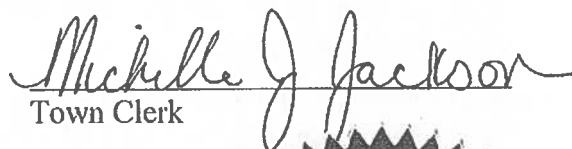


FIRE AND RESCUE DEPARTMENT ORDINANCE

of the Town of Chebeague Island
MAINE

Adopted by the Town Meeting:
Effective: June 10, 2014

Attest:


Town Clerk

Seal:



Town of Chebeague Island Code of Ordinances
Chapter 11 – Administration
Article VIII – Fire and Rescue Department Ordinance

Section 101. TITLE

This Ordinance shall be known as and may be cited as the “Fire and Rescue Department Ordinance in the Town of Chebeague Island, Maine,” and shall be referred to herein as “this Ordinance” or “this chapter”.

Section 102. PURPOSE AND AUTHORITY

The purpose of this Ordinance is to establish the Fire and Rescue Department of the Town of Chebeague Island. This Ordinance is adopted pursuant to 30-A M.R.S.A. §§ 3001, 3151 *et seq.*

Section 103. DEFINITIONS

- a) Rescue or EMS. The terms ‘rescue’ or ‘EMS’ shall refer to emergency medical services.
- b) Department or CFRD. The terms ‘Department’ or ‘CFRD’ shall refer to the Chebeague Island Fire and Rescue Department.
- c) Board of Selectmen. The term ‘Board of Selectmen’ shall mean the Board of Selectmen of the Town of Chebeague Island.
- d) The definitions contained in Title 30-A § 3151 for terms not otherwise defined in this chapter shall govern the construction of words contained in this Ordinance. Any words not otherwise defined therein shall be given their common and ordinary meaning.
- e) Officers. The term ‘Officers’ shall include the Fire Captain, Fire Lieutenant, Rescue Captain, and Rescue Lieutenant.

Section 104. ESTABLISHMENT AND DUTIES

Pursuant to Article VIII, pt. 2, § 1 of the Maine Constitution, 30-A M.R.S.A. §§ 3001 and 3153 *et seq.*, the Town of Chebeague Island hereby establishes a municipal Fire and Rescue Department. The duties of this department are:

- a) to prevent and extinguish fires and provide firefighting protection within the Town of Chebeague Island and elsewhere as provided by mutual aid or other contractual agreements,
- b) to provide emergency services by responding to and managing other public safety emergencies, including medical emergencies,
- c) to respond to all fire and EMS calls in a timely manner according to the nature of the call and the availability of service and equipment,
- d) to promote professional performance by all department members, and
- e) to provide services in accordance with all applicable federal and state statutes and regulations.

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Section 105. ORGANIZATION

- a) The CFRD shall be under the supervision of the Fire and Rescue Chief (hereinafter the “Chief”). The Chief of the Department shall be appointed by the Board of Selectmen.
- b) All members of the Department serve as volunteers to the Town of Chebeague Island.
- c) The following positions are established by this Chapter:
 - a. Chief,
 - b. Fire Captain,
 - c. Fire Lieutenant,
 - d. Rescue Captain,
 - e. Rescue Lieutenant,
 - f. Firefighters and
 - g. Emergency Medical Provider (at Maine EMS defined license levels)
- d) Other positions must be created by job description and approved by the Board of Selectmen.
- e) The Department shall maintain all records at the public safety building.

Section 106. FIRE AND RESCUE CHIEF

The Selectmen shall appoint a Fire and Rescue Chief and shall recommend the Chief’s compensation annually. The Selectmen, for cause by them declared in writing, after due notice to the officer and hearing, if requested, may remove the Chief and appoint another one. The Chief reports to the Town Administrator.

The Chief shall have the authority to adopt administrative regulations consistent with this ordinance relating to municipal fire protection and emergency medical services, with the approval of the Board of Selectmen.

- a) The Chief shall have the authority to employ all Firefighters and Emergency Medical Technicians,
- b) Appoint Officers and other approved positions,
- c) Remove Firefighters, Officers, and any other members,

As provided by regulations promulgated by the Chief and approved by the Board of Selectmen. The Chief shall:

- d) Ensure personnel are trained and prepared to provide fire protection and emergency medical services,
- e) Provide for the maintenance of all equipment used by the department,

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- f) Provide assigned fire inspections to ensure that structures are in compliance with fire prevention ordinances.
- g) Maintain written documents titled:
 - a. Administrative Regulations (Board of Selectmen approval required),
 - b. Job Descriptions for all established positions,
 - c. Standard Operating Guidelines,
 - d. Exposure Control Plan and
 - e. Policies and Procedures.

Section 107. MEETINGS

The Department shall have regular meetings to transact department business. The Chief shall submit approved minutes to the Town Clerk on a regular and timely basis.

Section 108. FINANCES

- a) The Chief shall prepare an annual budget for the Department that shall contain budgeted amounts for all expenses related to the operation of the Department, including recommended compensation for the Chief, the Officers, EMS personnel, firefighters and other personnel. The Chief shall submit the annual budget to the Board of Selectmen at its regular meeting in January of each year.
- b) The Chief shall submit all bills, receipts and payroll documents relating to the Department to the Town Treasurer in a timely fashion, who shall be authorized to pay such bills upon approval by the Board of Selectmen of a warrant for such expenditures, and who shall keep and maintain the financial records of the Department. The Treasurer shall provide the Chief with a “year-to-date expense report” for the Department on a monthly basis.
- c) The Town shall maintain two Enterprise Checking Accounts named: 1) “Town of Chebeague Island – Chebeague Island Fire” and 2) “Town of Chebeague Island – Chebeague Island Rescue”. The accounts shall hold funds for the “Chebeague Island Fire Fund” and “Chebeague Island Rescue Fund” respectively.

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The Chief shall appoint a custodian of the accounts who shall maintain all records and report all transactions to the Treasurer quarterly. The Chief, the custodian and the Town Treasurer shall be authorized to sign checks.

- a. Two signatures are required for each check.
- b. All material goods purchased using these funds are the property of the Town of Chebeague Island.
- c. The Department may not solicit gifts or donations except as part of public fund raisers organized by the Department.
- d. Monetary gifts to the Department may be accepted by the Chief. As is practical, the wishes of the donor regarding the use of gifts will be respected. All other gifts must be accepted by the Board of Selectmen.
- e. Material and equipment gifts must be accepted by the Board of Selectmen.
- f. Expended funds may not be reimbursed using Town funds.
- g. The Treasurer shall receive bank statements and immediately forward a copy to the Chief,
- h. The Chief shall provide all necessary information to the Treasurer to include these accounts in the annual financial audit.

Section 109. REPORTING

The Chief shall provide the Selectmen with quarterly reports that demonstrate that:

- a. Staffing levels are adequate to provide basic fire prevention and basic emergency medical services,
- b. Licenses and certifications maintained by the department are current,
- c. Necessary training has occurred for fire and rescue personnel,
- d. All firefighting and rescue equipment has received regular maintenance and
- e. The enterprise checking accounts have been reconciled.

Section 110. MUTUAL AID

Pursuant to Title 30-A M.R.S.A., §3156, the Board of Selectmen, in consultation with the Fire Chief, may enter into mutual aid agreements with other municipalities for firefighting or other emergency services.

Section 111. AMENDMENTS

This Ordinance may be amended by Town Meeting at any properly noticed meeting.

Section 112. SEVERABILITY

In the event any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

