

**ORDINANCE TO
CREATE SECTION 80-8 AND AMEND SECTIONS 410-13(F)(2) AND
428-9(D) OF THE CITY OF WATERTOWN GENERAL ORDINANCES**

**SPONSOR: ALD. DANA DAVIS
FROM: PUBLIC SAFETY & WELFARE COMMITTEE**

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. §80-8 Lift assist services of the Watertown Code of Ordinances is hereby created to read as follows:

§ 80-8 Lift assist services.

A. Purpose. The purpose of this ordinance is to define the scope of "Lift Assist" services provided by the Watertown Fire Department or mutual aid agencies and to differentiate these services from requests for Emergency Medical Services (EMS).

B. Definitions.

"Lift Assist" – A service provided by the Watertown Fire Department personnel or personnel from a mutual aid agency or that involves physically assisting or repositioning individuals who have not sustained any injuries or acute medical conditions requiring immediate medical evaluation, treatment or transportation to a medical facility.

"Emergency Medical Services (EMS)" – Services provided by licensed emergency medical professionals in response to acute injuries, illnesses, or medical conditions requiring immediate evaluation, care, and/or transportation to a medical facility.

"Care Facility" – Any licensed nursing home, assisted living facility, community-based residential facility, group home, or similar establishment that provides residential care or assistance services.

C. Lift Assist Service Provisions.

(1) Lift assists shall be provided only to individuals who, upon Watertown Fire Department or mutual aid agency, personnel assessment, clearly demonstrate no injury or acute medical condition requiring emergency medical services.

(2) Watertown Fire Department personnel or mutual aid personnel shall conduct a brief assessment, consistent with standards established by the Wisconsin Department of Health Services, the Federal Centers for Medicare and Medicaid Services (CMS), and applicable federal, state, and local regulations, to determine whether the situation constitutes a lift assist or an emergency medical incident.

(3) If Watertown Fire Department personnel or mutual aid agency personnel determine during their assessment that medical evaluation, treatment, or transport is necessary, the incident shall be classified as an EMS response, and appropriate medical procedures and protocols shall be initiated.

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- (4) The City of Watertown may impose a fee for lift assist services provided by the Watertown Fire Department. The Common Council of the City of Watertown shall establish, review, and adjust fees annually.
- (5) If an individual receiving lift assist services resides in a defined care facility, as outlined in this ordinance, the care facility will be responsible for the fee charged for the lift assist service.
- (6) If an individual receiving lift assist services does not reside in a defined care facility, no fee shall be assessed until the third lift assist within a rolling 12-month period.

SECTION 2. §410-13(F)(2) Sale and discharge of fireworks of the Watertown Code of Ordinances is hereby amended to read as follows:

§ 410-13 Other dangerous practices.

F. Sale and discharge of fireworks.

(2) Permits for use of fireworks. Permits for the possession and use of fireworks may be granted by the ~~Mayor~~ Fire Chief or designee pursuant to § 167.10(3), Wis. Stats., for specified occasions at a fee as set by the Common Council and provided under separate fee schedule for each permit. ~~The Mayor may require an indemnity bond of not more than \$50,000 from each person to whom a permit is issued.~~ Each applicant for a fireworks permit under this Section shall provide to the City, prior to issuance of the fireworks permit, a certificate of insurance written by a company licensed in the State of Wisconsin, approved by the City Attorney and covering any and all liability or obligations which may result from the operations by the applicant's employees, agents, contractors or subcontractors, and including workers' compensation coverage in accordance with Ch. 102, Wis. Stats. The certificate must provide that the company will furnish the City with a ten-day prior written notice of cancellation, nonrenewal or material change. The insurance must be written in comprehensive form and must protect the applicant and City against claims arising from injuries to members of the public or damage to property of others arising out of any act or omission of the applicant, its employees, agents, contractors and subcontractors. The policy of insurance must provide minimum combined single limits for bodily injury and property damage of at least \$1,000,000 per person/aggregate.

SECTION 3. §428-9(D) City sponsored parades of the Watertown Code of Ordinances is hereby amended to read as follows:

D. Insurance coverage. ~~The City will provide insurance coverage for all City sponsored parades, provided the parade organizers comply with all requirements from City departments.~~ Each applicant for a City sponsored parade will provide to the City, no later than 10 days prior to the parade, a certificate of insurance written by a company licensed in the State of Wisconsin, approved by the City Attorney and covering any and all liability or obligations which may result from the operations by the applicant's employees, agents, contractors or subcontractors, and including workers' compensation coverage in accordance with Ch. 102, Wis. Stats. The certificate must provide that the company will furnish the City with a ten-day prior written notice of cancellation, nonrenewal or material change. The insurance must be written in comprehensive form and must protect the applicant and City against claims arising from injuries to members of the public or damage

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to property of others arising out of any act or omission of the applicant, its employees, agents, contractors and subcontractors. The policy of insurance must provide minimum combined single limits for bodily injury and property damage of at least \$1,000,000 per person/aggregate and must list the City as an additional insured.

SECTION 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	<i>First meeting date</i>		<i>Second meeting date</i>	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
BERG				
BARTZ				
BLANKE				
SMITH				
ARNETT				
WETZEL				
MOLDENHAUER				
MAYOR STOCKS				
TOTAL				

ADOPTED Type second meeting date

CITY CLERK

APPROVED Type second meeting date

MAYOR