



**City of Racine, Wisconsin
Common Council**

Ordinance 0006-26 – Sanitary Sewer Maintenance and Inspections

AGENDA BRIEFING MEMORANDUM

**INTRODUCTION TO COMMON COUNCIL WITH PROPOSED 2027 CITY OF
RACINE BUDGET**

DEPARTMENT: City Attorney's Office

**Prepared By: Scott Letteney, City Attorney; and Brian VanSchyndel and Matthew Perz,
Assistant City Attorneys**

Reviewed by: N/A

SUBJECT: Communication sponsored by Mayor Mason requesting an ordinance to prohibit discharging stormwater, surface water, groundwater, roof runoff, or subsurface drainage into the sanitary sewer system and provide inspections to ensure compliance.

EXECUTIVE SUMMARY:

The proposed ordinance would amend Chapters 18 and Chapter 98 of the Municipal Code of the City of Racine, Wisconsin.

BACKGROUND & ANALYSIS:

Clearwater discharge into a sanitary sewer can overload sanitary sewer systems. The ordinance amends current language in Chapter 98 to make a blanket prohibition on discharging stormwater, surface water, groundwater, roof runoff, or subsurface drainage into the sanitary sewer system.

27 This ordinance creates new section 18-538, which would require all one- to four-
28 dwelling-unit housing buildings within the City to have sump pumps installed. Property owners
29 may apply to participate in the City of Racine Sump Pump Program, as it may be amended from
30 time to time.

31 Additionally, the ordinance creates new section 98-117 triggering an inspection of the use
32 of the City's sanitary sewer system when a transfer of the property occurs. This ordinance does
33 not prohibit transferring the property but initiates inspection of the user's wastewater input by the
34 utility. A person in violation of this specific inspection may be granted up to 30 days by the
35 utility to cure the violation rather than the default five-day requirement under section 98-115.

36 Upon discovery that a property is permitting stormwater, surface water, groundwater,
37 roof runoff, or subsurface drainage into the sanitary sewer system, by existing ordinance section
38 98-115, the property's owner shall be required to abate that violation.

39 Relevant portions of the code of ordinances are set forth below. Type in black is existing
40 language and would not change. Type in red is language that would change. Stricken language
41 would be deleted; underlined language would be added.

43 **BUDGETARY IMPACT:**

44 N/A

46 **RECOMMENDED ACTION:**

47 To approve.

49 **Sec. 18-85. - Drainage.**

- 50 (a) Grading of lots. The plans accompanying the building permit shall show the present and
51 proposed grades of the lot on which it is proposed to erect the building for which such
52 building permit is sought and of the immediately adjoining property in sufficient detail to
53 indicate the surface water drainage before and after the completion of grading. No permit
54 shall be issued if the erection of the building and the proposed grades shall unreasonably
55 obstruct the natural flow of water from the surface of adjoining property or obstruct the flow
56 of any existing ravine, ditch, drain or stormwater sewer draining neighboring property, unless
57 suitable provision is made for such flow by means of an adequate ditch or pipe, which shall
58 be shown on the plans and shall be constructed so as to provide continuous drainage at all
59 times.
- 60 (b) Stormwater drains. No dwelling shall be erected nor shall existing provisions for the
61 conveyance of water from the roof of any dwelling be altered or replaced unless provision is
62 made to convey water from the roof of the dwelling in such a manner that such water will

not, directly or indirectly, pass thence into the sanitary sewer system. No stormwater, groundwater, or surface water drains may be connected with the sanitary sewer system, whether installed above or below the surface of the ground.

Sec. 18-529. - Clear water drains.

All clear water or storm water drains, including roof drains, surface drains, subsoil drains, refrigerator cooling water drains, air conditioning drains, and any other clear water drains not described in this section, shall discharge into a storm sewer wherever possible, but in no case shall such drains discharge into a sanitary sewer ~~where no storm sewer is available~~. Where clear water or storm water drains are connected to existing sanitary sewers, the property owner shall, upon written notice from the commissioner of public works and/or Racine Wastewater Utility or its general manager, disconnect such clear or storm water drains from the sanitary sewer.

[CREATED] Sec. 18-538. - Sump pump installation.

(a) Installation required; discharge regulated. The installation of sump pumps shall be required in all buildings. The effluent from all sump pumps installed pursuant hereto shall be discharged directly into the storm sewer where such sewer is available or can be made available.

(b) Permits required; inspection. Any person applying for the plumbing permit under this chapter shall certify to the issuing officer or department that a sump pump shall be installed within such building and shall submit plans and specifications relating to the connection of such pump to the storm sewer. The plumbing inspector or other officer, prior to issuing any permits, shall review and approve such plans and specifications. Any installation and connection hereunder shall be performed in such a manner as to allow for inspection by the plumbing inspector.

(c) Exemptions; inspection. A sump pump shall not be required for one- to four-dwelling-unit housing buildings without pre-existing foundation drains connected to the sanitary sewer. The plumbing inspector shall inspect and approve such buildings to determine if foundation drains are absent and an exemption is warranted.

(d) Property owners may apply to participate in the City of Racine Sump Pump Program, as it may be amended from time to time.

Sec. 98-115. - Right of inspection and survey; action for injunctive relief for violation of restrictions on use of system.

The utility shall have the right to inspect and survey the wastewater input of all users, including industrial and commercial users within those portions of the communities outside the city boundaries within the utility's sewer service area. If it is determined by the utility that any water or wastewater entering the sewer system is in apparent violation of an applicable ordinance, the utility will notify in writing the user, and/or the outlying community within which the user is located, of such condition and request that the apparent violation be abated within a period of five days after receipt of notice. Notwithstanding the foregoing, if the violation involves the discharge

of toxic or hazardous substances to the collection system of the utility or for treatment at the treatment plant, or the violation threatens compliance with the city's WPDES permit, the violation must be immediately abated. If the violation is not abated in a timely manner, the utility or the appropriate enforcement agency may take any and all lawful measures, including court action for injunctive relief, to accomplish compliance with the standards established under the ordinances applicable to the wastewater system. Nothing herein shall be construed as limiting the right of any individual to demand legally required warrants or permits, if any, prior to the inspection of his or her property.

[CREATED] Sec. 98-117. - Property Transfer Inspections.

Upon transfer of ownership of any property, the utility shall initiate an inspection as authorized under section 98-115, with the exception that the request to abate the violation may be completed within 30 days after receipt of notice and may be extended upon good cause as determined by the utility.

Sec. 98-125. - Discharge of unpolluted waters.

No person shall discharge or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, or subsurface drainage ~~that is not contaminated, unpolluted cooling water or unpolluted industrial process waters~~ to any sanitary sewer, ~~provided that a storm drain into which such waters and drainage can be discharged is available and cost effective and provided further that separation of existing internal combined sewers in any source of industrial waste shall not be required, except in the case of system replacement or renewal initiated by the owner of such sources.~~

Ordinance 0006-26 – Sanitary Sewer Maintenance and Inspections and Sump Pump Installation

An ordinance to amend Chapters 18 and Chapter 98 of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 18, Article II, Division 3, Section 18-85(b) is amended by inserting “, groundwater,” after the word “stormwater” in the second sentence.

Part 2: Chapter 18, Article III, Division 4, Subdivision II, Section 18-529 is amended by deleting the words “where no storm sewer is available.”

Part 3: Chapter 18, Article III, Division 4, Section 18-538 is created as follows:

Sec. 26-7. - Sump pump installation.

- (a) Installation required; discharge regulated. The installation of sump pumps shall be required in all one- to four-dwelling-unit housing buildings. The effluent from all sump pumps installed pursuant hereto shall comply with sections 18-131 and 114-739(c), as they may be amended from time to time.
- (b) Permits required; inspection. Any person applying for a plumbing permit to install a sump pump shall certify to the issuing officer that a sump pump shall be installed within such building and, if connection will be made to an available storm sewer, shall submit plans and specifications relating to the connection of such pump to the storm sewer. The plumbing inspector or other officer, prior to issuing any permits, shall review and approve such plans and specifications. Any installation and connection hereunder shall be performed in such a manner as to allow for inspection by the plumbing inspector.
- (c) Exemptions; inspection. A sump pump shall not be required for one- to four-dwelling-unit housing buildings without pre-existing foundation drains connected to the sanitary sewer. The plumbing inspector shall inspect and approve such buildings to determine if foundation drains are absent and an exemption is warranted.
- (d) Residential property owners may apply to participate in the City of Racine Sump Pump Program, if any, as it may be amended from time to time.

Part 4: Chapter 98, Article IV, Division 2, Section 98-115 is amended by inserting the words “water or” immediately preceding the phrase “wastewater entering the”.

Part 5: Chapter 98, Article IV, Division 2, Section 98-117 is created as follows:

Sec. 98-117. – Property transfer inspections.

Upon transfer of ownership of any real property within the city, the utility shall initiate an inspection as authorized under section 98-115, with the exception that the request to abate the violation may be completed within 30 days after receipt of notice and may be extended upon good cause as determined by the utility.

Part 6: Chapter 98, Article IV, Division 3, Section 98-125 is amended by inserting the word “or” before the word “subsurface” and by deleting the phrase “that is not contaminated, unpolluted cooling water or unpolluted industrial process waters” and the phrase “, provided that a storm drain into which such waters and drainage can be discharged is available and cost effective and provided further that separation of existing internal combined sewers in any source of industrial waste shall not be required, except in the case of system replacement or renewal initiated by the owner of such sources”.

Part 7: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: Potential money judgments for instances of noncompliance.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor’s signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor’s objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.



City of Racine, Wisconsin
Agenda Briefing Memorandum
Ordinance 0007-26 – Fire Department Services

AGENDA DATE:

Introduction to Common Council with proposed 2027 City of Racine budget

PREPARED BY: Robin K. Zbikowski, Senior Assistant City Attorney

REVIEWED BY: Scott R. Letteney, City Attorney

SUBJECT: Communication sponsored by Mayor Mason proposing Ordinance 0007-26, Fire Department Services.

BACKGROUND & ANALYSIS:

Chapter 38 of the Code was initially enacted to permit the Racine Fire Department to charge fees for the services it provided at that time. Since then, emergency services and billing practices have evolved, rendering chapter 38 outdated and largely unusable. This proposed piece of legislation recreates chapter 38, and it was drafted with longevity in mind.

It begins with a definitions section that, among other things, defines the types of licensed medical technicians (e.g. EMT-Intermediate, EMT-Paramedic) and the various levels of life saving procedures (e.g. basic life support, advanced life support) administered by RFD during a call for service. Importantly, each definition leaves room for it to grow with the ever-improving field of medicine and without the need to legislatively amend it.

To illustrate, rather than define an EMT-Paramedic to include an exhaustive list of those services covered by that licensure—a list likely to become outdated next year—the proposed definition of EMT-Paramedic includes all services “within the scope of licensure.” Consequently, the definition of EMT-Paramedic remains relevant as the scope of licensure changes over time. This is one example of many like it under this ordinance.

Next, this proposed ordinance permits the common council to establish and revise a schedule of fees for each and every service provided by the Racine Fire Department. As such, the Fire Department may update the proposed fee schedule every year to include the fees for those services it provides and to delete the fees for those services it eliminated. Again, this flexibility is necessary in this field of service.

Finally, this ordinance would allow the fire chief or designee to waive any fee for fire department services upon written request and based upon a totality of the circumstances. It also permits the collection of unpaid fees.

Relevant portions of the code of ordinances are set forth below. Type in black is existing language and would not change. Type in red is language that would change. Stricken language would be deleted; underlined language would be added.

RECOMMENDED ACTION: To approve.

FISCAL NOTE & BUDGETARY IMPACT: All user fees invoiced and collected for fire department services.

~~Chapter 38 EMERGENCY SERVICES~~

~~ARTICLE I. IN GENERAL~~

~~Sec. 38-1. Reserved.~~

~~Sec. 38-2. Payment of forfeiture in lieu of court appearance.~~

- ~~(a) Any person charged with a violation of the offenses listed under subsection (b) of this section may pay the amount enumerated therein at the office of the municipal court in lieu of a court appearance. Persons wishing to contest charges contained in subsection (b) of this section may contact the office of the municipal court to arrange a court appearance date.~~
- ~~(b) The following forfeitures for the offenses listed herein may be paid at the office of the municipal court:-~~

Section number	Violation	Forfeiture
38-29	Automatic dialer	\$100.00
38-33	Audible alarms	100.00
38-35	Intentional false alarm	200.00

~~Secs. 38-3—38-19. Reserved.~~

~~ARTICLE II. POLICE, FIRE AND MEDICAL ALARM SYSTEMS~~

~~Sec. 38-20. Ambulance and fire department services.~~

~~The City of Racine Fire Department provides numerous emergency services to the citizens of Racine and surrounding communities through emergency services contracts for service. Services provided include, but are not limited to, fire suppression activities, emergency medical services, level A and B hazardous materials response, confined space rescue, collapse rescue, trench rescue, water rescue and recovery, high and low angle rescue and fire prevention inspections.~~

- ~~(1) Events requiring initiation of an emergency medical service bill for services provided are:-~~

- ~~a. Basic life support call for assistance.~~
- ~~b. Advance life support call for assistance involving the need for skill levels above that of an emergency medical technician basic.~~
- ~~c. Advance life support call for assistance involving life threatening or life ending emergencies.~~
- ~~d. Nonemergency request for assistance that does not require a medical evaluation or transport to a medical facility.~~
- ~~(2) Events requiring initiation of billable fees:~~
 - ~~a. Vehicle fires on street or private property.~~
 - ~~b. Vehicles on fire as a result of an accident.~~
 - ~~c. Spills and leaks of anti-freeze, oil, gasoline or diesel fuel, requiring actions on the part of firefighters to minimize or eliminate the hazard.~~
 - ~~d. Disconnection of vehicular power systems and batteries to minimize or eliminate hazards associated with live electrical systems.~~
 - ~~e. Use of power and hand tools to gain entry to a vehicle for the removal of a patient or patients.~~
 - ~~f. Use and deployment of vehicle stabilization systems including air lifting bags, cribbing and airshore systems.~~
 - ~~g. Power wires down across a vehicle requiring the utility company to respond whether there is a trapped victim or not.~~
- ~~(3) Events not requiring initiation of billable fees (separate billing for EMS as appropriate):~~
 - ~~a. Vehicular accidents where an engine, truck or quint company is called for the specific purpose of assisting the rescue squad in patient care or handling.~~
 - ~~b. Vehicular accidents where it is determined that no hazards exist that require the intervention of firefighters.~~
 - ~~c. Calls for vehicular HazMat (leaking fluids) where no action was taken and/or the call was unfounded.~~
 - ~~d. Calls for vehicle fires where no fire has occurred.~~

~~Sec. 38-21. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Advanced life support (ALS)* means a higher level of emergency medical care, usually provided by EMT-intermediates or paramedics. Typically ALS includes invasive techniques such as IV therapy, intubation and/or drug administration.~~

~~*Advanced life support level 2 (ALS2)* means ALS skills plus, but not limited to, ventilatory support involving tracheal intubation, pharyngo-tracheal lumen airway, esophageal obturator~~

airway, trans-tracheal catheter ventilation; advance IV access including IO application, and external jugular venous access diagnostic testing including EKG interpretation; advanced treatment options with drugs or electro-conversion, and advance perfusion support. ALS 2 generally will involve life-threatening or life-ending emergencies.

Assisted living facility means a residential setting that provides assisted living services for remuneration to four or more persons who reside in such residential setting and are not related to the owner of the residential setting and, except as provided herein, includes a home, an apartment, or a facility. Assisted living does not include a home, an apartment, or a facility in which (i) casual care is provided at irregular intervals or (ii) a competent person residing in such home, apartment, or facility provides for or contracts for his or her own personal or professional services if no more than 50 percent of the persons residing in such home, apartment, or facility receive such services.

Basic life support (BLS) means fundamental emergency treatment that is provided until more precise medical treatment can begin. The constellation of emergency procedures needed to ensure a person's immediate survival, including CPR, control of bleeding, treatment of shock and poisoning, stabilization of injuries and/or wounds and basic first aid.

Emergency medical treatment means treatment beyond an initial assessment routinely performed by the Racine Fire Department.

Hazardous materials emergency means an occurrence or an event that involved the uncontrolled release of or emanate threat of a hazardous material into the environment which creates the potential or possibility of harm to human health, property or the environment.

Lift assist means a response by the Racine Fire Department to assist in physically moving a person who does not require emergency medical treatment or transportation in an assisted living facility and or nursing care facility.

Medical emergency means an injury or illness that is acute and poses an immediate risk to a person's life or long-term health. These emergencies may require assistance of the fire department-based emergency medical technicians (EMT) or paramedics pre-hospital. Dependent upon the severity of the emergency and the quality of any treatment given; it may require the involvement of multiple levels of care, from EMTs to an emergency room physician through to a specialist surgeon.

Motor vehicle accident means any collision between two or more motor vehicles; a collision between a motor vehicle and personal or real property; a collision between a motor vehicle and a non-motor vehicle, including unlicensed vehicles.

Mutual aid box alarm system (MABAS) means a mutual aid system developed by the fire service to allow fire departments who are experiencing an extraordinary community incident to call resources from surrounding communities to assist with the extraordinary community incident at no cost to the municipality. Under MABAS municipalities must be capable of covering more than 90 percent of the routine day-to-day calls utilizing internal resources. Also under MABAS, municipalities not only receive assistance for extraordinary incidents, but the municipality must share their internal resources with outlying municipalities experiencing extraordinary incidents.

~~Nursing care facility means a facility where medical care, nursing care, rehabilitation, or related services and associated treatment are provided for a period of more than 24 consecutive hours to persons residing at such facility who are ill, injured, or disabled.~~

~~Private ambulance service means any entity licensed by the State of Wisconsin or other states to provide private (not municipal based) ambulance transport of patients from the hospital to home, hospital to an assisted living facility, home to hospital or assisted living facility to hospital transport by way of a licensed motor vehicle.~~

~~Response means any and all instances when one or more members of the Racine Fire Department are called out to the scene of an incident involving an emergency situation that is beyond the capabilities of local first responders and local emergency personnel. The emergency situation could involve the presence or suspected presence of a dangerous, hazardous or toxic substance, life-threatening or life-ending emergencies, fire, mass rescue, trench rescue, and high or low angle rope rescue.~~

~~Sec. 38-22. Ambulance billings and lift assist cost recovery.~~

~~(a) The fee schedule as established by the common council will be utilized when billing for emergency and non-emergency responses to medically related calls for assistance received through the 911 joint dispatch center as follows:~~

~~(1) Basic life support on scene care or invalid assistance for non-emergency assistance where no transport or medical assistance is needed:~~

City of Racine or contract area of service resident
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Non-resident living outside the City of Racine or contracted area of service

~~(2) Basic life support response and transport to a medical facility:~~

City of Racine or contracted area of service resident
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Non-resident living outside the City of Racine or contracted area of service

~~(3) Advance life support response and transport to a medical facility:~~

City of Racine or contracted area of service resident
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Non-resident living outside the City of Racine or contracted area of service

~~(4) Advance life support response and no transport—On scene care only~~

City of Racine or contract area of service resident
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Non-resident living outside the City of Racine or contracted area of service

~~(5) Advance life support tier 2 response and transport to a medical facility:~~

City of Racine or contracted area of service

Non-resident living outside the City of Racine or contract area of service

~~(6) Loaded mileage rate from the emergency scene or incident to the hospital:~~

~~(7) Billable supplies including, but not limited to, the following:~~

Combi-tube intubation-
Defibrillation-
IV Therapy-
ET Intubation-
Routine disposables-
Oxygen Cannula (0-4 liters)-
Oxygen Mask (5+ liters)-
Excessive weight patient over 400 pounds-
Blue code drug resuscitation-
Blue code Lucas Device-
Oxygen-

- ~~(b) The fire chief in his/her sole discretion, shall have the authority to waive ambulance billing fees upon written request from a patient or a patient's estate based on the totality of the request which must include a declaration of financial hardship.~~
- ~~(c) A contracted fire and EMS billing agency is hereby directed to issue invoices for such emergency services and to collect such fees on behalf of the City of Racine and to deposit such fees in the city's general fund, which shall be used to purchase fire department equipment, fire department training, EMS training supplies for the City of Racine Fire Department.~~
- ~~(d) When appropriate, charges not collected shall be turned over to the tax refund intercept program (TRIP) or a collection agency at the discretion of the City of Racine.~~
- ~~(e) Lift assist for assisted living facilities, nursing care facilities, or private ambulance service where no transport is required by the fire department ambulance crew.~~
- ~~(1) The city may recover, from any facility or private ambulance provider the city's expenses for any non-emergency lift assist response.~~
- ~~(2) The city shall charge a fee to the identified assisted living facilities, nursing care facilities, or private ambulance service for services provided by the Racine Fire Department in connection with providing a lift assist to any person.~~
- ~~(3) The fee for providing such lift assist shall be for services accumulated in a single calendar year from January 1 through December 31 and are defined in the fee schedule as established by the common council. Breakdown categories for charging fees are:~~

1 to 2 assists to a single address—No fee-
3 to 5 assists to a single address-
6 to 7 assists to a single address-
8 to 9 assists to a single address-
Each additional occurrence above 9 assists to a single address-

- ~~(4) The fire department shall maintain records in connection with services provided pursuant to this policy, and shall create billing documents, and shall forward records to~~

~~the fire department's contracted billing agent who will be responsible to invoice affected facility or private ambulance provider. If fees become delinquent, they will progress through the normal EMS billing cycles, per the current contract with the billing agent. If the billing is not paid within 180 days of invoicing the balance due shall constitute a special charge against the property where the assistance was provided under Section 66.601(16) of the Wisconsin Statutes, and shall be placed on the annual tax roll for collection as a special charge. All proceedings related to the collection of real estate taxes shall apply.~~

- ~~(5) Any assisted living facility, nursing care facility or private ambulance provider subject to a fee under this policy may within 30 days of issuance of such a bill appeal to the City of Racine Finance Committee in writing.~~

~~Sec. 38-23. Vehicle accident and vehicle fire billing.~~

- ~~(a) The fee schedule as established by the common council will be utilized when billing for incidents and/or accidents involving motor vehicles and motorcycles. Each vehicle involved will be billed for services provided or assistance rendered as follows:~~
- ~~(1) Vehicle fire requiring a single fire engine response. Incidents determined to be incendiary in nature will not be billed.~~
 - ~~(2) Motor vehicle accident level 1 Basic vehicle accident involving single or multiple vehicles where fire department personnel provide basic assistance for the elimination of basic hazards including: disconnecting vehicle electrical systems, minor spills of fluids including water, anti-freeze, oil and less than one gallon of fluid.~~
 - ~~(3) Motor vehicle accident level 2 Advance[d] vehicle accidents involving single or multiple vehicles where fire department personnel must provide basic heavy hand tools for extrication of trapped victims.~~
 - ~~(4) Motor vehicle accident level 3 Advance[d] vehicle accidents involving the use of power assisted extrication tools such as hydraulic cutters, hydraulic spreaders, air bags, stabilization devices, winches, anchoring systems, saws, plasma cutters and other highly specialized equipment. This charge will also apply for significant fluid spills greater than one gallon of fluid.~~
 - ~~(5) Additional costs may apply for the use of fire suppression foam on large fuel spills and the cost of a cleanup contractor to remove contamination caused by the leakage of fluids. Those costs will be billed at the current replacement cost of the supplies used.~~
- ~~(b) A contracted fire and EMS billing agency is hereby directed to issue invoices for such emergency services and to collect such fees on behalf of the City of Racine and to deposit such fees in the city's general fund, which shall be used to purchase fire department equipment, fire department training, EMS training and supplies for the City of Racine Fire Department.~~
- ~~(c) When appropriate, charges not collected shall be turned over to the tax refund intercept program (TRIP) or a collection agency at the discretion of the City of Racine.~~

~~Sec. 38-24. Fire department special services.~~

- ~~(a) The fee schedule as established by the common council will be utilized when billing for emergency incidents requiring specialized skills provided by the Racine First Department, for incidents specified below. Fees will be billed to the municipality or company requesting the services unless the municipality or company contracts with the City of Racine Fire Department for these services. The municipality requesting the services will be responsible for recovery of costs from a responsible party. Fees will be used to cover equipment costs, personnel costs and the cost of supplies used during the incident. All supplies utilized will be billed at the current replacement rate. Personnel costs may also include overtime for personnel recalled.~~
- ~~(1) Hazardous materials level A incident response involving chemical, biological or nuclear emergencies not requiring level A entry garments classified as extremely hazardous substances (EHS) requiring full suit encapsulation.~~
- ~~• Minimum response will be tactical command, special teams 1 and personnel based on the incident assessment matrix.~~
 - ~~• An hourly rate for on-duty personnel utilized for the response from the time of dispatch until units are returned in quarters plus any supplies used.~~
 - ~~• An hourly rate for off-duty personnel recalled from the time of dispatch until units and personnel are returned in quarters plus any supplies used.~~
- ~~(2) Hazardous materials level B incident response involving chemical, biological, or nuclear emergencies.~~
- ~~• Minimum response will be special teams 1, and personnel based on the incident assessment matrix.~~
 - ~~• An hourly rate for on-duty personnel utilized for the response from the time of dispatch until units are returned in quarters plus any supplies used.~~
 - ~~• An hourly rate for off-duty personnel utilized for the response due to the magnitude of the incident and personnel are returned in quarters plus any supplies used.~~
- ~~(3) Chemical assessment team response for incidents involving chemical, biological or nuclear emergencies for which monitoring and non-physical assistance is provided.~~
- ~~• Minimum response will be special teams 1 and personnel, based on the incident assessment matrix.~~
 - ~~• An hourly rate for on-duty personnel utilized for response from the time of dispatch until units are returned in quarters plus any supplied used.~~
 - ~~• An hourly rate for collapse, trench or confined-space rescue response from the time of dispatch until the units and personnel are returned to quarters plus any supplies used.~~
 - ~~• An hourly rate for high and low-angle technical rope rescue response from the time of dispatch until the units and personnel are returned to quarters plus any supplies used.~~

- ~~(b) Staffing levels for all special team emergency responses shall be determined at the sole discretion of the Racine Fire Department utilizing National Fire Protection Association (NFPA) standards and Department of Homeland Security recommendations.~~

~~Sec. 38-25. Schedule of equipment rates for major disasters and emergencies.~~

~~The fee schedule as established by the common council shall apply for major disasters or emergencies that occur in municipalities which are not covered by the mutual aid box alarm system (MABAS) contracts or where a state or federal disaster has been declared. When not otherwise addressed, the current Federal Emergency Management Agency (FEMA) Schedule of Equipment Rates will be utilized. Costs will be billed from the initial dispatch time until the unit or units' returns to quarters.~~

- ~~(1) Personnel costs—Actual cost incurred including overtime and detailed on a separate worksheet. The detailed worksheet must show the employee, apparatus assignment, specific duties, time spent on the assignment, and payroll information.~~
- ~~(2) An hourly rate plus staff FEMA Cost Code 8041—Ambulance.~~
- ~~(3) An hourly rate plus staff FEMA Cost Code 8131—Boat, runabout 13' × 5'.~~
- ~~(4) An hourly rate plus staff FEMA cost Code 8312—Generator up to 43 kW (ST-1).~~
- ~~(5) An hourly rate plus staff FEMA Cost Code 8692—Truck, fire pump capacity 1500 gpm.~~
- ~~(6) An hourly rate plus staff FEMA Cost Code 8694—Truck, fire quint 75' ladder.~~
- ~~(7) An hourly rate plus staff FEMA Cost Code 8695—Truck, fire ladder 100'.~~
- ~~(8) An hourly rate plus staff tactical command post (TC-1).~~
- ~~(9) An hourly rate plus staff special teams 1 (ST-1).~~

~~Sec. 38-26. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meaning given in this section, except where the context clearly indicates otherwise:~~

~~*Emergency* means an unexpected situation that requires prompt action by the police department and/or fire department.~~

~~*False alarm* means a signal from an alarm system resulting in a response by the police department and/or fire department when an emergency did not exist, provided that such a signal originating from an official office or department of the city shall not be deemed to be a false alarm.~~

~~*Fire alarm* means any device which, when activated by an unlawful act or an emergency requiring fire department response, transmits a signal to a central fire alarm system or produces an audible or visible signal designed to notify persons within audible or visual range of the signal.~~

~~*Medical alarm* means any device which, when activated by an unlawful act or an emergency requiring fire department response, transmits a signal to a central alarm system or~~

~~produces an audible or visible signal designed to notify persons within audible or visual range of the signal.~~

~~*Police alarm* means any device which, when actuated by an unlawful act or an emergency requiring police department response, transmits a signal to a central alarm system or produces an audible or visible signal designed to notify persons within audible or visual range of the signal.~~

~~Sec. 38-27. Purpose.~~

~~The purpose of this article is to establish regulations, standards and controls relating to the type, use and installation of police, fire and medical or other alarm devices, whether such devices are monitored by a private alarm company, or any other person.~~

~~Sec. 38-28. Penalty for violation of article.~~

~~Any person convicted of a violation of this article may be required to forfeit an amount as provided in section 1-15.~~

~~Sec. 38-29. Automatic dialing devices prohibited.~~

~~No person shall sell, use, or cause to be used any telephone or electronic device or attachment that automatically selects a telephone trunk of the police department, fire department or Racine Emergency Services for purposes other than connecting an actual caller with a Racine Emergency Services operator.~~

~~Sec. 38-30. Direct telephone connection.~~

~~Potential subscribers shall submit an application for direct telephone connection to Racine Emergency Services Communications Center to the director of Racine Emergency Services for review. If approved, the subscriber shall pay all costs associated with the installation and connection to the Racine Emergency Services Communications telephone system, and shall pay the city an annual monitoring fee as determined by the common council. Failure to comply with any provision of this article or repeated false alarms shall be cause for an alarm system to be disconnected from the central alarm station upon 30 days' prior written notice by the director of Racine Emergency Services. Such disconnection shall be made at the alarm holder's expense. An order of disconnection may be appealed by filing a written notice of appeal with the city clerk within ten days of the date of the order. Such appeal shall be heard by the public safety and licensing committee within 30 days of the date of filing the appeal. The committee may affirm, reverse or modify the order of the director of Racine Emergency Services. An appeal which is timely filed suspends the disconnection until the committee renders its decision. The city clerk shall give appellant written notice of the time and place of the hearing not later than 48 hours prior to the hearing. The director of Racine Emergency Services may, at his discretion, require the immediate disconnection of any direct telephone connection if technical failure or defects of the system result in a continual or sporadic unintended direct call.~~

~~Sec. 38-31. False alarms; penalty.~~

~~(a) For various reasons, false alarms for alarm systems frequently occur. Each false alarm requires response by public safety personnel, involves unnecessary expense to the city,~~

~~increases the risk of injury to persons and damage to property, and dilutes the overall public safety protection to the city. False alarms constitute a public nuisance and must be abated. Any person whose premises is connected to a central alarm system in accordance with this article shall pay to the city a charge for false alarms responded to by the police department and/or fire department, whichever amount is greater if both respond, according to the fee schedule as established by the common council schedule for each calendar year for each premises connected.~~

- ~~(b) This section is intended to impose strict liability on the person responsible for an alarm system or for a connection to a central alarm station and applies regardless of the cause of the false alarm, except as otherwise provided herein.~~

~~Sec. 38-32. Audible or visual alarm system.~~

~~Any person who maintains an audible or visual alarm system on his premises shall be subject to the provisions of section 38-31 under the same conditions as central alarm systems.~~

~~Sec. 38-33. Audible alarms.~~

~~No person shall sell, use or install an alarm which, upon activation, emits a sound the same as or similar to an emergency vehicle siren or civil defense siren.~~

~~Sec. 38-34. Premises utilizing private alarm companies.~~

~~Any person utilizing an alarm system programmed to a private central office or station shall be responsible for the use of such system and shall pay to the city the false alarm charges prescribed in section 38-31 for false alarms the police department and/or fire department respond to. The amount of such false alarm charge shall be based on the number of city responses to false alarms to each business, commercial or residential premises that utilizes a private alarm system. Each premises shall be considered a separate entity for the purpose of determining the number of false alarms. When reporting an alarm, the caller shall first identify the private alarm company which monitors the alarm and then shall identify the nature of the emergency. Private alarm companies shall maintain a maintenance system during the hours that the alarm system is in operation and shall dispatch a company representative to the location of any alarm transmitted upon request of the police department or fire department so that such representative arrives within one hour of the request. Private alarm companies shall provide the director of Racine Emergency Services with a telephone number at which the maintenance service may be contacted at any time.~~

~~Sec. 38-35. Intentional false alarm.~~

~~No person shall intentionally cause the activation of a police, fire or medical alarm device knowing that no crime or emergency exists.~~

Chapter 38 – FIRE DEPARTMENT SERVICES

Sec. 38-1. – Definitions.

AEMT means an Advanced Emergency Medical Technician who is licensed under the Wisconsin Administrative Code chapter DHS 110 to provide EMS within the scope of licensure.

Advanced Life Support, Level 1 (ALS) means advanced emergency lifesaving procedures that include the provision of medically necessary supplies and services including an ALS assessment or at least one ALS intervention beyond scope of the EMT-Basic. Procedures include, but are not limited to, intravenous (IV) therapy and electrocardiogram (EKG) interpretation.

Advanced Life Support, Level 2 (ALS2) means advanced emergency lifesaving procedures that include the provision of medically necessary supplies and services including an ALS assessment and including at least three separate administrations of one or more medications by intravenous push/bolus or by combination infusion (excluding crystalloid fluids) or the provision of manual defibrillation/cardioversion, endotracheal intubation, cardiac pacing, chest decompression, surgical airway, or an intraosseous line.

AHA means the American Heart Association.

Basic Life Support (BLS) means emergency lifesaving procedures that focus on the patient's airway, breathing, and circulation and include a BLS assessment. Procedures include, but are not limited to, splinting, patient assessment, oxygen administration, wound care, and CPR.

Community Paramedicine and *Mobile Integrated Health* mean optional, non-emergent, and scheduled medical care pursuant to the authority of a physician and subject to approval by the Wisconsin Department of Health and Safety, if required.

CPR means cardiopulmonary resuscitation.

DHS means the Wisconsin Department of Health and Safety.

EMT-I means an Emergency Medical Technician-Intermediate who is licensed under the Wisconsin Administrative Code chapter DHS 110 to provide EMS within the scope of licensure.

EMT-Paramedic means an Emergency Medical Technician-Paramedic who is licensed under the Wisconsin Administrative Code chapter DHS 110 to provide EMS within the scope of licensure.

Fire department means the City of Racine Fire Department.

Fire department service means any incident to which one or more members of the fire department responds and acts and/or responds to standby.

Lift assist means a non-emergency response by the fire department to physically move or to assist with the physical movement of a person who does not require medical treatment or transport.

Mileage means loaded number of miles from one location to another location, and all costs associated with mileage will be on a per mile basis.

Transport means transportation of a person by a ground ambulance vehicle.

Sec. 38-2. – User fees.

- (a) *Establishment; fees.* The common council may establish and revise a schedule of fees to include a separate fee for each service provided by the City of Racine Fire Department.
- (b) *Scope of services.* A fee may be charged for each and every fire department service, including, but not limited to, the following: Emergency medical services; ambulance services, with or without transport; mental health crisis; standby services; community paramedicine and mobile integrated health; mileage; medical supplies and equipment; lift assists; fire alarm responses; vehicle fires; vehicle accidents; traffic incident management; hazardous materials responses; technical rescue services, including structural collapse, confined space, trench, high-angle rope, vehicle and heavy extrication, and water or swift water rescue; training, including cardiopulmonary resuscitation (CPR) and courses by the American Heart Association (AHA); responses resulting from negligent or intentional acts; and staffing or response for special operations or special teams incidents.
- (c) *Cooperative agreements.* The common council may enter into cooperative agreements with other local units of government which may establish a schedule of user fees that are different than those established under subsection (a).
- (d) *Billing.* Fees for fire department services shall be invoiced to the user as soon as practicable following the fire department service. Payment shall be due as indicated on the invoice. The city or a contracted billing agency on behalf of the city shall invoice and collect fees pursuant to this section.
- (e) *Waiver.* The fire chief or designee shall have the sole discretion and authority to waive any fee for fire department services upon the written request of the user or user's estate based upon the totality of the circumstances and within the parameters of the law.
- (f) *Nonpayment.* If payment is not received by no later than the time frame indicated on the invoice, then the city may pursue collection and other remedies under the law.

Ordinance 0007-26 – Fire Department Services

An ordinance to repeal, delete, and recreate Chapter 38 of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 38 is repealed, deleted, and recreated as follows:

Chapter 38 – FIRE DEPARTMENT SERVICES

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- (c) *Cooperative agreements.* The common council may enter into cooperative agreements with other local units of government which may establish a schedule of user fees that are different than those established under subsection (a).
- (d) *Billing.* Fees for fire department services shall be invoiced to the user as soon as practicable following the fire department service. Payment shall be due as indicated on the invoice. The city or a contracted billing agency on behalf of the

city shall invoice and collect fees pursuant to this section.

- (e) *Waiver.* The fire chief or designee shall have the sole discretion and authority to waive any fee for fire department services upon the written request of the user or user's estate based upon the totality of the circumstances and within the parameters of the law.
- (f) *Nonpayment.* If payment is not received by no later than the time frame indicated on the invoice, then the city may pursue collection and other remedies under the law.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: All user fees invoiced and collected for fire department services.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.