

**CITY OF WEST ALLIS  
ORDINANCE O-2020-0032**

**ORDINANCE TO SEPARATE THE CITY TREASURER AND CITY COMPTROLLER  
POSITIONS AND ELIMINATE THE FINANCE DIRECTOR POSITION**

**CREATING SECTIONS 2.625 AND 2.635, REPEALING SECTIONS 2.62 AND 2.63,  
AND AMENDING SECTIONS 2.49, 2.54, 2.65, 2.66, 2.76, AND 5.03**

**WHEREAS**, to promote budgetary integrity and follow best accounting practices, the treasurer and comptroller should maintain separate roles; and

**WHEREAS**, it benefits the City of West Allis for the treasurer and comptroller to have different offices, each of which focus exclusively on duties assigned by state law, this code, and internal policy;

**NOW THEREFORE**, the common council of the City Of West Allis do ordain as follows:

**SECTION 1:**        **AMENDMENT** “2.49 Capital Improvement Committee” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

2.49 Capital Improvement Committee

1. Establishment. The Capital Improvement Committee is created to recommend, review and update a capital improvement program for the City.
2. How Constituted.
  - a. The Capital Improvement Committee shall consist of the following members.
    - i. The Mayor.
    - ii. A member of the Board of Public Works.
    - iii. A member of the Administration and Finance Committee.
    - iv. A member of the Plan Commission.
    - v. Two (2) citizen members.
    - vi. The City Administrator.
    - vii. The Finance Director/Comptroller/ and Treasurer or their designees.
    - viii. The Director of Public Works or designee.
    - ix. The Director of Development or designee.
    - x. The City Engineer or designee.
  - b. The member of the Board of Public Works, the member of the Administration and Finance Committee, the member of the Plan Commission, and the two (2) citizen members shall be appointed by the Mayor. The member of the Administration and Finance Committee and the member of the Board of Public Works shall be appointed annually. The citizen members shall be appointed for terms of three (3)

years each. All appointments by the Mayor are subject to the confirmation of the Common Council.

3. Organization and Procedure.

- a. The Chairman of the Committee shall be designated by the Mayor.
- b. Meetings shall be held biannually in conjunction with the budget process, or more frequently, as necessary, at the call of the Chairman or a majority of the entire Committee. The meetings shall be held at a time and place specified by the Committee and shall be open to the public.
- c. A quorum shall consist of six (6) members, and all official actions shall require a majority vote.
- d. Written minutes shall be kept showing all action taken and recommendations made; the City Clerk shall provide staff for the Committee.
- e. The Committee may adopt additional rules, not inconsistent herewith, for the transaction of its business.

4. Definitions.

- a. "Capital Assets" are known as fixed assets and include - land, land improvements, easements, buildings and improvements, equipment, technological software, capital leases, technology equipment, recycling and waste management equipment, parks and open spaces, infrastructure (streets, roads, alleys, bridges; tunnels; water, drainage and sewer systems; lighting systems, traffic control, underground conduit and wired communications), and other similar items that the Common Council may from time to time require.
- b. "Capital Equipment" means any single asset/single piece of equipment.
- c. "Capital Improvement Plan" or "Capital Improvement Program" means a plan/prioritization of capital projects and capital equipment, their costs, and methods of financing.
- d. "Capital Project" is a project for the construction, transformation, or renovation of permanent infrastructure.
- e. "Capital Outlay" means money spent to fund a capital project, also known as capital expenditures. It does not include incidental repair or maintenance of a capital asset.

5. Duties and Responsibilities. The Committee shall:

- a. Annually, prior to September 1, develop and recommend a five-year capital improvement plan for submittal to the Common Council for action. The plan shall be based on capital project requests submitted by City departments and shall include items described under (5) below.
- b. Establish criteria to determine the priority of requests including, but not limited to:
  - i. Risk to health, safety and environment and regulatory or mandated requirement.
  - ii. Existing asset condition, recurring maintenance and repair costs, and expected lifecycle.
  - iii. The effect of the request on the achievement of any goal in the City's strategic plan, comprehensive plan or other plans the Common Council has approved.
  - iv. The interrelationship of each capital program/project with other capital projects.

- v. The capacity of the request to fit within funding and debt service targets as determined by the City's fiscal policies.
  - vi. Impact on City operational finances, including operational costs savings, revenue generation, etc. due to program or project completion and economic sustainability of the program or project.
  - vii. Purpose/reason for the program or project.
  - viii. Program or project encourages economic development/maintains or grows tax base.
  - ix. Program or project maintains or increases the level of efficiency of City services.
  - x. Environmental sustainability of the program or project.
- c. Consider and report or recommend on such other matters as may be referred to it from time to time by the Common Council.
- d. Oversee a park subcommittee for parks and open spaces within the City as follows:
- i. The parks subcommittee shall investigate and make recommendations to the Capital Improvements Committee and/or the appropriate Common Council Committee concerning city parks and open spaces relating to administrative operation policies; rental programs, contracts, memorandums of understandings, guidelines, and fees; budget allocations, capital improvements, maintenance, repairs and construction; work with the various departments of the city and with the various state and federal agencies dealing with parks; and to make recommendations concerning the programs that it administers as they relate to this committee.
  - ii. The parks subcommittee shall consist of the following members:
    - (1) Chair of Public Works Committee or member of Public Works Committee.
    - (2) City of West Allis Public Works Director or designee, who shall also serve as Chair (indefinite term as ex officio).
    - (3) One (1) representative of the West Allis West Milwaukee School District Recreation Department (indefinite term as ex officio).
    - (4) One (1) Member of the Capital Improvement Committee (whose term shall coincide with their Capital Improvement Committee Term).
    - (5) One (1) representative of the West Allis community (two-year term).
    - (6) The Mayor, or their designee (indefinite term as ex officio).
    - (7) The City Administrator, or their designee (indefinite term as ex officio).
  - iii. The parks subcommittee may recommend to the Common Council or one of its committees adjustments to the fees and rates for use or rental of all or portions of parks and open spaces through a resolution to update the Fee Schedule.
6. Authority. The Capital Improvement Program shall include requests for capital assets, equipment and projects having a useful life of more than one year; and a cost of at least ten

thousand dollars (\$10,000).

7. Reports.
  - a. Prepare status reports of the status of approved capital projects for submission to the Common Council as requested.
8. Committee Requests. All City departments and agencies shall cooperate with the Committee and provide assistance whenever the Committee so requests.

**[Ord. O-2016-0019, 4/4/2016; Ord. O-2018-0024, 5/15/2018]**

**SECTION 2:**        **AMENDMENT** “2.54 Legislative Committee” of the City Of West Allis Municipal Code is hereby *amended* as follows:

#### A M E N D M E N T

##### 2.54 Legislative Committee

1. Purposes. The Committee shall have the following purposes:
  - a. To review and prepare recommendations relative to the City's official position on state and federal legislation, as well as state and federal administrative rules and policies.
  - b. To coordinate and monitor all City Department activities with respect to state and federal legislation, as well as administrative rules and regulations.
2. How Constituted. The Committee shall consist of five (5) members as follows: **[Ord. O-2005-0010, 2/1/2005]**
  - a. The Mayor, who shall serve as Chair.
  - b. The Chairperson of the Advisory Committee, or his/her designee of another member of the Advisory Committee, who shall serve as Vice Chairperson. **[Ord. O-2012-0018, 6/5/2012]**
  - c. The City Administrative Officer, Clerk/Treasurer.
  - d. The City Attorney.
  - e. The ~~Manager of~~ Finance Director/Comptroller.
3. Appointments and Terms of Office. Appointments and terms of office are indefinite and follow the incumbency for the positions.
4. Organization and Procedure.
  - a. The City Administrative Officer shall serve as Secretary to the Committee, being responsible for minutes, referrals, and communications.
  - b. The meetings shall be held regularly during State legislative sessions, at the call of the Chair or majority of the Committee.
  - c. A quorum shall consist of three (3) members and all official actions shall require a majority vote.
  - d. The Mayor, as Chair, shall be the official spokesperson on all state and federal legislation and rulemaking. The Mayor is authorized to testify and send written communications on behalf of the City, consistent with the official position of the

- Legislative Committee and/or Common Council.
- e. Only upon specific delegation of such authority by the Mayor, Departments and Divisions of the City may testify and send written communications on behalf of the City, consistent with the official position of the Legislative Committee and/or the Common Council.
  - f. The Legislative Committee, in the conduct of its routine review of legislative and rulemaking matters, shall concentrate its focus on those items that are of significance to City policy and operations. **[Ord. O-2015-0024, 4/7/2015]**
  - g. When the City has no official position, when the City's official position is unclear, or when time is of the essence, the Mayor shall confer with the Common Council President, or President's designee, and the Chair of the appropriate Common Council policy committee, and then testify and send written communications on legislation and rulemaking. The Mayor shall file a report with the Common Council monthly on such activity.
  - h. The City Administrator shall provide a copy of the minutes of each Legislative Committee session to each Alderperson, but the minutes shall not be referred to the Common Council for action. Any Alderperson who wishes to take a stance differing from that taken by the Legislative Committee may do so. **[Ord. O-2015-0024, 4/7/2015]**
  - i. The Committee may adopt additional rules, not inconsistent herewith, for the transaction of its business.

**[Ord. 6277, 12/3/1996]**

**SECTION 3:**            **REPEAL** “2.62 Finance Department” of the City Of West Allis Municipal Code is hereby *repealed* as follows:

REPEAL

~~2.62 Finance Department (Repealed)~~

~~The Finance Department shall discharge all duties in connection with auditing, accounting, finance, treasury, and purchasing functions for the City.~~

**SECTION 4:**            **ADOPTION** “2.625 Treasurer” of the City Of West Allis Municipal Code is hereby *added* as follows:

ADOPTION

2.625 Treasurer(Added)

1. Appointment. The City Administrator shall recommend appointment of a Treasurer subject to approval by the Common Council in the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment and Hiring Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 [Discipline for Non-Elective Officials (Executive Service/Department Heads)], and as provided by Section 17.12(1) of the Wisconsin Statutes.
2. Duties and Responsibilities. The Treasurer shall:
  - a. Direct and supervise the functions of the treasury.
  - b. Establish rules for the administration of the Treasurer's Office and perform the duties assigned to it.
  - c. Perform the duties of City Treasurer, prescribed in Sec. 62.09(9) of the Wisconsin Statutes, the position job description, employment contract, and such other duties as the Common Council may prescribe from time to time.

**SECTION 5:**            **REPEAL** “2.63 Finance Director” of the City Of West Allis Municipal Code is hereby *repealed* as follows:

R E P E A L

~~2.63 Finance Director (Repealed)~~

1. ~~Appointment.~~ The City Administrator shall recommend appointment of a Finance Director subject to approval by the Common Council in the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment and Hiring Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 [Discipline for Non-Elective Officials (Executive Service/Department Heads)], and as provided by Section 17.12(1) of the Wisconsin Statutes.
2. ~~Duties and Responsibilities.~~ The Finance Director shall:
  - a. ~~Direct and supervise the functions of the finance, treasury, and purchasing functions.~~
  - b. ~~Establish rules for the administration of the Department and perform the duties assigned to it.~~
  - c. ~~Perform the duties of City Comptroller and City Treasurer, prescribed in Sec. 62.09(9), (10), and (11) of the Wisconsin Statutes, the position job description, employment contract, and such other duties as the Common Council may prescribe from time to time.~~

~~{Ord. O-2018-0022, 5-15-2018}~~

**SECTION 6:**            **ADOPTION** “2.635 Finance Director/Comptroller” of the City Of

West Allis Municipal Code is hereby *added* as follows:

## ADOPTION

### 2.635 Finance Director/Comptroller(*Added*)

1. Appointment. The City Administrator shall recommend appointment of a Finance Director/Comptroller subject to approval by the Common Council in the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment and Hiring Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 [Discipline for Non-Elective Officials (Executive Service/Department Heads)], and as provided by Section 17.12(1) of the Wisconsin Statutes.
2. Duties and Responsibilities. The Finance Director/Comptroller shall:
  - a. Establish rules for the administration of the Finance/Comptroller's Office and perform the duties assigned to it.
  - b. Perform the duties of City Comptroller, prescribed in Sec. 62.09(10) of the Wisconsin Statutes, the position job description, employment contract, and such other duties as the Common Council may prescribe from time to time.
  - c. Direct and supervise the functions of finance and purchasing.

**SECTION 7:            AMENDMENT** “2.76 Civil Service, Wages, Hours And Conditions Of Employment” of the City Of West Allis Municipal Code is hereby *amended* as follows:

## AMENDMENT

### 2.76 Civil Service, Wages, Hours And Conditions Of Employment

1. Civil Service Commission Appointment, Term, and Removal.
  - a. The Civil Service Commission shall consist of five (5) members, all of whom shall be legal residents of the City. No person holding any elective or appointed public position or office of any sort in said City government shall be appointed thereon.
  - b. The Mayor shall, subject to confirmation of the Common Council, between the 15th day of April and the first day of May of each year immediately preceding the expiration of the term of office of any such Commissioner, appoint one (1) member of the Commission to hold office for a term of five (5) years from the first day of May next succeeding his appointment and until his successor is appointed and qualifies. The Mayor, with approval of the Common Council, may suspend or remove for cause any member of the Commission from office prior to the expiration of his term of office.
  - c. Any vacancy in the office of Commissioner during the term shall be filled for the unexpired term by appointment by the Mayor, subject to the confirmation of the

Council.

- d. Every member of the Commission shall take and file the official oath.
  - e. The Commission shall appoint one (1) of its members Chairperson and one (1) of its members Secretary.
2. Civil Service Commission Functions.
    - a. The Commission shall make and preserve the records of its proceedings.
    - b. The Commission shall serve as an appellate body for hearing appeals of decisions by appointing officers concerning termination, discipline and alleged workplace safety complaints of individuals identified in Section (8)(b) below.
  3. Civil Service Commission Rules and Regulations. The Commissioners shall prepare and adopt such rules and regulations to carry out the provisions of this section as, in their judgment, shall be necessary to secure the best service for the City and each department affected thereby, and shall expedite the elimination of all unnecessary formalities in making appointments.
  4. Human Resources Director's Functions Under the Civil Service System. The Human Resources Director shall be designated as Agent for the Commission and shall have the authority to administer the provisions of the Civil Service System as set forth in the Revised Municipal Code, City Policies and Procedures, and the Commission's Rules and Regulations. The HR Department shall develop and implement systems to screen, select, and hire individuals for positions in the classified service, which are job related, in compliance with Human Resources best practices, and consistent with applicable state and federal employment laws and regulations.
  5. Classification of Positions. All offices and positions in the public service shall consist of the following classifications:
    - a. Unclassified Service. The unclassified service shall be organized and consist of the following:
      - i. Elected officials.
      - ii. Members of boards and commissions.
      - iii. Employees not under regular tenure [e.g., probationary, provisional, temporary, special, part-time less than 0.5 budgeted full-time equivalent (FTE)].
      - iv. Employees of the Police and Fire Departments.
      - v. The Executive, Managerial and Deputy/Assistant Services.
        - (1) The Executive Service: those individuals, also referred to as "City officers" or "department heads," who have direct authority and responsibility over one (1) or more major functional and/or operational areas of City government and who, as a result of this authority and responsibility, can commit and allocate resources within the limits of the approved budgets. These individuals participate in the formulation, determination and implementation of management policy and have discretion to allocate and use resources in the administration of their functions. These individuals are department heads and officers of the City. Those positions within the Executive Service and their respective appointing authorities are: **[Ord. O-2018-0043, 11/5/2018]**



<b>Position</b>	<b>Appointing Authority</b>
1. City Administrator	Mayoral appointment/Common Council approval
2. Director of Public Works	City Administrator recommendation/Common Council appointment
3. City Engineer	City Administrator recommendation/Common Council appointment
4. Police Chief	Board of Police and Fire Commissioners
5. Fire Chief	Board of Police and Fire Commissioners
6. Health Commissioner/City Sealer	City Administrator recommendation/Common Council appointment
7. Library Director	Library Board
8. Director of Building Inspections and Neighborhood Services	City Administrator recommendation/Common Council appointment
9. Director of Development	City Administrator recommendation/Common Council appointment
10. City Clerk	City Administrator recommendation/Common Council appointment
11. Finance Director/ <del>City</del> Comptroller/ <del>City</del> Treasurer	City Administrator recommendation/Common Council appointment
12. City Assessor	City Administrator recommendation/Common Council appointment
13. Human Resources Director	City Administrator recommendation/Common Council appointment
14. Director of Information Technology	City Administrator recommendation/Common Council appointment

15. Director of Communications	City Administrator recommendation/Common Council appointment
16. City Attorney	City Administrator recommendation/Common Council appointment
<u>17. City Treasurer</u>	<u>City Administrator recommendation/Common Council appointment</u>

Vacancies in the Executive Service, except for the Chief of Police, Fire Chief and Library Director, shall be governed by Section 17.23 of the Wisconsin Statutes and Policy 404 in the City of West Allis Policies and Procedures Manual. An individual in this service, except for the Chief of Police, Fire Chief, Library Director, and City Administrator may appoint an acting department head who shall perform the duties of that position during the department head's temporary absence. The department head shall file the written appointment of their acting department head in the Office of the City Clerk and shall comply with the applicable provisions of Policy 1424 of the City of West Allis Policies and Procedures Manual. An acting department head shall have all powers and duties of the department head, except the appointment of permanent division heads.

Appointments to and/or by Executive Service positions in the Police and Fire Departments are governed by Section 62.13 of the Wisconsin Statutes, and the Rules of the Board of Police and Fire Commissioners. Appointments to and/or by the Executive Service position in the Library are governed by Section 43.58 of the Wisconsin Statutes.

During the City Administrator's temporary absence, the Mayor, with Common Council approval, may appoint an Acting City Administrator to perform the duties of that position. The Mayor shall file the written appointment of the acting City Administrator in the office of the City Clerk and shall comply with the applicable provisions of Policy 1424 in the City of West Allis Policies and Procedures Manual. An acting City Administrator shall have all powers and duties of the City Administrator, except the appointment of permanent department heads.

In the event a position in the Executive Service, except the City Administrator position, becomes vacant, the City Administrator

may appoint an acting department head, pending a permanent appointment to that position by the Common Council. An acting department head shall have all powers and duties of the department head, except the appointment of permanent division heads. An acting department head shall enter upon the duties of his or her position immediately upon qualification and shall hold the position until the permanent department head is appointed and qualifies, unless removed in accordance with law.

- (2) The Managerial Service: those individuals, also referred to as "division heads," who have delegated authority and responsibility over one (1) functional and/or operational area of City government and who, as a result of this delegated authority and responsibility, can commit and allocate resources within the limits of the approved budget. These individuals work under the direction of a department head. These individuals are not officers of the City. Those positions within the Managerial Service and their respective appointing authorities are:

<b>Position</b>	<b>Appointing Authority</b>
1. Community Development Manager	Director of Development
2. Manager of Planning and Zoning	Director of Development

In the event a position in the Managerial Service becomes vacant, the appointing authority may appoint an acting division head pending a permanent appointment to that position. The appointment of an acting division head shall be made from existing City personnel.

- (3) The Deputy/Assistant Service: those individuals who do not have direct authority and responsibility over one (1) or more functional and/or operational areas of City government, but may be delegated this authority and responsibility from time to time in the absence of the Executive Manager. This service includes deputies or assistants to department and division heads. These individuals do not normally have discretion to allocate and use their own time in the administration of the departmental/division/bureau functions, and any time worked outside normal working hours must be approved. Those positions within the Deputy/Assistant Service and their respective appointing authorities are: **[Ord. O-2018-0043, 11/5/2018]**

<b>Position</b>	<b>Appointing Authority</b>
1. Assistant Fire Chief (Operations)	Fire Chief
2. Deputy Police Chief (Operations)	Police Chief
3. Deputy Finance Director/ <u>Comptroller</u>	Finance Director/ <del>City</del> Comptroller/ <del>City Treasurer</del>
4. Director of Community Health Services	Health Commissioner
5. Library Manager	Library Director
6. Principal Engineer	City Engineer
7. Sanitation and Streets Superintendent	Director of Public Works
8. Electrical Maintenance Superintendent	Director of Public Works
9. Building and Sign Maintenance/Inventory Superintendent	Director of Public Works
10. Forestry and Grounds Superintendent	Director of Public Works
11. Water System Superintendent	Director of Public Works
12. Fleet Services Superintendent	Director of Public Works
13. Assistant City Engineer	City Engineer
14. Senior Center Director	Health Commissioner
15. Assistant Director of Public Works	Director of Public Works
16. Deputy City Attorney	City Attorney
<u>17. Deputy Treasurer</u>	<u>City Treasurer</u>

- b. Classified Service. All other offices and positions shall be included in the classified service, unless otherwise determined from time to time by action of the Common Council. The classified service shall be organized and consist of the following:
- i. Supervisory: except with regard to the Executive and Managerial Service and the Deputy/Assistant Service, those positions which, in the interest of the City, have authority to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or to adjust their grievances or to effectively recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
  - ii. Professional: those positions whose work is predominantly intellectual and varied in character, are involved in consistent exercise of discretion and judgment in work performance, are involved in nonstandardized products or outputs and require knowledge of an advanced type in a field of science or learning customarily acquired by prolonged course of specialized intellectual instruction.
  - iii. Confidential: for purposes of Wisconsin labor law, those positions who have sufficient access to, knowledge of or participation in confidential matters relating to labor relations. For information to be confidential in the labor relations context, it must (a) deal with the employer's strategy or position in collective bargaining, contract administration, litigation or other similar matters pertaining to labor relations and grievance handling between the bargaining representative and the employer, and (b) be information which is not available to the bargaining representative or its agents. Notwithstanding the actual amount of confidential work conducted, but assuming good faith on the part of the employer, an employee may be found to be confidential where the person in question is the only one available to perform legitimate confidential work, and similarly, where a management employee has significant labor relations responsibility, the clerical employee assigned as his or her secretary may be found to be confidential, even if the actual amount of confidential work is not significant, where the confidential work cannot be assigned to another employee without undue disruption of the employer's organization.
- For purposes of the classified service in general, those positions that provide administrative, operational and/or related support for public officials and City officers who are privy and/or have access to the type of confidential information that would be grounds for a closed session under Section 19.85 of the Wisconsin Statutes.
- iv. General Municipal Employee Service: any person employed by the City of West Allis, other than an independent contractor, an employee within the Executive Service, Managerial Service, Deputy/Assistant Service, Supervisory Service, Professional Service or Confidential Service.
- c. Employee Status Categories. It is the policy of the City of West Allis to utilize the

following categories of employee status for all City employees.

- i. Regular Appointment: an employee who is hired to work the normal schedule of forty (40) or more hours per week on a continuing basis. Such employee fills a regularly constituted position established by the Common Council. An employee in this category is compensated on a biweekly basis and may be in a probationary status. A regular employee is entitled to all employee benefits provided by law, to include, but not be limited to, those specified within this Section 2.76 and elsewhere in the City of West Allis Revised Municipal Code and/or as set forth by policy in the City of West Allis Policies and Procedures Manual.
- ii. Provisional Appointment: an employee who is hired to fill a regularly constituted vacant position on an interim basis pending the establishment of an eligible register, when the position cannot be temporarily filled by existing personnel. A provisional employee is rare and when an appointment is made in this status category, it generally does not exceed a period of ninety (90) days. The appointment is made on an emergency basis in those instances where a department is unable to wait for an appointment to be made through normal channels. A provisional employee is compensated on a biweekly basis and is entitled to all the employee benefits provided by law, to include, but not limited to, those specified within this Section 2.76 and elsewhere in the City of West Allis Revised Municipal Code and/or as set forth by policy in the City of West Allis Policies and Procedures Manual.
- iii. Part-Time Appointment: an employee who is hired to work regular work hours which are distinctly shorter than the normal schedule of forty (40) hours per week. Such employment is steady and continuing. It may consist of either: 1) partial-day employment, or 2) full day, partial-week or partial-month employment. This employee is compensated on an hourly basis and holds a noncompetitive appointment of indefinite duration. Employment status in this category may or may not confer the privilege of promotion, transfer or reinstatement. An employee in this status category who works a minimum of half-time (0.5 budgeted FTE) is entitled to the same employee benefits as a regular employee, except that there is a proration of benefits based on budgeted FTE.
- iv. Temporary Appointment: an employee who is hired for a limited time to meet a peak demand. Such increased demand may be occasioned by sporadic seasonal or special needs. An employee in this status category is compensated on an hourly basis only. Such employee is not eligible for benefits and may be terminated without notice when the purpose for which the employee was hired has been accomplished. Employment may be either full-time temporary or part-time temporary. Employment in this category does not confer the privilege of promotion, transfer, or reinstatement.
- v. Special Appointment: an employee who is hired for a specified duration or limited term under special agreement with some other agency of

government such as county, state, or federal governments or by the City itself on a special project basis. Generally the compensation is totally or partially subsidized by the sponsoring agency. Employment does not confer the privilege of reinstatement. Pay and benefits entitlement is based on the agreement with the governmental agency or the circumstances of the City's special project.

6. Creating and Filling Positions, Reductions in Force and Recall Procedures. Except for positions under the jurisdiction of the Police and Fire Commission, the City shall fill positions, make reductions in force and recall individuals in accordance with the procedures set forth in Policies 404, 1402 and 1405 in the City of West Allis Policies and Procedures Manual.
7. Voluntary Benefit Programs. The City offers voluntary benefit programs as set forth in Policy 1483 in the City of West Allis Policies and Procedures Manual.
8. Discipline and Grievance Procedure.
  - a. Discipline.
    - i. With the exception of protective service employees as noted in Subdivision 3 below, department heads/appointing authorities or their designees have the authority to discipline their employees in accordance with the provisions set forth in Policy 1403 of the City of West Allis Policies and Procedures Manual.
    - ii. The discipline, removal and suspension of Executive Service employees, except protective service employees as noted in Subdivision 3 below, shall be governed by the provisions of Policy 405 in the City of West Allis Policies and Procedures Manual, Section 2.02 of this chapter, and Secs. 17.12 and 17.16, Wis. Stats.
    - iii. The discipline of protective service employees under the jurisdiction of the Police and Fire Commission shall be governed by the provisions of Sec. 62.13, Wis. Stats.
  - b. Grievance Procedure. This grievance procedure, which addresses issues concerning workplace safety, discipline and termination, applies to all City employees except for: 1) protective service employees under the jurisdiction of the Police and Fire Commission (covered by Section 62.13 Wis. Stats.), 2) Executive Service employees, statutorily appointed employees identified specifically in statute as serving at the pleasure of an appointing authority, and elected officials (covered by Sections 17.12 and 17.16 Wis. Stats. and/or Policy 405 in the City of West Allis Policies and Procedures Manual and/or covered by Section 2.02 of the Revised Municipal Code); and 3) employees not under regular tenure (e.g., probationary, provisional, temporary, special, part-time (less than 0.5 budgeted FTE)). This procedure does not create a legally binding contract. The City reserves all rights, and this procedure does not create a contract of employment. Employees of the City of West Allis are employed at-will and may resign with or without reason. The City may terminate the employment relationship at any time with or without reason and without violation of applicable law.
    - i. Workplace Safety. "Workplace safety" means the conditions of employment related to physical health and safety of employees. Only those acts or omissions that involve a violation of state and/or federal

regulations or laws on health and safety in the workplace will constitute a workplace safety violation. Any grievance filed alleging a workplace safety violation must be personal to the employee filing the grievance; no class actions or complaints on behalf of another may be filed under this procedure.

ii. Discipline. Disciplinary action may include a verbal warning, written warning, suspension (with or without pay), demotion or termination, for rule or policy violations, poor performance or other acts of misconduct. The City has the right to impose the disciplinary action it deems appropriate to the particular circumstances. The following actions shall not

be considered "discipline" under the terms of this grievance procedure:

- (1) Layoffs or workforce reduction activities;
- (2) Performance evaluations or reviews;
- (3) Actions taken to address work performance, including use of a performance improvement plan or job targets;
- (4) Nondisciplinary demotion due to medical condition, lack of qualification or license, or other inability to perform job duties;
- (5) Documentation of employee acts and/or omissions in an employment file;
- (6) Actions taken pursuant to an ethics ordinance created under Sec. 19.59(lm) Wis. Stats.;
- (7) Nondisciplinary wage, benefit or salary adjustments;
- (8) Transfer, change in assignment or assignment location;
- (9) Placing an employee on paid administrative leave pending an internal investigation;
- (10) Counselings, meetings or other predisciplinary actions.

iii. Termination. "Termination" is generally defined as a discharge from employment for rule or policy violations, poor performance or other acts of misconduct. The following actions shall not be considered a "termination" under the terms of this grievance procedure:

- (1) Voluntary quit, resignation, retirement or other separation initiated by the employee;
- (2) Workforce reduction activities, layoff or failure to be recalled from layoff at the expiration of the recall period;
- (3) Job abandonment, "no-call, no-show," or other failure to report to work;
- (4) Job transfer or demotion;
- (5) Action taken pursuant to an ethics ordinance created under Sec. 19.59(lm), Wis. Stats.; or
- (6) End of employment and/or completion of assignment of a temporary, seasonal, contract or part-time employee.

iv. Steps in Grievance Procedure. [NOTE: The failure of the employee to comply with the time limits prescribed in this grievance procedure shall be deemed a waiver of his/her right to proceed with the grievance and shall be a bar to judicial review. The employee may advance a grievance to the



next step if a response is not provided within the designated timeframe. Any time limit prescribed herein may be extended by mutual written consent of the parties. The Commission has the sole authority to determine whether a matter should be dismissed on procedural grounds, including failure to comply with a time limit prescribed herein.]

(1) Step 1. If an employee has a grievance, he/she shall first present and discuss the grievance orally with his/her immediate supervisor within two (2) workdays of knowledge of the issue/circumstances causing the grievance. The supervisor will reach a decision and communicate it orally to the employee within two (2) workdays.

(2) Step 2. If the grievance is not settled at Step 1, the employee shall reduce the grievance to writing and present it to the department head/appointing authority within five (5) workdays after receiving communication of the supervisor's decision. The written grievance shall contain a clear and concise statement of the relevant facts, the date(s) the event occurred, the identities of the persons involved, documentation related to the grievance in possession of the employee, the actions taken to informally resolve the grievance, the reasons why the disciplinary action should be overturned, if applicable, and the remedy requested. A grievance alleging a workplace safety issue shall also identify the regulations or laws allegedly violated, if applicable. Within five (5) workdays, the department head shall furnish the employee with a written response to the grievance.

(3) Step 3. If the grievance is not settled at Step 2, the employee may submit a written appeal to the Human Resources Director within five (5) workdays. The Human Resources Director shall schedule the matter before an impartial hearing officer for a hearing as soon as practicable.

v. Civil Service Commission Hearing.

(1) The Commission shall appoint a time and place for hearing the appeal and shall notify the department head/appointing authority and the affected employee of the time and place of such hearing. This time period may be changed by mutual agreement of the parties and the Commission. The Commission may, in its discretion, have the hearing transcribed. A copy shall be made available to the employee at his/her expense. The employee may be represented at the hearing by an attorney at the employee's own expense.

(2) Subject to the Commission's discretion, witnesses may appear at the hearing and present information under oath or affirmation. Written documents may be submitted. The rules of evidence may be used as a guideline but shall not be binding upon the Commission. The appealing party carries the burden of production of evidence and the burden of proof. In disciplinary matters, the sole issue before the Commission shall be: Based on

the preponderance of the evidence presented, has the employee proven the disciplinary action was arbitrary and capricious? An action will be deemed arbitrary and capricious if it is unreasonable or without a rational basis (i.e., if any reasonable view of the evidence sustains the action, it may not be disturbed). In making such determination, the Commission shall accord the decision of the department head/appointing authority a presumption of correctness and validity. In matters involving allegations of workplace safety violations, the sole issue before the Commission shall be: Based on the preponderance of the evidence presented, has the employee proven there was a violation of state and/or

federal regulations or laws on health and safety in the workplace?

- (3) If the Commission determines the discipline or termination was arbitrary and capricious or that there was a workplace safety violation, it shall, in its sole discretion, determine what action shall be taken under the circumstances and as its rules may provide. The decision of the Commission shall be a "final determination" as defined in Sec. 68.12, Wis. Stats. The decision shall be in writing, mailed to the department head/appointing authority and the affected employee, and shall contain notice that any appeal to the Circuit Court of Milwaukee County must be commenced within thirty (30) days of receipt thereof.

9. Discipline, Removal and Suspension of City Officers. See Section (8)(a)2 and 3 above.
10. Prohibited Influences and Practices.
- a. Except as provided otherwise in these enactments, no factor of influence other than the fitness and ability of a person to perform the duties of the position in which he or she is acting or employed, or to which he or she is seeking appointment, shall affect in any detrimental way the appointment, promotion, transfer, suspension or termination of a person with respect to any employment within the scope of these enactments.
  - b. The following practices are forbidden: Pernicious political activity by any City officer or employee; the giving of any consideration, whether financial or otherwise, in return for appointment to an office or position in the service of the City; the obstruction or deceiving of any person desiring to make an examination under the provisions of these enactments or desiring to secure information concerning any such examination; the deliberate mismarking or miscalculation of grades of any applicant taking an examination; the impersonation by any person of any other person in connection with the holding of an examination; and, the giving to or receiving by examination candidates, information or assistance enabling such candidates to obtain an unfair or improper advantage over other candidates for the same examination.
11. Work Hours and Schedules. All officers and employees of the City, except elected officials and employees under the jurisdiction of the Police and Fire Commission, are subject to the work hours and scheduling provisions set forth in Policy 1454 in the City of West Allis Policies and Procedures Manual.

12. Compensation, Salaries and Payroll. The compensation of all employees and elected and appointed officials shall be determined and paid as prescribed by law and in accordance with Salary Ordinances adopted by the Common Council from time to time, and Policies 1110, 1205, 1402, and 1424 in the City of West Allis Policies and Procedures Manual.
13. Sick Leave. All officers and employees of the City, except elected officials and represented protective service employees, shall be entitled to sick leave in accordance with Policy 1430 in the City of West Allis Policies and Procedures Manual.
14. Health and Dental Insurance.
  - a. Provisions for health and dental insurance for employees holding a minimum of a 0.5 FTE (full time equivalent) budgeted position, elected officials, and retirees shall be governed by Policy 1413 in the City of West Allis Policies and Procedures Manual.
  - b. Employee Health Insurance Fund.
    - i. There is hereby established the Employee Health Insurance Fund as part of the Internal Service Fund of the City of West Allis for the payment of claims and other eligible costs under the health insurance program and for no other purpose.
    - ii. The Fund shall consist of premiums paid by the City and premium contributions paid by active and retired employees for the health insurance program.
    - iii. The Fund shall also be credited/charged with a pro rata share of investment interest revenue earned/lost by the City each year. The state investment pool rate shall be used to determine the credit/charge.
    - iv. This Subsection (b) shall not be repealed, amended or otherwise modified except upon a two-thirds-majority vote of all members of the Common Council.
15. Vacations. Each year, all officers and employees of the City, except represented protective service employees (see RMC Sections 4.10 and 5.126) and elected officials, shall be entitled to vacation in accordance with Policy 1432 in the City of West Allis Policies and Procedures Manual. The ~~Manager of Finance~~ Director/Comptroller-~~City Treasurer~~, in checking payrolls or accounts of salaries and wages of officers or employees in the City departments, shall check and keep a record of the time allowed to officers and employees for vacations. The Fire and Police Departments of the City shall maintain the vacation records for those Departments and make them available to the ~~Manager of Finance~~ Director/Comptroller-~~City Treasurer~~ as necessary. Where the vacation taken exceeds that earned, the ~~Manager of Finance~~ Director/Comptroller-~~City Treasurer~~ shall withhold approval of said payroll. Represented protective service employees are governed by the provisions of their collective bargaining contract.
16. Military Leave. It is hereby declared to be the policy of the City to grant military leave to all eligible employees and to provide for the reinstatement of said employees in accordance with the provisions set forth in Policy 1420 of the City of West Allis Policies and Procedures Manual.
17. Unpaid Leaves of Absence.
  - a. Medical Leave. Medical leave shall be granted in accordance with state and federal laws and regulations.

- b. Candidate for Public Office. Candidates for public office shall be granted leave in accordance with the provisions of the Wisconsin Statutes.
  - c. Voluntary Time Off. Voluntary time off shall be granted in accordance with Policy 1469 in the City of West Allis Policies and Procedures Manual.
- 18. Holidays. Each year, all officers and employees of the City, except Police and Fire Dispatchers, represented protective service employees (see RMC Sections 4.10 and 5.126) and elected officials, shall be entitled to holidays in accordance with Policy 1412 in the City of West Allis Policies and Procedures Manual. No other holidays shall be granted by any method whatsoever except by action of the Common Council. In addition, protective service employees not represented by a collective bargaining agreement shall be entitled to and shall receive a holiday payment, in an amount determined by the Common Council through salary ordinance (such payment to be made in the month of December by separate check) and those employees working a 5-2 schedule shall be entitled to and shall receive the holiday benefits enumerated in Policy 1412. Police and Fire Dispatchers are governed by the Rules and Regulations of the Police and Fire Commission. Represented protective service employees are governed by the provisions of their collective bargaining agreement.
- 19. Funeral Leave. All officers and employees of the City, except represented protective service employees (see RMC Chapters 4 and 5) and elected officials shall be granted funeral leave in accordance with Policy 1409 in the City of West Allis Policies and Procedures Manual. Represented protective service employees shall be entitled to funeral leave in accordance with the terms of their collective bargaining agreement.
- 20. Tuition Reimbursement. In order to enable employees to continue their personal development and in turn, become increasingly more valuable to the City government, it is City policy to encourage employees to improve their educational and skill qualifications for advancement. Officers and employees of the City shall be permitted to participate in the tuition reimbursement program in accordance with Policy 1404 in the City of West Allis Policies and Procedures Manual.
- 21. Clothing, Tool and Other Allowances. It is the policy of the City that employees shall receive clothing, tool or other allowance in accordance with the provisions of Policy 1484 in the City of West Allis Policies and Procedures Manual.
- 22. Vehicle Operation/Driving and Mileage Reimbursement. It is the City's intent to establish and maintain a high level of professionalism and awareness of safety among its drivers and operators. Procedures to be followed by all City departments and employees regarding vehicle operation, driving privileges and mileage reimbursement are set forth in Policy 1468 in the City of West Allis Policies and Procedures Manual.
- 23. Subrogation. In the event the City makes any payment of sick leave benefits under Section 2.76(13), and/or any payment of medical expenses pursuant to the terms of any health insurance plan provided under Section 2.76(14), the City shall be subrogated to all the employee's/insured's rights of recovery therefor against any third party or his/her insurer for such payment. Should the employee/insured make a claim or maintain an action against a third party, he/she shall so notify the City and said claim or action shall include a demand for reimbursement of the sickness disability benefits and/or medical expenses paid by the City. As a condition of accepting benefits under Section 2.76(13) or 2.76(14), the employee and all eligible dependents agree to be obligated to subrogate any such claims to the City to the full and complete extent of payments made by the City, and agree to reimburse the City from the proceeds of such recovery from a third party or parties to the

- full extent of all monies paid by the City.
24. Worker's Compensation Benefits and Alternate Duty. Worker's compensation benefits shall be paid to all City of West Allis employees, and alternate duty will be assigned to employees in accordance with Policy 1434 in the City of West Allis Policies and Procedures Manual.
  25. Drug- and Alcohol-Free Workplace. The City provides for a drug- and alcohol-free workplace as set forth in Policy 1447 in the City of West Allis Policies and Procedures Manual.
  26. Jury Duty. It is the policy of the City that all employees be allowed to serve on juries. The terms and conditions of leaves of absences for jury duty are set forth in Policy 1417 in the City of West Allis Policies and Procedures Manual.
  27. Life Insurance. Eligible elected officials and employees may be entitled to participate in the life insurance program in accordance with Policy 1411 in the City of West Allis Policies and Procedures Manual.
  28. Pension Plans. The City of West Allis provides an integrated pension system, comprised of benefits from Social Security (except Fire Department), and the Wisconsin Retirement System. Employees are eligible to participate immediately upon hire.
    - a. Social Security. The City and the employees each contribute to Social Security based on the employee's annual earnings, up to a maximum per annum established by the Social Security Administration.
    - b. Wisconsin Retirement System. Pursuant to Sec. 40.21, Wis. Stats., the City elects to include eligible City personnel under the provisions of the Wisconsin Retirement System (WRS), in accordance with the terms thereof. The City and the employees shall make contributions to the WRS as established by state law.
  29. Departmental Review of Employee Performance. It is the policy of the City that employees shall receive periodic, and at least annual, performance reviews in accordance with the provisions of Policy 1422 in the City of West Allis Policies and Procedures Manual.
  30. Appeals. Any person aggrieved by a determination of the Civil Service Commission may appeal that determination to the Circuit Court of Milwaukee County pursuant to the provisions of Section 68.13 of the Wisconsin Statutes.

**[Ord. O-2017-0040, 10/3/2017]**

**SECTION 8:**            **AMENDMENT** “5.03 Fire Chief” of the City Of West Allis Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 5.03 Fire Chief

1. Appointment and Term. See Section 2.20 of this Code.
2. Duties. The Chief of the Fire Department shall have command and supervision over all the members, apparatus and operations of the Fire Department, subject to the rules and

regulations which may be prescribed by the Board of Police and Fire Commissioners and by the Common Council. He shall keep all appliances belonging to the City and used for the purpose of the Fire Department in good repair and ready for immediate and efficient service.

3. To Appoint Subordinates. The Chief shall appoint subordinates subject to the approval of the Board of Police and Fire Commissioners. Such appointments shall be made by promotion, when this can be done with advantage, otherwise from an eligible list provided by examination and approval by the Board of Police and Fire Commissioners and kept on file with the City Clerk.
4. To Make Rules for Department. The Chief may make rules and regulations for the good government of the Fire Department, consistent with the regulations prescribed by the Board of Police and Fire Commissioners.
5. Emergency Destruction of Property. The Chief and his assistants may direct the firemen to remove, tear down or otherwise dispose of any building or other structure when it shall become absolutely necessary to do so for the purpose of stopping or checking the progress of a fire.
6. Other Duties; Fire Inspector.
  - a. The Chief shall perform all duties delegated to him by the laws of Wisconsin, particularly sec. 101.14(2) of the Wisconsin Statutes, and by the ordinances of the City.
  - b. An Annual Fire Prevention Inspection Fee shall be charged to the property owner for required inspections of each building, structure and premises.
  - c. The fee for required annual fire inspections shall be as follows:
    - i. Residential:

<b>Building Type</b>	<b>Fee</b>
3 - 36 units	\$5.00 per unit
37 - 60 units	\$200.00
61 - 100	\$225.00
100 or more units	\$250.00

- ii. Commercial:

<b>Building Type</b>	<b>Fee</b>
Under 1,000 sq. ft.	\$10.00 per unit
1,000 to 5,000 sq. ft.	\$25.00
5,000 to 25,000 sq. ft.	\$50.00
25,000 to 100,000 sq. ft.	\$100.00
100,000 to 250,000 sq. ft.	\$200.00
250,000 to 500,000 sq. ft.	\$300.00

500,000 to 1,000,000 sq. ft.	\$500.00
Over 1,000,000 sq. ft.	\$750.00

iii. Industrial:

<b>Building Type</b>	<b>Fee</b>
Under 5,000 sq. ft.	\$50.00
5,000 to 25,000 sq. ft.	\$100.00
25,000 to 100,000 sq. ft.	\$150.00
100,000 to 175,000 sq. ft.	\$250.00
175,000 to 350,000 sq. ft.	\$500.00
350,000 to 1,000,000 sq. ft.	\$750.00
1,000,000 to 2,000,000 sq. ft.	\$1,250.00
Over 2,000,000 sq.	\$2,000.00

iv. Churches and Schools:

<b>Building Type</b>	<b>Fee</b>
Under 1,000 sq. ft.	\$10.00
1,000 to 5,000 sq. ft.	\$25.00
5,000 to 25,000 sq. ft.	\$50.00
25,000 to 100,000 sq. ft.	\$100.00
100,000 to 250,000 sq. ft.	\$200.00
250,000 to 500,000 sq. ft.	\$300.00
500,000 to 1,000,000 sq. ft.	\$500.00
Over 1,000,000 sq. ft.	\$750.00

- d.
  - i. The fee for hotels and motels shall be the same as for residential property, except that the fee shall be calculated on a per room basis.
  - ii. The fee for mobile homes shall be the same as for residential property, except that the fee shall be calculated on a per mobile unit basis.
  - iii. Premises located within the City shall be inspected, pursuant to Sec. 101.14 of the Wisconsin Statutes.
  - iv. Square footage above refers to total floor area of any building or structure.
- e. The annual fee shall constitute a special charge against the property inspected. The annual fee shall be extended upon each year's tax roll for collection. If not paid on or before July 31 of each year, the fee shall become a lien on the property inspected and shall automatically be extended upon the current tax roll as a delinquent tax against the property. All proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such special charge. The annual fee represents payment for fire inspections for the year in which payment is due.
- f. All buildings owned by the United States government, the State of Wisconsin, Milwaukee County, the Milwaukee Area Technical College, the West Allis - West Milwaukee School District, the Milwaukee Metropolitan Sewerage District and the City of West Allis, shall be exempt from this fire inspection fee.
- g. Severability. If any provision, clause, sentence, paragraph, section or part of this ordinance, or application thereof to any person, firm, corporation or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of said provision, clause, sentence, paragraph, section or part of this ordinance to other persons, firms, corporations or circumstances, but shall be confirmed in its operation to the provision, clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation or circumstance involved. It is hereby declared to be the legislative intent of the Common Council that this ordinance would have been adopted had such invalid provision or provisions not been included.

7. Ambulance Fee. **[Ord. 6044, 10/5/1993; Ord. 6595, 11/20/2001]**

- a. Whenever an ambulance of the City of West Allis shall convey a person, a fee shall be charged for such service to the person, his/her insurance company, or his/her estate. **[Ord. O-2009-0031, 11/17/2009; Ord. O-2016-0059, 12/20/2016; Ord. O-2017-0058, 12/5/2017]**
- b. The fee shall be established annually by the Common Council and shall be kept in the City Clerk's office. **[Ord. 6537, 10/17/2000; Ord. O-2005-0029, 6/7/2005; Ord. O-2009-0031, 11/17/2009; Ord. O-2016-0059, 12/20/2016; Ord. O-2017-0058, 12/5/2017]**
- c. The Fire Chief or his designee shall be responsible for obtaining the name, address, identification number and health insurance data of the person conveyed, as possible. The ~~Manager of Finance~~Treasurer shall be responsible for the billing and collection of the fee from the person conveyed.



8. Crash and Vehicle Fire Billing Fee. [Ord. O-2012-0044, 12/4/2012; Ord. O-2017-0042, 10/3/2017; Ord. O-2018-0045, 1/15/2019]
- a. Except as otherwise noted herein, whenever the Fire Department of the City of West Allis responds to a crash that does not involve a vehicle fire, within the City limits, involving a vehicle or vehicles that is/are not registered to an address within the City of West Allis at the time of the event, a fee shall be charged, as set forth in Subsection (c) below, for such service to the owner(s). The owner of any such vehicle that is legally parked shall not be charged a fee for such service.
  - b. Whenever the Fire Department responds to a vehicle fire, whether it involves a crash or not, within the City limits, a fee shall be charged as set forth in Subsection (c) below, for such service to the owner(s).
  - c. Except as specified in Subsection (a) above, the fee for the Fire Department service shall be five hundred dollars (\$500) per owned vehicle. This fee shall apply only when the following conditions are met. Bill generated only when following conditions are met:
    - i. The Fire Department responds with a fire apparatus (engine or truck). An ambulance only response does not qualify.
    - ii. The accident takes place within City limits (mutual aid responses are not billed).
    - iii. The responding fire company takes one (1) or more actions to mitigate the results of the accident.
      - (1) Extricate occupants from vehicle.
      - (2) Clean up fluids/deploy absorbent material.
      - (3) Deploy hoseline for safety.
      - (4) Render vehicles safe.
      - (5) Return roadway/scene to navigable and/or safe condition (including securing an area to maintain scene safety from electrical hazards resulting from the crash: downed power lines, power poles, etc.).
  - d. There will be no bill issued if a fire apparatus responds and only provides traffic control, scene safety (roadway blocking), or assistance with medical care.
  - e. The Fire Chief or his designee shall be responsible for obtaining the name, address, identification number, and insurance data of the owner, if possible. The ~~Finance Director~~ Treasurer shall be responsible for the billing and collection of the fee.

**SECTION 9:**                    **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL AUGUST 04, 2020.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Ald. Angelito Tenorio	<u>X</u>	_____	_____	_____
Ald. Vince Vitale	<u>X</u>	_____	_____	_____
Ald. Tracy Stefanski	<u>X</u>	_____	_____	_____
Ald. Marty Weigel	<u>X</u>	_____	_____	_____
Ald. Suzzette Grisham	<u>X</u>	_____	_____	_____
Ald. Danna Kuehn	<u>X</u>	_____	_____	_____
Ald. Thomas Lajsic	<u>X</u>	_____	_____	_____
Ald. Dan Roadt	<u>X</u>	_____	_____	_____
Ald. Rosalie Reinke	<u>X</u>	_____	_____	_____
Ald. Kevin Haass	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



Rebecca Grill, City Clerk, City Of



Dan Devine, Mayor City Of West Allis

West Allis

