

BAY CITY ORDINANCES

ORDINANCE NO. 413

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND REGULATION OF THE BAY CITY FIRE DEPARTMENT

The City of Bay City ordains as follows:

Section 1: General. The Bay City Fire Department is a volunteer Fire Department and is organized under the authority of the Charter of the City of Bay City. This Ordinance shall govern the operations of fire suppression. The rules and regulations set forth in this ordinance should insure fairness to all members of this Department and will outline the actions and conduct of the members so as not to bring discredit to the Department.

Section 2: Organization There are two organizations of the Fire Fighters of Bay City:

a. FIRE SUPPRESSION. It's responsibilities are fire prevention, control and extinguishment, and preservation and protection of lives and property during fires, disasters, and other emergencies. It is known as the BAY CITY FIRE DEPARTMENT and is referred to as "THE DEPARTMENT."

b. BUSINESS AND SOCIAL. This is comprised of all members of the Department plus other honorary members the membership may choose to elect. It is to be known as THE BAY CITY FIREFIGHTERS ASSOCIATION and is hereinafter referred to as "THE ASSOCIATION", and shall be governed by the bylaws adopted by the members. It shall not be a part of the municipal government of Bay City.

Section 3: Purpose. There are two purposes of the Department:

a. The objectives of the Department shall be the preservation and protection of lives and property from and during fires, emergencies or any disaster that may occur, to meet once a month and devise ways and means by deliberation of topics and exchange of ideas, to cooperate with the Fire Chief of this Department in the campaign for Fire and Life Safety, and to unite the organization so it may be better prepared to console and assist distressed humanity in a conflagration in the City of Bay City.

b. The Fire Chief shall be responsible for the efficient operation, training and performance of all volunteer officers and members. The Fire Chief or the Executive Board will dismiss or transfer to the inactive list any member deemed physically unfit, incompetent, or otherwise unable to perform the duties required and assigned them.

Section 4: Affiliations. The Bay City Fire Department and all of its members shall be affiliated with the Tillamook County Volunteer Fire-fighters Association and the Oregon Volunteer Firefighters Association.

Section 5: Firefighter Ranks and Classification. The Firefighter ranks and classifications of the Department are as follows:

a. Based upon recommendations from the Fire Chief, the City Council shall appoint such members to serve as Senior Fireline Officers (the rank of Captain and above) as they consider necessary. The Fire Chief shall appoint such members to serve as Junior Fireline Officers (those below the rank of Captain) as he considers necessary. These Fire Chief appointments will be made with the approval of the examining process described herein and shall serve at the will of the City Council and Fire Chief, with removal for just cause. It shall be their duty to assist the Fire Chief and the Department in fire suppression, fire protection, life safety, and drills whenever called upon to serve.

b. All Officers shall be appointed from an eligibility list established from a written and oral examination conducted by the Department.

c. Department Officers are as follows:

(1) Fire Chief: The Fire Chief is appointed by the Mayor for a two year term subject to approval by the City Council. He shall be in complete charge of the Department at all times and is responsible to the City Council for its general condition and efficient operation, training of its members, and all duties requiring the executive ability of the office. Questions arising concerning matters not specifically covered by this ordinance are referred to the City Council. The Fire Chief may be removed by the City Council for just cause.

(2) Assistant Fire Chief : The Assistant Fire Chief is second in command and is appointed under the provisions of Section A and is a Senior Fireline Officer.

(3) Fire Marshall: The Fire Marshall is third in command and is appointed under the provisions of Ordinance 76.2.

(4) Captains: There may be three (3) Captains appointed under the provisions of 76.2 above. The Captains are next in command to the Fire Marshall and are responsible to the Fire Chief for the training of the Department members.

(5) Training Officer: The Training officer is appointed by the Fire Chief with the majority approval of the Executive Board. He must have an Instructor I Certificate from the Fire Standards and Accreditation Board.

(6) Lieutenants: Lieutenants are appointed by the Fire Chief. The number of Lieutenants is at the discretion of the Fire Chief and are appointed to fulfill certain special needs of the Department. A promotion to the rank of Lieutenant will require a majority approval of the Executive Board.

d. Engineers and Firefighters:

(1) Engineers. Engineers are appointed by the Fire Chief. Generally, the number of Engineers will depend on the number of fire apparatus in the Department. A promotion to the rank of Engineer will require that he meet the requirements set forth by the Fire Standards and Accreditation Board for Firefighter I and Engineer I.

(2) Firefighter I, II and III. Firefighter I, II and III must meet requirements and pass task performance as set forth by Fire Standards and Accreditation Board.

e. Executive Board. The Executive Board is comprised of the Chief Officers, Captains and Association President. Its function is to approve the promotion of Department Officers, rule on matters as prescribed in this Ordinance and serve the Fire Chief in an advisory capacity in all matters of Department policy and administration.

Section 6: Membership Requirements. Membership requirements are as follows:

a. Any person of good character, health and ability who is eighteen (18) years of age or older shall be eligible for membership in the Department.

b. The Bay City Fire Department shall consist of as many personnel as deemed necessary for the proper and efficient operation of the Fire Department by the Chief, the Executive Board and with the approval of the City Council of the City of Bay City.

Section 7: Drills. Fire Department drills shall be held weekly with the exception of the second week of each month which shall be a business meeting.

Section 8: Conduct of Members. The firefighters and officers shall be subject to the following:

a. Members shall not be guilty of any conduct unbecoming a firefighter, nor shall they conduct themselves in any manner prejudicial to the good reputation and order of discipline of the Department.

h. Any member appearing at a drill, meeting, or fire under the influence of alcohol or drugs will be grounds for dismissal. Insubordination will be dealt with as the Chief and the Executive Board find necessary to maintain order and respect.

c. Willful failure of any member to obey a direct order of an officer while on drill or at a fire is grounds for dismissal.

d. The Executive Board shall conduct a hearing, which shall be open and subject to the city's open meeting regulation, to determine if a violation has occurred and to decide the form and degree of discipline to be used.

(1) The decision of the Executive Board in the matters will be determined by a vote of the Board. A Simple majority vote will determine if the violation did occur. A simple majority vote will determine the form and degree of the disciplinary action to be taken, excepting for dismissal. Expulsion or dismissal will require a two-thirds (2/3) vote of the Executive Board.

e. Notwithstanding the provisions of Section D of this ordinance, when at his discretion, and at any time the Fire Chief deems that a gross violation of rules has occurred, or that continued service of a member would be detrimental to the Department, he may immediately suspend for thirty (30) days such member from the Department without a hearing. A hearing shall be held if suspension is to continue beyond thirty (30) days or expulsion is warranted.

f. Reinstatement from any expulsion or suspension from the Department may be accomplished only by petitioning the Executive Board and obtaining therefrom a two-thirds (2/3) vote for rein-statement.

Section 9: Interpretation of Ordinances. Questions or interpretive discrepancies concerning this ordinance shall be resolved by majority vote of the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL THIS 7th DAY OF October 1982.

APPROVED BY THE MAYOR THIS 7th DAY OF October, 1982

/s/ Virgil M. Simmons
Virgil Simmons, Mayor

/s/ William A. Batusic
William Batusic, City Recorder