

**Fire Department
Ordinance
of Van Buren**

Date Approved: May 14, 2012

FIRE DEPARTMENT ORDINANCE OF VAN BUREN

Section 1 Title

This ordinance shall be known as the Fire Department Ordinance of Van Buren.

Section 2 Purpose

The purpose of this ordinance is to establish a Municipal Fire Department, and to define the powers and duties of the chief and members of the Department. An additional purpose of this ordinance is to provide the maximum legal protection available to the Fire Chief and municipal firefighters, and to best protect the health, safety and welfare of the residents of Van Buren.

Section 3 Establishment

Pursuant to Art. VIII, pt. 2, § 1 of the Maine Constitution, 30-A M.R.S.A. § 3001 and § 3153 et seq., the municipality of Van Buren hereby establishes a Municipal Fire Department.

Section 4 Definitions

Municipal Fire Department: The organized fire fighting unit established pursuant to this ordinance.

Municipal Firefighter: an active part-time, or on-call firefighter of the municipal fire department, who aids in the extinguishment of fires or an individual that receives compensation from the municipality for aiding in the extinguishment of fires, and is at least 18 years of age.

Section 5 Duties

The Municipal Fire Department shall prevent and extinguish fires and provide firefighting protection within the municipality of Van Buren and elsewhere as provided by mutual aid or other contractual agreements approved by the municipal officers or municipal legislative body.

The Municipal Fire Department shall also be authorized to provide emergency services by responding to and managing other public safety emergencies, including, but not limited to, medical emergencies, hazardous materials incidents or natural or man-made disasters.

Section 6 Fire Chief

A. Appointment. The Fire Chief shall be appointed by the municipal officers.

B. Powers and duties. The Fire Chief shall have the powers and duties set forth in 30-A M.R.S.A. § 3153, except that administrative rules and regulations promulgated by the Fire Chief shall not be effective until approved by the municipal officers.

C. Reports. The Fire Chief shall submit a written monthly report on the activities of the department and shall discharge such other duties as may be required by the municipal officers.

Section 7 Firefighters

A. Municipal firefighters shall have the powers and duties set forth in 30-A MRSA § 3151 et seq., and as set forth in any administrative rules and regulations adopted pursuant to section 6(C) above.

B. After all fires, all firefighters will mark their own time, start to finish. Finish time shall be after all trucks and equipment are ready for service.

C. Firefighters without proper work gear shall not perform firefighting duties requiring such work gear.

D. All firefighters wearing self-contained breathing apparatus shall comply with NFPA 1404 and OSHA 1910.134 Respiratory Program requirements.

E. Only the Fire Chief or a designated person shall issue work gear.

F. Firefighters shall be compensated for call-outs, training sessions, and safety briefings.

Section 8 Deputy Fire Chief

The Deputy Fire Chief shall be appointed by the Town Manager, with recommendations from the Fire Chief, to act with full authority in the absence of the Fire Chief, and shall have responsibilities as set forth in any administrative rules and regulations adopted pursuant to section 6(C) above.

Section 9 Other Officers

The Town Manager shall appoint other officers as deemed necessary, in accordance with Section 10 Organization, D-G.

Section 10 Organization

A. The Van Buren Fire Department consists of two Fire Stations: Station #1 located on Washington Ave and Station #2 on Hillside Street.

B. The department shall have a maximum of 40 firefighters, including officers.

C. The department shall consist of the following officers: One (1) Fire Chief, One (1) Deputy Fire Chief, Two (2) Assistant Fire Chiefs, Three (3) Captains, Three (3) Lieutenants, and One (1) Safety Officer.

D. Assistant Chiefs, Captains and Lieutenants are to be nominated for appointment for a two-year term in June of odd numbered years. Officers may be appointed to a position for an unlimited number of terms.

E. All candidates for officer positions shall meet qualifications and training requirements set forth by the Maine State Firefighter I curriculum, in-house or Academy trained and have at least 3 years of experience as a firefighter. Other considerations for nominations are leadership skills, work ethic, dedication to duty, and job performance.

F. Officers may only be nominated to the next higher rank, the same rank, or a lower rank. For example, a Firefighter may not be nominated to a rank higher than Lieutenant; a Lieutenant may not be nominated to a rank higher than Captain; etc.

G. If a vacancy occurs in an officer position before term has ended, a candidate shall be nominated for appointment for the remainder of the term.

Section 11 Firefighter Qualifications

A. New firefighters shall serve a six (6) month probationary period during which time they shall pass a medical exam in accordance with OSHA 1910.134, and complete the Fire Department orientation program.

B. No person shall serve as a municipal firefighter if he/she is found to not be physically or mentally fit to perform firefighter duties by a medical physician performing a medical evaluation. Medical evaluation shall be compliant with OSHA 1910.134.

C. The department shall conduct a monthly safety briefing and a monthly training session. Firefighters are required to attend a minimum of 50% of the scheduled safety and training sessions unless excused.

Section 12 Miscellaneous

A. Any firefighter who sustains any injury, sickness or hazardous exposure, either fire or non-fire related, shall notify the Chief within 24 hours of event.

B. A firefighter may be granted a leave of absence for a specified time, limited to one (1) year, upon written request to the Chief for consent from the Town Manager. Reason for request shall be strictly confidential and only released to officials with a need to know.

C. A maximum of 15 firefighters may leave town for extra activities such as training. If more than 15 firefighters volunteer for such activities, names shall be drawn. If a firefighter is signed up and does not attend the activity without a valid reason, then he/she shall reimburse the Town for the registration fee.

D. Fire Department's Dress Uniform

1. Uniform shall not be worn at any time unless it is worn in connection with the department activities or by special permission of the Fire Chief.
2. Uniforms being returned to the department shall be in proper and clean condition, otherwise the firefighter shall be responsible for the cost of having this done.

Section 13 Severability

The invalidity of any portion of this ordinance shall not invalidate any other part thereof.

Section 14 Effective Date

This ordinance shall be effective upon its adoption by the municipal officers.

Ordinance was adopted on May 14, 2012.

Council Chair

Council Secretary

Councilor

Councilor

Councilor