Fire Call – Request – Request to Cancel Fire Call Charge by Mr. Chris Gruber

Staff Recommendation

The applicable Town Ordinance regarding charging for fire calls:

Chapter 58 – Fire Dept

ARTICLE I

Fire Call Charges [Adopted 10-7-1985 by Ord. No. 85-1; amended 6-14-1993]

§ 58-1. Intent.

The intent of this article is to recoup all Town costs of fire calls, which include but are not limited to the Fire Department charge per call, plus foam and other supplies as needed.

§ 58-2. Fee; recovery of charges.

[1] The Town Board will set a fee to be charged for fire calls in all parts of the Town.

[2] This fee, plus expenses and charges, will be recovered for all fire calls regardless of whether the call is legitimate or false or comes from the property owner or another.

In addition:

Chapter 32 of the Troy Ordinances regulates outdoor burning, which in part, requires a burn permit. Of particular note is section 32-8, Violations and penalties

A. Any person violating any provision of this chapter or knowingly aiding or abetting another in the violation thereof shall, upon conviction, pay a forfeiture as set by the Town Board. The amount of forfeiture and costs shall be as set forth in Chapter 39, Citations, of this Code. Each day in violation of this chapter constitutes a separate offense. "Costs" shall include the actual costs of prosecution and the cost of any fire call not paid directly to the fire department by the permit holder.

Chapter 39-3 sets the forfeiture for the first violation of Chapter 32 at:

$100 plus the cost of any fire and/or emergency service call that results, fine is doubled if violation occurs during a burning ban.

Fire Call Information

On September 29, 2025, River Falls Fire Department was dispatched by St. Croix County Dispatch for a potential grass fire. The Caller reported that no one was home and that a neighbor observed black smoke coming from the backyard.

Upon arrival by a St. Croix County Deputy, the Deputy confirmed that the smoke was from a controlled burn at 571 German Ct (owned by Mr. Gruber)

Mr. Gruber did not have a burn permit. The Fire Chief cleared the call and canceled the units that were in route.

The Incident Report is attached.

Request by Homeowner (Chris Gruber) to the Town Board:

He requests two things. First, "full dismissal" of the $800 call fee. Second, if not that, that the fee be split between him and the person who reported the fire call.

Recommendation by Town Staff:

Staff recommend dismissing the request of Mr. Gruber.

- A call was made to Dispatch.
- Rural Fire was dispatched (including an Engine and a Tender)
- While not called to his property, upon arrival at the scene the Sherrif and Fire Chief determined that **Mr. Gruber was engaged in a controlled burn without a burn permit violating Chapter 32.**
- **The Forfeiture for violating Chapter 32 is the cost of the fire call ($800) plus $100, setting his total fee at $900.**

The Town Board could of course dismiss the original fee of $800 and then impose the $900 fee in accordance with Chapters 32 and 39.

Attachment: Complaint by Mr. Gruber, Emails, Fire Incident Report from River Falls Rural Fire, Appropriate Ordinance Sections.

Drafted by: David Carlson

T:\Admin Team\Complaints\Fire Call Gruber November 9-29-2025.docx

FDID: 47070 **Incident Date:** 09/29/2025 **Incident #:** 2500281 **District:** TROY

City Report

NFIRS - 1 Basic

Street Address: 571 German CT-Court

City, State, Zip Code: Hudson, WI 54016

Aid Given/Rec'd: None

Incident Type: 611-Dispatched and cancelled en route

Primary Action Taken: 93-Cancelled en route

Alarm Date & Time: 09/29/2025 10:58:35

Last Unit Cleared Date & Time: 09/29/2025 11:18:25

Primary Narrative: The River Falls Fire Department was dispatched by St. Croix County Dispatch for a potential grass fire. The caller reported that no one was home and that a neighbor observed black smoke coming from the backyard.

Chief 1 went enroute to the scene. Prior to arrival, St. Croix County Dispatch updated the call, advising that the St. Croix County Sheriff's Department had arrived on scene and confirmed with the homeowner that the smoke was from a controlled burn at 571 German CT. The Sheriff's Department confirmed the fire was under control.

Chief 1 requested Dispatch to verify whether the homeowner at 571 German CT had an active burn permit. Dispatch confirmed that the homeowner did not have a valid burn permit. Since the Sheriff's Department was on scene and handling the situation, Chief 1 determined all River Falls Fire units could cancel.

Chief 1 confirmed cancellation with Dispatch, notified all incoming fire units to return to the station, and cleared with the county.

Officer In Charge: Wilson, **Justin
Chief

NFRIS - 9 Apparatus/Personnel

Apparatus	Apparatus Dispatch Time	Apparatus Clear Time	Apparatus Narrative
9500	09/29/2025 10:58:35	09/29/2025 11:18:25	
B1	09/29/2025 10:58:35	09/29/2025 11:10:29	
CV	09/29/2025 10:58:35	09/29/2025 11:18:25	
E20	09/29/2025 10:58:35	09/29/2025 11:10:25	
T1	09/29/2025 10:58:35	09/29/2025 11:10:25	

Person Involved

Agency Investigating Car Accident: St Croix County

To: Sue Rowen <deputyclerk@tn.troy.wi.gov>
Subject: Invoice 25038-02

Good afternoon,

I received invoice 25038-02 for $800 for "Fire Dispatch for grass fire - no active permit" and I believe this is incorrect and I'd like to dispute the charges.

I believe this is from 9-29-2025 where the following happened:

1. I was burning cardboard, wood, and buckthorn in my small fire pit like I do regularly
2. As I was almost done with the fire-ring contained fire I heard sirens and at my neighbor's house, an officer showed up
3. The officer walked towards the back and towards me as the fire was pretty much out and I was heading inside
4. The officer asked me if I had called the St. Croix county fire dispatch line and I told him "no" due to the fact that in the past I was told from the Troy Board of Supervisors that I only needed to bother them if I was going to have a large fire
5. The officer contacted someone stating there was no fire and no need to come out
6. The officer asked for my name and ID and I shared it with him
7. I ended up with a bill of $800

From my perspective, I may have forgot to get my fire permit this year and am at fault for that and will ensure I do not forget getting my annual burn permit in future years, but this fire was no where near a grass fire. I'm not sure why my neighbors would have thought their house was burning down, or if they saw my fire that I had been having in the normal contained space I burn cardboard, wood, and buckthorn, that they would need to call the fire department.

As you know, I was formerly a board supervisor, so I know the reasoning for the expense, but I believe the expense should be aligned to Dan and Susan Smith, my neighbors who called the fire department for the belief that their home was on fire. If they believed their home was on fire and were not home, then they should call the fire department to have them dispatched. However, because I was the only one outside and had a small fire that happened to be going on at the same time, I am now taking the entirety of the blame (via the invoice). Additionally, Dan and Susan have my phone number and knowing and seeing that I have small fires to burn cardboard and wood logs, if they were not home, could have called me to ask quickly.

In the end, I'm disputing this charge as there was not any large fire, the small fire that I did have was 100% contained in my fire ring. If there is a fine for me burning cardboard, wood, and other sticks in my fire ring rocks without obtaining my permit this year, I accept that fine and will not forget in the future. However, I am hoping it's not an $800 fine for a small mishap.

God Bless,

Chris Gruber

Love and appreciate yourself and others as God would.

May God, goodness, life and liberty prevail above all things.

Sent with Proton Mail secure email.

From: Sue Rowen <deputyclerk@tn.troy.wi.gov>
Sent: Thursday, November 20, 2025 1:50 PM
To: David Carlson <administrator@tn.troy.wi.gov>
Cc: April Fredrick <clerktreasurer@tn.troy.wi.gov>
Subject: FW: Invoice 25038-02

Sue Rowen

From:	David Carlson
Sent:	Wednesday, December 3, 2025 9:01 AM
To:	gruberc@pm.me
Cc:	April Fredrick; Sue Rowen; Doug Rowen
Subject:	RE: Invoice 25038-02

Mr. Gruber

Town Invoices for Fire Department calls are governed by Chapter 58 of the Town of Troy Ordinances, found online here: https://townoftroy.org//wp-content/uploads/2019/05/Fire-Department.pdf. The base dispatch call fee is also listed in the Town Fee Schedule, found here: https://townoftroy.org/wp-content/uploads/2024/09/Fee-Schedule-06-01-2024.pdf.

Should you wish to contest the billing of a fire call by the Town, you will need to demonstrate why this ordinance does not apply to you. Upon receipt of a letter outlining your evidence as to why Chapter 58 does not apply to you, the Board Chair will review and may place the topic on a Town Board agenda for consideration. The date of the Town Board meeting it is placed on will be decided by the Town Chair, after evaluating how much time is needed by Town Staff to research the issue and prepare a recommendation, if any, to the Town Board.

Call with any questions

David Carlson
Town Administrator

Town of Troy
654 Glover Road
Hudson WI 54016
p: (715) 425-2665
administrator@tn.troy.wi.gov
www.townoftroy.org
Population: 5,558

TOWN of TROY

From: Sue Rowen <deputyclerk@tn.troy.wi.gov>
Sent: Thursday, November 20, 2025 1:50 PM
To: David Carlson <administrator@tn.troy.wi.gov>

David Carlson

From: Chris Gruber <gruberc@pm.me>
Sent: Thursday, December 4, 2025 12:11 PM
To: April Fredrick
Cc: David Carlson; Sue Rowen; Doug Rowen
Subject: RE: Invoice 25038-02

Hi April,

I can swing by and write a check, or create a payment plan if that doesn't accrue interest as I don't want to incur additional charges to something that I didn't do, but am probably going to have to foot the bill towards.

Where I'm concerned here is that I'm having to pay the bill. I did state in my email that I was having a small fire of cardboard and sticks in my fire pit, and that I did forget to get my burning permit this year, but I was back there for maybe 15 or so minutes and did not see any black smoke that is being stated from neighbors. I do have large trees to create privacy in my backyard, so maybe it was on the other side. Really the only reason why I'm probably being blamed is because I heard the squad car and was trying to be a good neighbor and I walked up to them to make sure everything was ok. When I walked up to them he saw that I was burning cardboard and sticks and the fire was basically nothing at that point, but probably just made the assumption that it was me. However, it just feels wrong that I'm being blamed for something because I coincidentally was burning cardboard and buckthorn I had cut down from the woods. I don't know if someone else was burning and just left the area while I was unknowingly outside and now having to fork out the $$ and take blame.

God Bless,
Chris Gruber

Love and appreciate yourself and others as God would.
May God, goodness, life and liberty prevail above all things.

Sent with Proton Mail secure email.

On Thursday, December 4th, 2025 at 11:14 AM, April Fredrick <clerktreasurer@tn.troy.wi.gov> wrote:

Chris –

I'll step in here since David is out of the office. Thank you for the follow up information.

In the City Report, the River Falls Fire Department was dispatched by St. Croix County Dispatch because a neighbor observed black smoke coming from the backyard. Although Chapter 58 is our Fire Department Ordinance, we'd want to look at Chapter 32 Burning, Outdoor.

Specifically,§ 32-1.

Authority: permit required; purpose. [1] To protect the health, safety and welfare of the residents of the Town and their property and pursuant to Wis Stats § 60.555, such other provisions as apply and this chapter, every person shall apply for and receive a burning permit from the Town of Troy before any outdoor fire may be ignited in the Town of Troy unless specifically exempted in this chapter, .

The exemptions that are outlined in § 32-4. Are where we would look to this.

Exemptions. The following activities are exempt from this permit requirement: A. Burning materials that are contained and burned in a totally enclosed stove, furnace or incinerator expressly designed to heat a home or accessory building. B. Burning charcoal or other combustible material for fuel for domestic cooking outdoors at a residence or in public parks, in devices intended and built or manufactured for that purpose. This exemption does not apply during a declared public fire emergency. C. Burning small amounts of dry combustible rubbish in a burning barrel, in conformity with Wis. Adm. Code Ch. NR 429, the requirements of which shall be included in the application form. This exemption is limited to properties of 3 acres or larger and where burning barrels are placed a minimum of 150 feet from all property lines. This exemption does not apply during a declared public fire emergency. D. E. Emergency fires used to warm the person or to cook food. Fires set by a fire department for training, practice or fire-fighting purposes (back fires).

Without a Burn Permit, they could not negate this claim with a contact of your information. If you have further information you'd like to share, please feel free to reach out.

If you'd like to bring this before the Board in February upon your return, interest would accrue but will not be sent to collections. Once the judgement is decided by the Board, if not in your favor, payment would be due following the meeting.

With Appreciation,

David Carlson

From: Chris Gruber <gruberc@pm.me>
Sent: Wednesday, December 3, 2025 5:21 PM
To: David Carlson
Cc: April Fredrick; Sue Rowen; Doug Rowen
Subject: RE: Invoice 25038-02

Hi David,

I don't want to copy and paste my explanation in the previous email, but that is my explanation as to why I do not believe this charge applies to me. Specifically, due to me just being in the area when my neighbors thought their house was on fire does not indicate that I called the fire department for any reason, nor did I warrant anyone else to call the fire department.

If the next step is to bring this forward to a town board meeting please let me know so that I can present my case in person. Unfortunately, the next 2 town meetings I will be out of the office on travel, unless a meeting changes from the normally scheduled 3rd Thursday of the month. I would be available February 19, 2026 if that works for the town supervisors.

God Bless,
Chris Gruber

Love and appreciate yourself and others as God would.
May God, goodness, life and liberty prevail above all things.

Sent with Proton Mail secure email.

On Wednesday, December 3rd, 2025 at 9:00 AM, David Carlson <administrator@tn.troy.wi.gov> wrote:

> Mr. Gruber
>
> Town Invoices for Fire Department calls are governed by Chapter 58 of the Town of Troy Ordinances, found online here: https://townoftroy.org//wp-content/uploads/2019/05/Fire-Department.pdf. The base dispatch call fee is also listed in the Town Fee Schedule, found here: https://townoftroy.org/wp-content/uploads/2024/09/Fee-Schedule-06-01-2024.pdf.
>
> Should you wish to contest the billing of a fire call by the Town, you will need to demonstrate why this ordinance does not apply to you. Upon receipt of a letter outlining your evidence as to why Chapter 58 does not apply to you, the Board Chair will review and may place the topic on a Town Board agenda for consideration. The date of the Town Board meeting it is placed on will be decided by the Town Chair, after evaluating how much time is needed by Town Staff to research the issue and prepare a recommendation, if any, to the Town Board.
>
> Call with any questions

Chapter 32
BURNING, OUTDOOR

§ 32-1. Authority; permit required; purpose.
§ 32-2. Application process.
§ 32-3. Issuance of permit
§ 32-4. Exemptions
§ 32-5. Materials Permitted to be burned
§ 32-6. Duties of permit holder.
§ 32-7. Revocation of permit.
§ 32-8. Violations and penalties.
§ 32-9. Severability

HISTORY: Adopted by the Town Board of the Town of Troy 6-11-2001 by Ord. No. 01-01. Amendments noted where applicable.]

GENERAL REFERENCES

Citations – See Ch. 39
Fire Protection and Emergency Medical Service – See Ch. 58

§ 32-1. Authority; permit required; purpose. [1]

To protect the health, safety and welfare of the residents of the Town and their property and pursuant to Wis Stats § 60.555, such other provisions as apply and this chapter, every person shall apply for and receive a burning permit from the Town of Troy before any outdoor fire may be ignited in the Town of Troy unless specifically exempted in this chapter, .

§ 32-2. Application process.

A. Permit application shall be made on forms provided by the Town. Permits are issued only for the area designated as being subject to the burning permit. Permits are issued on an annual basis, and a separate permit shall be required for each different burn location.

B. Required application information shall include but not be limited to:

(1) Applicant name.

(2) Applicant address.

(3) All telephone numbers of the applicant.

(4) The specific location of the proposed burning area, road name and fire number.

C. A burning permit issued under this chapter is non-transferable non-assignable as to person or location. No person shall be issued a burning permit who fails to deliver to the Town Clerk/Treasurer a fully completed application containing all information required thereon.

§ 32-3. Issuance of permit.

A. An annual permit shall be issued for by calendar year, beginning January 1 (or date of issuance) and expiring on December 31. The permit shall be issued by the Town Clerk-Treasurer or designee prior to any person igniting an outdoor fire in the Town of Troy. Annual permit holders shall follow all procedures outlined in this chapter and on the permit form each time he/she wishes to ignite a fire.

B. There shall be no fee for the annual permit. No daily permits shall be issued.

§ 32-4. Exemptions.

The following activities are exempt from this permit requirement:

A. Burning materials that are contained and burned in a totally enclosed stove, furnace or incinerator expressly designed to heat a home or accessory building.

B. Burning charcoal or other combustible material for fuel for domestic cooking outdoors at a residence or in public parks, in devices intended and built or manufactured for that purpose. This exemption does not apply during a declared public fire emergency.

C. Burning small amounts of dry combustible rubbish in a burning barrel, in conformity with Wis. Adm. Code Ch. NR 429, the requirements of which shall be included in the application form. This exemption is limited to properties of 3 acres or larger and where burning barrels are placed a minimum of 150 feet from all property lines. This exemption does not apply during a declared public fire emergency.

D. Emergency fires used to warm the person or to cook food.

E. Fires set by a fire department for training, practice or fire-fighting purposes (back fires).

§ 32-5. Materials Permitted to be burned.

Materials, which may be burned with a permit, include charcoal, brush, wood, non-treated lumber, unpainted lumber, paper, leaves and corrugated cardboard. Materials not to be burned under any circumstances include wet or combustible rubbish, garbage, oily substances, asphalt, plastic, rubber products and treated or painted lumber.

§ 32-6. Duties of permit holder.

A. Notice to County Dispatch. On the day of the permit holder intends to burn and prior to burning, the permit holder shall call the St. Croix County Communication (Dispatch) Center. The permit holder shall provide whatever information is requested, including his/her name, the burn location and telephone numbers. The permit holder may then burn on that day, unless instructed otherwise by the County. The permit holder shall follow this procedure on each day the permit holder wishes to burn. Residents near the Pierce — St. Croix border should also inform the Pierce County Sheriff that they have informed St. Croix County of the burn.

B. When a permit holder calls the St. Croix County Communication Center, the permit holder will be advised if a burning ban is in effect. There shall be no igniting of any fires anywhere outdoors in the Town of Troy on days declared as emergency fire days where burning has been prohibited by the fire department serving the area in which the proposed burn is located or by the Department of Natural Resources.

C. A permit holder shall immediately report to emergency services any fire on permitted premises in the Town of Troy that is out of control.

D The permit holder is responsible for management, containment and supervision of a properly permitted fire at all times.

E. The permit holder is responsible for adequate fire protection and fire prevention activities at the requested or permitted burning location.

F. Install or maintain adequate fire safety equipment during the requested or permitted use.

G. The permit holder shall ignite and maintain only one fire at a time.

H. The permit holder shall not leave any fire unattended.

I. While burning, the permit holder must be able to answer the phone for the burn location using the phone number provided to St Croix County.

§ 32-7. Revocation of permit.

The Town Board or its designated representative may revoke a burning permit at any time, and no person shall be reissued a burning permit in the Town of Troy if a permit holder fails to:

A. Abide by the § 32-5 Duties of permit holder or any other provision of this chapter.

B. Prevent burning activities not authorized by permit at the permitted burning location.

C. Prevent, at or near the permitted burning location, the burning in or of an area greater than three feet in diameter and located within 15 feet of any property line without the express, advance permission of the adjacent landowner.

D. Allow access to any location for which a permit has been requested or issued by a member of the Town Board, or designee for inspection purposes.

§ 32-8. Violations and penalties.

A. Any person violating any provision of this chapter or knowingly aiding or abetting another in the violation thereof shall, upon conviction, pay a forfeiture as set by the Town Board. The amount of forfeiture and costs shall be as set forth in Chapter 39, Citations, of this Code. Each day in violation of this chapter constitutes a separate offense. "Costs" shall include the actual costs of prosecution and the cost of any fire call not paid directly to the fire department by the permit holder.

B. If a member of the Town Board or designee finds any individual burning without a permit, the individual shall immediately extinguish the fire until a permit has been obtained, and it is a violation of this ordinance for such individual to fail or refuse to do so after being so instructed by a representative of the Town.

§ 32-9. Severability.

A judicial determination that any portion of this article is invalid shall not invalidate the entire article but only the portion identified by the court. Any such determination of invalidity shall not operate retroactively.

Revisions approved by the Troy Town Board on March 13, 2008.

_____

Ray Knapp, Town Chair date

Attest:

_____

Sharon Provos, Town Clerk/Treasurer date

Published in the River Falls Journal on March 20, 2008.

---

[1]. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Chapter 39
CITATIONS

§ 39-3. Forfeiture Amounts and Schedule of Deposits.

A. The following schedule of daily forfeiture amounts/cash deposits is established for use with citations issued under this chapter.

TITLE	OFFENSE	DEPOSITS AND COSTS
Building Construction (Ch. 27)	Violation	Not less than $100 nor more than $500
Burning, Outdoor (Ch. 32)	1st Violation	$100 plus the cost of any fire and/or emergency service call that results, fine is doubled if violation occurs during a burning ban.
	Subsequent Violation	$400 plus the cost of any fire and/or emergency service call that results, fine is doubled if violation occurs during a burning ban.
Developer's Agreement (Ch. 135, Art. III)	Violation	$500
Animals (Ch. 8, § 8-3)	1st Violation Subsequent Violations	$50 $100
Animals (Ch. 8, § 8-4A)	1st Violation	Not less than $25 nor more than $100
	Subsequent Violations	Not less than $50 nor more than $200
Domestic Animals (Ch. 8, § 8-10)	1st Violation	Not less than $25 nor more than $100
	Subsequent Violations	Not less than $50 nor more than $200
Driveways (Ch. 125, Art I)	Violation	$100
Fences (Ch. 135, Art II)	Violation	$100