

## ORDINANCE # 202

### BOARD AUTHORITY OVER FIRE DEPARTMENT Revised 6-21-99

An ordinance to provide that the Stockbridge Township Board may establish the Stockbridge Fire Department; establish jurisdiction and authority of the township board toward the township fire department; and repeal any parts or portions of ordinances inconsistent herewith.

THE TOWNSHIP OF STOCKBRIDGE, INGHAM COUNTY MICHIGAN ORDAINS:

#### **Section 1: Scope, Purpose, and Intent**

This ordinance is adopted pursuant to the authority granted the township board under Public Act 33 of 1951. The purpose of this ordinance is to provide that the Stockbridge Township Board shall hereby affirm jurisdiction over the previously established Stockbridge Township Fire Department; to establish jurisdiction and authority of the township board over personnel selection; to establish authority to adopt rules and regulations for the conduct of personnel and maintenance of equipment; to employ and appoint a chief, firefighter and officers, and to prescribe the powers and duties of fire department volunteers and employees.

#### **Section 2: Fire Department; Establishment, Funding, Powers and Duties**

There is hereby established the Stockbridge Township Fire Department. The township board, acting by resolution, shall appoint such persons who, based on experience, training, and qualifications would in its discretion, best perform the duties associated with providing fire protection to the citizens of Stockbridge Township.

The township board shall approve an annual appropriation for the operation and maintenance of the department and its equipment, and for the purpose shall have the authority to use general funds, to initiate the creation of special assessment district and levy assessments, sell bonds, establish user fees, or raise revenues in any other manner provided for under law for the operation and maintenance of the department; it shall provide for payment of any debts incurred incidental to its continued operation; it shall purchase necessary equipment, and/or construct public buildings for uses incidental to the maintenance and operation of a fire department. The township board shall establish a Fire Board Committee consisting of 2 Township board members and all the fire department officers. The Fire Board Committee will establish, subject to the Township Board approval, rules, and regulations for the operation of the department and the care of the equipment.

#### **Section 3: Chief: Duties**

The Township Board shall appoint a chief who shall be the chief administrative officer of the department. The chief shall be accountable to the Township Board for the efficient and effective operation of the department, and for the department's compliance with all

state laws, township ordinances, and policies. The chief shall serve at the pleasure of the board.

The chief shall recommend, subject to township board approval, the appointment of assistant chiefs, captains, lieutenant, engineer (drivers), and firefighters as may be deemed necessary.

The chief shall develop written administrative rules to increase the efficiency and effectiveness of the department, including pre-planning and post-incident critiques, regulations, and assignment and scheduling of personnel and shall plan for the long-range needs of the department.

The chief shall review all personnel and operating problems with and shall report monthly to the township board. A written report shall be filed annually with the township board.

As needed, the chief shall notify the township supervisor of major problems or issues that require board action. When such problems must be resolved immediately and it is impractical or will endanger the health, safety or welfare of the township to wait until the next board meeting to resolve the issue, the township supervisor shall be empowered to resolve the issue or problem, subject to the subsequent approval of the board.

The chief shall hold regular department informational and training meetings.

The chief may incur expenditures against the department budget as appropriated by the Township Board. The chief will monitor the unencumbered balances remaining in the department budget and shall make timely recommendations for budget amendments at such time as the need for such amendments become known. The department's expenditures shall not exceed the amounts appropriated. Capitol outlay purchases that exceed \$ 50.00 shall conform to township policy regarding written quotes and competitive bidding.

The chief shall also be responsible for the following:

1. Supervise the extinguishment of all fires that endanger the health, safety and welfare of Township.
2. Enforce township fire ordinances or fire prevention codes.
3. Ensure that all personnel are trained and qualified for the duties that they are expected to fulfill.
4. Ensure that fire inspection and community fire prevention programs are conducted.
5. Ensure that all department personnel comply with departmental and board rules, regulations, and policies.

6. Ensure that all equipment and buildings are properly maintained and in good working order.

#### **Section 4: Officers**

There shall be a chain of command established among the department officers in descending order of rank, from the chief to the assistant chief, lieutenants, engineers, to firefighters. Each rank shall obey the orders of their superior officers. Temporary officers may be appointed by the senior officer present at any emergency to ensure the continuity of the chain of command. Such temporary appointments shall terminate when the officer with the given responsibility becomes available.

The chief shall establish a job description for each rank. Each command officer shall be responsible that orders are carried out by subordinates.

#### **Section 5: Firefighters**

Firefighter applicants shall be interviewed by a committee composed of 1 board member presently on the fire board, the fire chief, and the 1<sup>st</sup> assistant fire chief, before considering the applicants for vacancies. Applicants for vacant firefighter positions shall be of good character, possess a good driving record, and shall be screened by a physician of the township board's choice and at township expense. The physician's examination shall determine if the applicant has any pre-existing physical conditions that would preclude the applicant from performing the duties associated with firefighting.

All firefighters shall serve an initial probationary period for a period of not less than six months. At the discretion of the chief, the probationary period may be extended. At the conclusion of the minimum probationary period, the chief may recommend that a probationary firefighter that has met all of the qualifications contained in the firefighter job description be given permanent firefighter status by the township board.

A probationary firefighter shall be entitled to all compensation and benefits afforded to permanent firefighters, but shall be restricted to perform only those duties for which he/she has been specifically trained. A probationary firefighter shall not be issued department insignia or badges. Use of emergency signal devices on the private vehicle of a probationary firefighter shall be at the chief's discretion.

#### **Section 6: Disciplinary Procedure**

Violations of any township ordinances, board rules, department administrative regulations, or convictions of a felony shall subject any personnel involved to disciplinary proceedings. A violation shall be documented by the chief upon good cause shown, or when a violation occurs in his presence.

The chief shall provide a copy of written reprimand to an alleged violator. The written reprimand shall state the rule that was allegedly violated, the nature of any disciplinary action taken, and the consequences of any further recurrences. Disciplinary action may

range from a reprimand to a suspension, demotion or dismissal, or a combination of any of the above, depending on:

1. seriousness of the violation
2. consequences to the safety of others by the violation
3. potential harm to the department or the township
4. prior record of the individual
5. the degree of wantonness, if any, of the act

Any disciplinary action may be appealed 1<sup>st</sup> to the fire Board Committee, who shall affirm, deny, or modify the disciplinary action taken by the chief. If the grievant feels the response from the Fire Board Committee is not a just and fair solution he/she may appeal to the Township Board. The township Board may, on its own initiative, bring charges against any fire department personnel. Disciplinary action initiated by the township board shall follow the above procedures, except that the responsibilities designated above to the chief shall be performed by the township board,

In addition to such administrative rules that may be promulgated by the chief, theft of township property or other property at the scene of an emergency shall be cause for dismissal.

Firefighters shall not respond to emergencies, meetings, or training sessions while under the influence of alcohol or any controlled substances.

### **Section 7: Compensation**

Compensation to firefighters shall be in such amounts as may be determined from time to time by the township board. The department shall keep accurate records that indicate the amount of compensable time served by all personnel. The time records shall be submitted in a timely manor to the township clerk. Firefighters shall be paid twice a year, in March and September

### **Section 8: Public Contact**

The fire chief, or his/her designee, may release facts regarding fires or other emergencies to the news media. All other personnel shall refer all media inquiries to the chief or the designee.

Members of the public will be allowed in the fire station only when accompanied by a member of the department. The public will always be treated courteously and professionally by all department personnel.

### **Section 9: Emergency Responses**

When responding to emergencies, all personnel will drive emergency vehicles with appropriate concern for the safety of the public and defensive driving. Use of emergency signals on vehicles shall be considered a request for the right of way from other drivers.

Use of emergency signal equipment shall be permitted only when the department has been officially dispatched to an emergency.

**Section 10: Department Equipment**

Protective gear shall be worn when engaged in firefighting in any enclosed structure, or outdoors when warranted.

Lost or damaged equipment shall be reported as soon as possible to an officer. Township property shall be disposed of only with the prior approval of the township board. All department-issued equipment shall be returned to the chief by personnel leaving the department.

**Section 11: Use of Fire Station**

Only township owned vehicles and equipment may be kept at the fire station. Department equipment shall not be borrowed for private use. Private vehicles must be parked in designated areas only. Alcohol and controlled substances shall not be brought to the fire station.

**Section 12: Savings Clause**

Should any portion of this ordinance be declared unenforceable by any court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect unaffected by the portion, which might be so declared to be unenforceable.

**Section 13: Effective Date**

This ordinance shall take effect on June 21, 1999 . All ordinances in conflict herewith are hereby repealed.

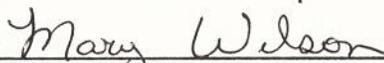
NOTICE OF ORDINANCE ADOPTION

PLEASE TAKE NOTICE that the above Ordinance was adopted by the Stockbridge Township Board on June 21, 1999.

The above is the full text of the Ordinance.

The effective date is June 21, 1999.

A copy of the Ordinance may be purchased or inspect at the Stockbridge Township Hall by appointment with the Clerk, PHONE (517) 851-7658.

  
\_\_\_\_\_  
MARY WILSON, clerk

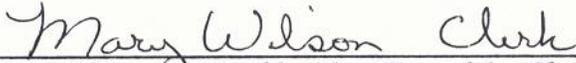
Dated: June 21, 1999.

\*\*\*\*\*

STATE OF MICHIGAN)  
COUNT OF INGHAM)<sup>SS</sup>

I, Mary Wilson, Stockbridge Township Clerk, do hereby certify that the within Ordinance was adopted by the Stockbridge Township Board at a regular meeting held on the 21 day of June, 1999, by the following roll call vote:

AYES - 5 Allen, Curtis, Fay, M. Wilson & R. Wilson  
NAYS - 0

  
\_\_\_\_\_  
Mary Wilson, Stockbridge Township Clerk

Published July 6, 1999, in the Town Crier