, Wis. Stats.

§ A340-10\_Duties of Chief and other operating officers.

A.

The Chief shall be responsible for the general condition and efficient operation of the Fire Department, the training of members and the performance of all other duties imposed upon him/her. The Chief may incur obligations on behalf of the Fire Department, in conformity with other applicable ordinances of the Village of Elm Grove, for operating supplies and services and emergency replacement of existing equipment when the purchase price therefor is \$5001000 or less without prior approval of the Village Manager. When the purchase price of such supplies, services or equipment is more than \$5001000, the Chief shall, prior to the incurring of such obligations, obtain approval of the Village Manager pursuant to Chapter 54, § 54-3H of this Code.

B.

Subject to the provisions of Subsection A of this section, the Chief shall purchase and the Fire Department shall use only such supplies and replacement equipment as shall be of the uniform size and type required by § 213.15, Wis. Stats., and Wisconsin Administrative Code Chapter COMM 30SPS 330.

C.

The Chief shall prescribe a fire alerting system for use by the Fire Department and shall have the fire alerting system tested at regular intervals.

D.

The Chief shall make every effort to attend all fires and direct the officers and members in the performance of their duties.

E.

The Chief shall have each fire investigated, with the general assistance of Village Police Department, to determine its cause and in case of suspicion of incendiarism shall notify the State Fire Marshal. Whenever suspicion of incendiarism exists, the Chief shall take all reasonable steps to preserve the situs of the fire intact, including cordoning off, excluding unauthorized persons from or otherwise safeguarding the area. In no event shall the Chief seize any physical evidence of incendiarism pending arrival of the State Fire Marshal unless it is necessary for the preservation of such evidence.

F.

The Chief shall see that all apparatus and equipment are properly cleaned and in place and ready for use at all times.

G.

The Chief shall inspect or cause to be inspected and maintained the water hydrants and other designated sources of water supply within the Village of Elm Grove and shall see that water hydrants are free of ice and snow.

H.

In the absence of the Chief, an Assistant Chief shall officiate in the capacity of the Chief. The Assistant Chief shall execute his/her duties in accordance with the operational procedures and directives as set down by the Chief.

I.

Captains shall command their companies and have control thereof.

J.

The Captain shall be responsible for the condition of his/her assigned apparatus and equipment.

K.

The Lieutenant of each company shall assist his/her Captain in the discharge of his/her duties. In the absence of the Captain, the Lieutenant shall officiate in his/her capacity.

L.

In the event of a vacancy in the position of Fire Chief, names of candidates may be submitted at any regular meeting of the Department and an advisory vote shall be taken by all members present concerning said candidates. The results of said vote shall be

given to the Police and Fire Commission, which may use such advisory voting information in the course of its selection process.

§ A340-11\_Amendments.

These bylaws may be amended at any duly constituted meeting of the members by an affirmative vote of a simple majority of the active and probationary members of the Department voting in person. Notice of such proposed amendments shall be mailed to each active and probationary member with the preceding monthly meeting minutes. Amendments to the bylaws will be discussed at the next monthly meeting. Voting on the amendments will occur at the following monthly meeting. Bylaw amendments shall be subject to the approval of the Village Board.

§ A340-12\_Distribution and consumption of alcoholic beverages.

A.

Purpose. The primary purpose of this policy is to regulate the distribution and consumption of alcoholic beverages by Village of Elm Grove Fire Department personnel to ensure the health, safety and welfare of the Fire Department and the community and to minimize any potential for abuse of this privilege.

B.

General policy.

(1)

The State of Wisconsin has, through statutory enactments, sought to strictly regulate the consumption of alcoholic beverages in public places. To promote the health, safety and general welfare, the Village Board of Trustees has also deemed it appropriate to regulate the consumption of alcohol in public places and on public property as witnessed by the adoption of alcohol regulations in the village ordinances.<sup>[1]</sup>

[1]

*Editor's Note: See Ch. 171, Intoxicating Liquor and Fermented Malt Beverages.*

(2)

In keeping with the laws of the State of Wisconsin and the ordinances duly enacted by the Village Board, the policy of the Elm Grove Fire Department with regard to the consumption of alcohol by Fire Department personnel shall be as follows and shall be strictly enforced by the Fire Chief:

(a)

All alcohol beverages shall be kept locked in the Fire Department storeroom except under those circumstances specifically provided for in this policy. Access to the storeroom shall only be by key in the presence of an authorized key holder. The authorized key holders shall be all Lieutenants, Captains and chief officers. No other persons are authorized to have this key. No key to the storeroom may be duplicated without the written permission of the Village Manager.

(b)

Alcoholic beverages shall not be consumed or dispensed on village property unless one or more authorized key holders, as described in Subsection **B(2)(a)** above, are present.

(c)

Consumption of alcoholic beverages on village property shall be in moderation. Excessive use or abuse of this privilege, as determined by any officer, shall not be tolerated. Any officer has the right to order any other member of the Fire Department to discontinue consuming alcohol if, in his or her judgment, the officer feels the privilege is being abused.

(d)

Notwithstanding any other language contained within these bylaws to the contrary, fire fighters, officers and chief officers who have been consuming alcoholic beverages during off-duty hours, whether at the fire station, under conditions as set forth herein, or at any other location, shall use proper judgment as to whether or not to respond to calls. Officers on fire apparatus shall be responsible for assessing the fitness of their crew members. No fire fighter, officer or chief officer whose abilities are impaired shall respond either to the fire station or to the scene in response to a call for service. No fire fighter, officer or chief officer whose abilities are impaired shall report to any Fire Department meeting, training session or other Fire Department function or activity. Under no circumstances shall any fire fighter, officer or chief officer board apparatus or participate in any fire-fighting activity while said person is under the influence of an intoxicant. As used in this policy, a fire fighter's, officer's or chief officer's abilities are impaired when, due to the consumption of alcohol or other intoxicant, the person is less able to exercise the clear judgment and steady hand necessary to handle his or her responsibilities or handle and control a motor vehicle.

(e)

No persons under the legal drinking age shall consume or possess, or be allowed to consume or possess, alcoholic beverages on village property or at any Fire Department function, notwithstanding § 125.07(1) and (4)(bm), Wis. Stats.

(f)

Violations of any of the above rules shall result in disciplinary action, including possible dismissal from the Fire Department, and/or possible criminal and civil prosecution.

(g)

This policy shall supersede any previous policies regarding this matter and shall take effect commencing with the 10th day of April 1989 and shall remain in force and effect until superseded or rescinded.

§ A340-13\_11\_General rules.

A.

Members shall, upon arriving at a fire, report to the Fire Department officers for orders. They shall hold themselves in readiness to do whatever may be required in the work of the Fire Department, whether it be their assigned duties or not.

B.

Prompt, quiet obedience must be given to orders from officers, and disputation shall not be allowed while on duty.

C.

All unnecessary destruction of property shall be avoided. Members must remember that it is their duty to protect property.

D. A.

No persons shall be allowed to enter the fire station for the purpose of handling any apparatus or equipment belonging to the Fire Department except active or probationary members of the Department or unless in the company of an active member of the Department.

E. B.

Any member of the Department shall be subject to discipline by the Chief of the Department or the Police and Fire Commission pursuant to § 62.13, Wis. Stats., when any of the following circumstances adversely affect the Fire Department:

(1)

Commission of a felony, misdemeanor or violation of any Village of Elm Grove municipal ordinance.

(2)

Insubordination or disobedience toward a superior officer.

(3)

Intoxication or impairment.

(4)

Unlawful use of controlled substances.

(5)

Neglect of duty or disobedience of any Department order.

(6)

Chronic absence from duty without leave.

(7)

Incapacity for duty, either mental or physical.

(8)

Breach of any discipline previously imposed.

(9)

Communicating confidential information relating to Fire Department business without permission.

(10)

Untruthfulness in connection with any activity or proceeding reflecting upon the Department.

(11)

Violation of the provisions of these bylaws.

F. C.

Proposed changes for Administrative and Personnel Committee meeting 10/10/16, 11/14/16 Copy showing changes

No members of the Fire Department shall drive, carry or cause to be driven, carried or transported any Fire Department vehicle or equipment without obtaining the prior permission of an officer..

G. D.

Each member of the Fire Department shall be held personally responsible for all Department gear and equipment in his/her possession.

H. E.

Unauthorized use of another member's personal equipment is prohibited.

I. F.

All members driving equipment must have a Wisconsin Motor Vehicle Department driver's license in good standing.

J. G.

All injuries must be reported to the officer in charge immediately and must be reported on the fire or drill report of that instance. A report must be made to the Chief and forwarded to the village office Clerk as soon as possible.

K. H.

Members shall not discuss or disseminate the business of the Fire Department in any manner which shall be detrimental to the reputation of the Department at any time or place.

L. I.

All discipline shall be administered in accordance with §§ 61.65 and 62.13, Wis. Stats., and all subsequent amendments thereto.

Chapter A340: Fire Department Bylaws

[HISTORY: Adopted by the Village Board of the Village of Elm Grove 2-10-1969; amended in its entirety 12-11-2000. Subsequent amendments noted where applicable.]

**GENERAL REFERENCES**

Board of Police and Fire Commissioners — See Ch. 7, Art. II.

Fire Department — See Ch. 33.

§ A340-1 Authority of Police and Fire Commission.

Chapter A340: Fire Department Bylaws

§ A340-1 Authority of Police and Fire Commission.

§ A340-2 Organization.

§ A340-3 Application and qualification for membership.

§ A340-4 Membership titles and general job descriptions.

§ A340-5 Meetings.

§ A340-6 Duties and election of business officers.

§ A340-7 Duties of active and probationary fire fighters.

§ A340-8 Excused absences.

§ A340-9 Appointment of officers.

§ A340-10 Duties of Chief and other operating officers.

§ A340-11 General rules.

§ A340-1 Authority of Police and Fire Commission.

The Elm Grove Volunteer Fire Department is subject to the authority of the Police and Fire Commission as provided in Chapter 7, Article II of the Code of the Village of Elm Grove and §§ 61.65 and 62.13, Wis. Stats.

§ A340-2 Organization.

A.

Organization of membership. The Fire Department shall consist of the following persons appointed by the Police and Fire Commission from time to time: one Chief, Fire Department officers and fire fighters. A Chairperson, a Secretary and a Treasurer may be appointed to carry out the business functions of the Department provided for in these bylaws. The maximum and minimum number of fire fighters shall be as determined from time to time by the Village Board of Trustees.

B.

Gender. In the following sections of these bylaws, words in either the masculine form or feminine form shall be deemed to include or relate to both males and females.

C.

Member classification. Members shall consist of the following classifications:

(1)

Active fire fighters. Active fire fighters shall be competent and experienced members who are actively engaged in the fire-fighting, administration or rescue functions of the Fire Department. All active fire fighters shall be chosen by, and be subject to, such requirements as are from time to time established under Wisconsin Administrative Code §§ SPS 330 and SPS 332.

(2)

Probationary fire fighters. Probationary fire fighters shall be members training to become active fire fighters. They shall be subject to extended training and supervision established under Wisconsin Administrative Code §§ SPS 330 and SPS 332 and such supervision as the Chief shall require. All new fire fighters shall be permitted the opportunity to obtain the training specified in Wisconsin Administrative Code § SPS 330.08 (b) within 12 months of the date of their appointment to the Fire Department. Probationary fire fighters shall become active fire fighters on recommendation of the Chief and approval by the Police and Fire Commission. A member with less than one year experience as a member of the Elm Grove Volunteer Fire Department or equivalent shall be a probationary fire fighter.

§ A340-3\_Application and qualification for membership.

A.

Any person at least 18 years of age who lives or normally works within or near the Village of Elm Grove and meets the position requirements established from time to time for fire fighters may apply for membership in the Fire Department.

B.

The application of the candidate shall be turned over to the Chief for evaluation. Following evaluation by the Chief, the Chief may recommend the applicant to the Police and Fire Commission for consideration as a probationary fire fighter. All applicants approved by the Police and Fire Commission shall be required to undergo a medical examination to determine their fitness for duty and acceptance of all candidates shall be conditioned upon the results of said examination.

C.

All applicants, after appointment, shall serve a probationary training period. If after satisfactory completion of the probationary training period the Chief decides that the applicant shows satisfactory proficiency in drills and fire-fighting knowledge, the applicant shall become a full member upon confirmation by the Police and Fire Commission.

§ A340-4\_Membership titles and general job descriptions.

A.

The following membership titles and general job descriptions shall be applicable to the Elm Grove Volunteer Fire Department:

(1)

Administrative. An administrative member shall be a member appointed by the Chief. This member may or may not have fire-fighting duties.

(2)

Daytime member. Daytime members are those members who work for, within or nearby the village and respond and train on a daytime basis.

(3)

Explorer scout advisor. The explorer scout advisor is a line fire fighter or above in rank who is responsible for the efficient and safe operations of the explorer scout post.

(4)

Instructor. An instructor shall be a member with instructor status responsible for the probationary and Department training programs.

(5)

Probationary fire fighters. Probationary fire fighters shall be members in training to become active fire fighters. They shall be subject to training as required under Wisconsin Administrative Code § SPS 330 and supervision as the Chief shall determine. Probationary fire fighters shall become active fire fighters after one year on recommendation by the Chief.

(6)

Active fire fighters. Active fire fighters shall be competent and experienced members who have met the educational and training standards set forth in Wisconsin Administrative Code § SPS 330 and are actively engaged in the fire-fighting, administrative or rescue functions of the Fire Department.

(7)

Motor pump operators. The motor pump operators are appointed by the Chief subject to approval of the Police and Fire Commission after successful completion of all required state certification under Wisconsin Administrative Code § SPS 330. They are responsible for operation of the Fire Department apparatus.

(8)

Lieutenant. The Lieutenant of each company, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist his/her Captain in the discharge of his/her duties. In the absence of the Captain, the Lieutenant shall officiate in his/her capacity.

(9)

Captain. The Captain of each company, appointed by the Chief subject to approval of the Police and Fire Commission, shall command his/her company and be responsible for the condition of his/her assigned apparatus and equipment and such special projects or tasks as the Chief may assign from time to time.

(9) Battallion Chief. The Battallion Chief, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist the Chief in his/her duties and, in the absence of the Chief, Assistant Chief and Deputy Chief, shall act in the capacity of Chief.

(11)

Deputy Chief. The Deputy Chief, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist the Chief in his/her duties and, in the absence of the Chief and Assistant Chief, shall act in the capacity of Chief.

(12)

Assistant Chief. The Assistant Chief, appointed by the Chief subject to approval of the Police and Fire Commission, shall assist the Chief in his/her duties and, in the absence of the Chief, shall act in the capacity of Chief.

B.

The number of positions available in each stated category shall be determined by the Elm Grove Board of Trustees on an annual basis as part of the annual budget.

§ A340-5\_Meetings.

A.

The regular monthly meeting shall be held the first Tuesday of each month at 7:00 p.m. or other hour specified.

§ A340-6\_Duties and election of business officers.

A.

Duties of business officers.

(1)

The business officers of the Fire Department shall consist of the Chairperson of the meeting, the Secretary and the Treasurer.

(2)

The Chairperson shall preside at all meetings of members.

(3)

The Secretary shall keep the minutes of all meetings, a signed copy of which shall be filed with the Village Clerk.

(4)

The Treasurer shall receive all moneys of the Fire Department drill fund, pay out all moneys upon proper order and render an accounting at each regular membership meeting.

B.

Election of business officers.

(1)

All business officers shall be elected by a majority vote of the active members and shall hold office for a term of one year or until their respective successors have been elected. All nominations will be made from the floor. Any vacancies existing during the year may be filled for the balance of the year by a majority vote of the active members present at any regular monthly meeting.

(2)

Any business officer may be removed at any meeting upon the affirmative vote of a majority of the active members present at such meeting as provided for in § **A340-5C**.

§ A340-7\_Duties of active and probationary fire fighters.

A.

The regular monthly functions are:

(1)

First Tuesday of month: monthly and officer's meetings.

(2)

Second Tuesday: probationary member training/informal drill night.

(3)

Third Tuesday: required? monthly drill night.

(4)

Fourth Tuesday: special drill night.

(5)

Fifth Tuesday: MPO training/special drill night.

(6)

Daytime monthly drill and meeting.

B.

It is required that fire fighters attend the first Tuesday monthly meeting and a regular monthly drill. It is expected that probationary fire fighters will attend as many special drills as possible. It is mandatory that all fire fighters attend no fewer than two drills per quarter and 10 drills per year. With few exceptions, all Tuesday night Fire Department activities begin at 7:00 p.m. Promptness in attendance is a requisite. If for any reason a fire fighter is unable to attend a required drill or meeting, that person is expected to notify his/her company officer. Attendance at meetings and drills shall continue until released by a company officer.

C.

Active fire fighters shall proceed to the fire station or location of a fire as they may be commanded, immediately upon the alarm thereof, shall attend all fires and shall obey all commands of their officers in accordance with Department regulations. The tour of duty shall continue until released by a company officer.

D.

Membership records shall be reviewed regularly by the Chief.

E.

Leaves of absence may be granted by the Chief for reasons acceptable to the Chief. No more than two successive six-month leaves will be granted any member.

F.

Any member who voluntarily leaves the Department or is dismissed by the Chief for cause shall return to the commanding officer of his/her company all Department property in his/her care, including pager, radio, badges and insignia, or identification. He/she shall not use any Department insignia or identification upon any personal equipment purchased by him/her. Return of personal attire may be required at the option of the Chief or his/her designee.

§ A340-8\_Excused absences.

The Chief or any company officer shall have the power to excuse any member for absence from fires, meetings or other occasions if notified of good and valid reasons.

§ A340-9\_Appointment of officers.

The Chief may appoint from active fire fighters such Assistant Chiefs and such other officers as the Chief may deem necessary, subject to the approval of the Police and Fire Commission and subject to removal in the manner provided for in § 62.13, Wis. Stats.

§ A340-10\_Duties of Chief and other operating officers.

A.

The Chief shall be responsible for the general condition and efficient operation of the Fire Department, the training of members and the performance of all other duties imposed upon him/her. The Chief may incur obligations on behalf of the Fire Department, in conformity with other applicable ordinances of the Village of Elm Grove, for operating supplies and services and emergency replacement of existing equipment when the purchase price therefor is \$1000 or less without prior approval of the Village Manager. When the purchase price of such supplies, services or equipment is more than \$1000, the Chief shall, prior to the incurring of such obligations, obtain approval of the Village Manager pursuant to Chapter 54, § 54-3H of this Code.

B.

Subject to the provisions of Subsection A of this section, the Chief shall purchase and the Fire Department shall use only such supplies and replacement equipment as shall be of the uniform size and type required by § 213.15, Wis. Stats., and Wisconsin Administrative Code Chapter SPS 330.

C.

The Chief shall prescribe a fire alerting system for use by the Fire Department and shall have the fire alerting system tested at regular intervals.

D.

The Chief shall make every effort to attend all fires and direct the officers and members in the performance of their duties.

E.

The Chief shall have each fire investigated, with the general assistance of Village Police Department, to determine its cause and in case of suspicion of incendiarism shall notify the State Fire Marshal. Whenever suspicion of incendiarism exists, the Chief shall take all reasonable steps to preserve the situs of the fire intact, including cordoning off, excluding unauthorized persons from or otherwise safeguarding the area. In no event shall the Chief seize any physical evidence of incendiarism pending arrival of the State Fire Marshal unless it is necessary for the preservation of such evidence.

F.

The Chief shall see that all apparatus and equipment are properly cleaned and in place and ready for use at all times.

G.

The Chief shall inspect or cause to be inspected and maintained the water hydrants and other designated sources of water supply within the Village of Elm Grove and shall see that water hydrants are free of ice and snow.

H.

In the absence of the Chief, an Assistant Chief shall officiate in the capacity of the Chief. The Assistant Chief shall execute his/her duties in accordance with the operational procedures and directives as set down by the Chief.

I.

Captains shall command their companies and have control thereof.

J.

The Captain shall be responsible for the condition of his/her assigned apparatus and equipment.

K.

The Lieutenant of each company shall assist his/her Captain in the discharge of his/her duties. In the absence of the Captain, the Lieutenant shall officiate in his/her capacity.

L.

In the event of a vacancy in the position of Fire Chief, names of candidates may be submitted at any regular meeting of the Department and an advisory vote shall be taken by all members present concerning said candidates. The results of said vote shall be given to the Police and Fire Commission, which may use such advisory voting information in the course of its selection process.

§ A340-11\_General rules.

A.

No persons shall be allowed to enter the fire station for the purpose of handling any apparatus or equipment belonging to the Fire Department except active or probationary members of the Department or unless in the company of an active member of the Department.

B.

Any member of the Department shall be subject to discipline by the Chief of the Department or the Police and Fire Commission pursuant to § 62.13, Wis. Stats., when any of the following circumstances adversely affect the Fire Department:

(1)

Commission of a felony, misdemeanor or violation of any Village of Elm Grove municipal ordinance.

(2)

Insubordination or disobedience toward a superior officer.

(3)

Intoxication or impairment.

(4)

Unlawful use of controlled substances.

(5)

Neglect of duty or disobedience of any Department order.

(6)

Chronic absence from duty without leave.

(7)

Incapacity for duty, either mental or physical.

(8)

Breach of any discipline previously imposed.

(9)

Communicating confidential information relating to Fire Department business without permission.

(10)

Untruthfulness in connection with any activity or proceeding reflecting upon the Department.

(11)

Violation of the provisions of these bylaws.

C.

No members of the Fire Department shall drive, carry or cause to be driven, carried or transported any Fire Department vehicle or equipment without obtaining the prior permission of an officer.

D.

Each member of the Fire Department shall be held personally responsible for all Department gear and equipment in his/her possession.

E.

Unauthorized use of another member's personal equipment is prohibited.

F.

All members driving equipment must have a Wisconsin Motor Vehicle Department driver's license in good standing.

G.

All injuries must be reported to the officer in charge immediately and must be reported on the fire or drill report of that instance. A report must be made to the Chief and forwarded to the village Clerk as soon as possible.

H.

Members shall not discuss or disseminate the business of the Fire Department in any manner which shall be detrimental to the reputation of the Department at any time or place.

I.

All discipline shall be administered in accordance with §§ 61.65 and 62.13, Wis. Stats., and all subsequent amendments thereto.