

Memorandum of Understanding (MOU)

Establishing Unified Command For Fox Cities Marathon 2024

Between Neenah-Menasha Fire Rescue (NMFR), Neenah Police Department (NPD), Menasha Police Department (MPD), Fox Crossing Fire Department (FCFD), Fox Crossing Police Department (FCPD), Appleton Fire Department (AFD), Appleton Police Department (APD), Fox Valley Metro Police Department (FVMPD), Kaukauna Fire Department (KKFD), Kimberly Fire Department (KFD), Harrison Fire Department (HFD), Outagamie County Sheriff's Department (OCSD), Winnebago County Sheriff's Department (WCSD), Calumet County Sheriff's Department (CCSD) collectively these emergency service departments will be referred to as (Departments).

- I. **Purpose:** The Departments share a common interest in protecting their communities, citizens, marathon participants and spectators of the 2024 Fox Cities Marathon (FCM). This MOU will assist all Departments in providing normal operations to the rest of their communities while still providing needed coverage to the FCM event.

It is anticipated that through this collaborative effort of this MOU, the FCM event will have minimal impact on the emergency responses to the rest of our communities.

- II. **Background and Authority:** FCM has been running for 31 years in our communities. During this time this event has grown and impacted all Departments operations. As the event has grown in popularity, the influx of volunteers, participants and visitors has grown to over 6,000 participants, 2,500 volunteers, estimated over 10,000 spectators.

While each department operates within their own jurisdiction and under their department's policies, this MOU would also allow Department's assets assigned to the FCM to be used by partnering agencies when responding to FCM calls for service.

- III. **Substance of Understanding:** This MOU is intended to form the basis of a Unified Command (UC). The UC can be filled by any Department personnel and would have the authority to:
 - a. Dispatch units to needs within the FCM route.
 - b. Relocate Departments assets as needed throughout the FCM route.
 - c. Be in contact with participating department(s) duty commanders to end or extend the commitment of assets.

Pursuant to this MOU, Departments are required to complete ICS 204 Forms for their assets, thereby providing notice to the UC of resource availability during the FCM event. Each

Department, at their discretion, may deny a request for equipment, but shall agree to make reasonable efforts to provide requested equipment unless it places a significant burden on the Department, or if resources are inadequate, unavailable, or already in use.

IV. Resource Obligations: This MOU represents the broad outline of the Departments and FCM UC collaborative interest. It is not intended to create obligations to any departments involved, but to assist in providing the best service to our communities and to those participants and spectators of the FCM. This MOU does not affect nor supersede any existing or future arrangements between the Departments. This MOU shall only be in effect for 2024 FCM event, commencing Friday September 20, and ending September 22, 2024.

V. Employment Status & Liability: Nothing in this MOU shall alter the employment status of any employee providing services under this MOU. Employees shall always continue to be subject to all standards of performance, disciplinary rules, and other terms and conditions imposed by their employer. No Department shall be responsible for the direct payment of any, salaries, wages, compensation, or benefits of any employee of another Department to this MOU. Any employee of any Department, while providing services consistent with this MOU, shall be covered by that Department for purposes of worker’s compensation, unemployment insurance, benefits under Chapter 40 of the Wisconsin Statutes, and any civil liability. For the purposes of third-party claims or lawsuits, each Department shall be solely responsible for its own acts and those of its employees and officers under this MOU.

VI. Requests for personnel assistance and/or resources: It is understood, as part of this agreement, that part of the unified command includes law enforcement from either a single agency or multiple agencies, who are exercising statutory authority per state law. Therefore, requests for personnel assistance and/or any request for resources from the Incident Command (or proper event authority) to any law enforcement agency are being made under mutual aid per Wis. § 66.0313. Law enforcement personnel working outside their jurisdiction or responding to requests outside their jurisdiction as part of this event, are deemed to be acting with lawful authority under the provisions of the mutual aid statute.

Approval and Signature(s) to follow:

Neenah-Menasha Fire Rescue

Print Name	Title	Signature	Date
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Neenah Police Department

Print Name	Title	Signature	Date
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Menasha Police Department

Print Name	Title	Signature	Date
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Fox Crossing Fire Department

Print Name	Title	Signature	Date
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Fox Crossing Police Department

Print Name	Title	Signature	Date
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Appleton Fire Department

Print Name	Title	Signature	Date
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Appleton Police Department

Print Name	Title	Signature	Date
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Fox Valley Metro Police Department

Print Name	Title	Signature	Date
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Kaukauna Fire Department

Print Name	Title	Signature	Date
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Kimberly Fire Department

Print Name	Title	Signature	Date
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Harrison Fire Department

Print Name	Title	Signature	Date
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Outagamie County Sheriff's Department

Print Name	Title	Signature	Date
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Calumet County Sheriff's Department

Print Name	Title	Signature	Date
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Winnebago County Sheriff's Department

Print Name	Title	Signature	Date
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