

EMERGENCY RESPONSE AND SERVICES

CHAPTER 19 TOWNSHIP FIRE DEPARTMENT

Section 19.1 Scope, Purpose and Intent. The purpose of this Chapter is to establish the Township Fire Administrative Board; to establish jurisdiction and authority of the Township Fire Administrative Board over personnel selection; to establish authority to adopt rules and regulations for the conduct of personnel and maintenance of equipment; to recommend to the Township Board the appointment of a Fire Chief and to employ and appoint fire fighters and officers; and to prescribe the power and duties of Fire Department volunteers and employees.

Section 19.2 Fire Administrative Board – Establishment. There is hereby established the Courtland Township Fire Administrative Board. The Board shall consist of five members, who shall be appointed by the Township Board for terms of six years each, or until their successors are appointed and qualified. However, of the members first appointed, two shall be appointed for terms expiring on June 30 of the even numbered year following the creation of the Board, two shall be appointed for terms expiring on June 30 of the second year following the expiration of the terms of the first two members, and one member shall be appointed for a term expiring June 30 of the fourth year following the expiration of the term of the first two members. A member of the Board shall not be a member of the fire department of the Township. The members of the Board may receive compensation on a per diem basis if provided by resolution of the Township Board, in addition to actual and necessary expenses approved by the Township Board incurred in the performance of official duties. Members shall serve at the pleasure of the Township Board, and may be removed with or without cause during their term by action of the Township Board. The Township Board shall fill any vacancy for the unexpired term.

Section 19.3 Funding, Power, and Duties. The Fire Administrative Board shall prepare an annual fire department budget to be submitted to the Township Board. The budget shall be reviewed by the Township Board and may be amended or altered in any manner. Upon adoption by the Township Board, the budget shall be the budget of the Fire Administrative Board for the ensuing fiscal year of the Township. The Fire Administrative Board shall have the powers and perform the functions that the Township Board in its discretion delegates to it. All major expenditures beyond the scope of the budget shall be presented to the Township Board at its next regularly scheduled meeting. The Fire Administrative Board shall establish rules and regulations for the operation of the department and care of the equipment. Each June the Fire Administrative Board shall elect a chairman, vice chairman, and secretary to serve for the year commencing next July 1 and until their successors are elected and qualified.

Section 19.4 Fire Chief. The Township Fire Administrative Board shall recommend to the Township Board the appointment of the chief administrative officer of the department who shall be the Fire Chief. The Chief shall be accountable to the Township Fire Administrative 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 Township Board.

Section 19.5 Fire Chief – Duties. The Fire Chief shall have the following specific duties:

- A. The Chief shall recommend, subject to Fire Administrative Board approval, the appointment of a Deputy Chief, Captain(s), and fire fighters as may be deemed necessary.
- B. The Chief shall develop written administrative rules to increase the efficiency and effectiveness of the department, including pre-planning and post-incident critiques, regulations, assignment and scheduling of personnel, and shall plan for the long-range needs of the department.
- C. The Chief shall review all personnel and operating problems and shall report as directed by the Fire Administrative Board. A written report shall be filed annually with the Township Fire Administrative Board. The Fire Administrative Board shall present such written report to the Township Board at the February meeting each year.
- D. As needed, the Chief shall notify the Township Supervisor of major problems or issues that require Township action. When such problems must be resolved immediately and it is impracticable or will endanger the health, safety, or welfare of the Township to wait until the next administrative board meeting to resolve the issue, the Township Supervisor shall be empowered to resolve the issue or problem. The Township Supervisor shall report the problem and resolution to the Fire Administrative Board Chairperson. *[Amended 8/3/16; eff. 8/14/16]*
- E. The Chief shall hold regular department information and training meetings.
- F. The Chief may incur expenditures against the department budget as appropriated by the Township Board. The Chief shall monitor the unencumbered balances remaining in the department budget and shall make timely recommendations for budget amendments at such times as the need for such amendments becomes known to the Fire Administrative Board. The department's expenditures shall not exceed the amounts appropriated. Purchases exceeding five hundred dollars (\$500) shall conform to Township policy regarding competitive bidding.
- G. The Chief shall also be responsible for the following:
 - 1. Supervising the extinguishment of all fires that endanger the health, safety, and welfare of Courtland Township.
 - 2. Enforcing Township fire ordinances or fire prevention codes.
 - 3. Ensuring that all personnel are trained and qualified for the duties that they are expected to fulfill.
 - 4. Ensuring that fire inspection and community fire prevention programs are conducted.

5. Ensuring that all equipment and buildings are properly maintained and in good working order.
6. Ensuring that all department personnel comply with departmental and board rules, regulations, and policies.

Section 19.6 Officers. There shall be a chain of command established among the department officers in descending order of rank, from the Chief to the Deputy Chief, Captain(s), to fire fighters. 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 Fire Chief shall establish a job description for each rank. Each command officer shall be responsible for ensuring that orders are carried out by subordinates.

Section 19.7 Fire Fighters. Fire fighters shall be employed in accordance with the following requirements:

- A. Applicants for vacant fire fighters positions shall be of good character, possess a good driving record, and shall be screened by a physician of the Township Board's choice at Township expense. The Physician's examination shall determine if the applicant has any preexisting physical conditions that would preclude the applicant from performing the duties associated with firefighting.
- B. All fire fighters 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 for up to an additional six months. At the conclusion of the minimum probationary period, the Chief may recommend that a probationary fire fighter that has met all of the qualifications contained in the fire fighter job description be given permanent fire fighter status by the Township Fire Administrative Board.
- C. A probationary fire fighter shall be entitled to all compensation and benefits afforded to permanent fire fighters, but shall be restricted to perform only those duties for which he/she has been specifically trained. A probationary fire fighter shall not be issued department insignia or badges. Use of emergency signal devices on the private vehicle of a probationary fire fighter shall be at the Chiefs discretion.

Section 19.8 Disciplinary Procedure.

- A. Violations of any Township ordinances, Fire Administrative Board rules, Fire Department administrative regulations, or conviction 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.
- B. The Chief shall provide a copy of a written disciplinary statement to an alleged violator. The written statement shall state the rule that was allegedly violated, the nature of any disciplinary actions to be taken, and the consequences of any further

occurrence. Disciplinary action may range from a reprimand to suspension, demotion or dismissal, or a combination of any of the above, in the discretion of the Chief, 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 nature of the act and related matters.
- C. Any disciplinary action may be appealed to the Fire Administrative Board, who shall affirm, deny, or modify the disciplinary action taken by the Chief. The Fire Administrative Board may, on its own initiative, bring charges against any Fire Department personnel. Disciplinary action initiated by the Fire Administrative Board shall follow the above procedures, except that the responsibilities designed above to the Chief shall be performed by the Fire Administrative Board.
- D. In addition to such administrative rules that may be promulgated by the Chief, theft of Township property, or theft of any property at the scene of an emergency shall be cause for immediate dismissal.
- E. Fire fighters shall not respond to emergencies, meetings, or training sessions while under the influence of alcohol or any controlled substance.

Section 19.9 Compensation. Compensation to fire fighters (fire fighters in this section shall include all sworn members of the fire department) shall be in such amounts as may be determined from time to time by the Fire Administrative Board with the approval of the Township Board. The department shall keep accurate records of all compensation to all personnel. The compensation records shall be submitted by November 1 of each year to the Fire Administrative Board for approval and then to the Township Treasurer for payment. Such payment shall be made no later than December 1 of each year.

Section 19.10 Public Relations.

- A. 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.
- B. Members of the public shall be allowed in the fire station only when accompanied by a member of the Fire Department.
- C. The public shall always be treated courteously and professionally by all department personnel.

Section 19.11 Emergency Responses. When responding to emergencies, all personnel shall drive emergency vehicles with appropriate concern for the safety of the public. 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 19.12 Department Equipment. Required protective gear shall be worn when engaged in firefighting activities. Lost or damaged equipment shall be reported as soon as possible to an officer. Township property shall be disposed only with the prior approval of the Fire Administrative Board and Township Board. All department issued equipment shall be returned to the Chief by personnel leaving the department.

Section 19.13 Use of Fire Station.

- A. Only Township owned vehicles and equipment may be kept at the fire station. Department equipment shall not be borrowed for private use.
- B. Private vehicles must be parked in designated areas only.
- C. Alcohol and controlled substances shall not be brought into the fire station.

Section 19.14 Fund-Raising and Association.

- A. All fund-raising activities shall have the prior approval of the Fire Administrative Board, and all revenues solicited in the name of the Fire Department shall be deposited with the Township Treasurer. Such funds will be disbursed by the Township Board.
- B. Any fund-raising activities on behalf of the Fire Department, yet not solicited in the name of the Township or the Fire Department, shall be conducted by a tax-exempt organization that has been designated a 501-c-3 charity, or other similar designation recognized by the Internal Revenue Service.
- C. The personnel of the Fire Department are authorized to incorporate a tax-exempt charitable organization that shall be known as “The Courtland Township Firefighters Association.” The purpose of the association shall be to provide for the social development of personnel and the betterment of fire protection in the Township. The association shall be incorporated under the laws of the State of Michigan, with bylaws approved by the Township Board. The association may elect its own officers. The financial records of the association shall be audited annually by the Fire Administrative Board. The Association shall not be considered as “association” for collective bargaining purposes.