

ORDINANCE No. _____
AN ORDINANCE CREATING CHAPTER 7.42 UNNECESSARY OR PREVENTABLE CALLS FOR
EMERGENCY SERVICES

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 7.42 is hereby created to read as follows:

(a) Findings. The council hereby finds that the number of unnecessary or preventable calls to the City for emergency services has increased dramatically in the last several years placing a significant and unreasonable financial and administrative burden upon the emergency services provided by the City of Whitewater.

(b) Unnecessary or Preventable Calls for Emergency Services prohibited. It shall be unlawful for any person, company or organization affiliated with, or operating as, a nursing home, assisted living facility, or group home to make unnecessary or preventable calls for emergency services. A company, organization or business shall be in violation of this chapter for unnecessary or preventable calls for emergency services made by its employees in the course of employment.

(c) Defined terms. For the purpose of this chapter:

(1) Emergency Services include police, fire, ambulance and emergency medical services.

(2) Unnecessary or preventable calls for emergency services. An unnecessary or preventable call means a call for circumstances that did not require emergency services or a request for emergency services that, through best practices, or through the experience of a previous similar call, should have been prevented from occurring. Also, any act of aiding or abetting any of the activities, behaviors or conduct enumerated in this chapter is a violation of this chapter.

11/9/22 @ 11:45 a.m.

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(3)

Unnecessary or Preventable Calls include, but are not limited to, the following:

i. ii.

iii. iv. v. vi.

Calls that do not require emergency services.

Repeated calls that display a pattern indicating the home/care employee skill levels and capabilities do not align with the special needs of the residents.

Fire alarms caused by unattended, burned food.

Fire alarms caused by detectors that have not been maintained.

Fire alarms caused by excessive dust or a similar non-combustible trigger. 911 misdial/hang up calls.

vii. Runaway, elopement or missing resident calls.

(d) Procedure. Any person, company or organization, which has generated three or more documented complaints or circumstances requiring emergency services, determined to be an Unnecessary or Preventable Call for Emergency Services on three or more incidents within one year, shall receive a written notice from the police department outlining their violation of this ordinance. Any subsequent violations in the one-year period may result in a civil forfeiture penalty. Violations caused by intentional acts of residents will be addressed by notice and subsequent forfeitures issued to the responsible individual. Violations caused by employees or the operational functions of the organization will be addressed through notice and subsequent forfeitures issued to the organization.

(e) Penalties for Violation. Any person violating any provision of this chapter shall be subject to a penalty of not less than one hundred dollars nor more than three hundred dollars for a first offense; not less than three hundred dollars nor more than five hundred fifty dollars for a second offense within one year; and not less than five hundred dollars nor more than seven hundred dollars for a third or subsequent offense within one year. One-year is defined as a 12-month rolling calendar year.

Ordinance introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

AYES: NOES: ABSENT: ADOPTED:

John Weidl, City Manager Michele R. Smith, City Clerk

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