

ORDINANCE # 34

FINAL DRAFT 8/97

VILLAGE OF PARMA - PARMA TOWNSHIP - SANDSTONE TOWNSHIP
ORDINANCE TO ESTABLISH JOINT FIREBOARD AND TO PROVIDE
FOR BOARD AUTHORITY OVER THE FIRE DEPARTMENT
AND SET RULES AND REGULATION FOR OPERATION OF THE
JOINT FIREBOARD AND FIRE DEPARTMENT

RECINDS ORDINANCE - # 134 Parma Twp. - #25 Sandstone Twp.
#134 Parma Village (Adopted 6/8/92)

This ordinance is adopted pursuant to the authority granted the townships and village boards under PA 33 of 1951.

ARTICLE 1. SCOPE, PURPOSE AND INTENT OF ORDINANCE:

Section:

- 1) Purpose of this ordinance is to establish the Parma Sandstone Fire Department and establish jurisdiction and authority of the townships of Parma and Sandstone and the Village of Parma over the Parma Sandstone Fire Department, its chief, officers and fire-fighters through the joint fireboard.
- 2) Establish the Parma Sandstone joint fireboard that is composed of representatives from each section of the townships and village. (per MCL 41.811) and establish membership, officers, meetings, voting, duties and rules for operation of the fireboard and fire department.
- 3) Establishes jurisdiction and authority over fire department personnel selection and provide for authority to adopt rules and regulations for the conduct of personnel, to oversee the purchase and maintenance of fire department equipment, to review fire department budget, ratio of funding, disbursement of funds, and appoint the chief and prescribe the powers and duties of all fire department personnel.

ARTICLE 2. ESTABLISHMENT OF FIRE DEPARTMENT AND FUNDING.

Section:

- 1) There is hereby established the PARMA SANDSTONE FIRE DEPARTMENT.
- 2) Terms of financial funding for the fire department shall be divided between the townships of Parma and Sandstone and Village of Parma at ratios of: 40% Township of Parma, 40% Township of Sandstone, 20% Village of Parma for department monthly operations. Capital Outlay ratio shall be 33 1/3% for each entity.

3) Any entity may terminate its entities participation in this agreement upon 60 days notice to the other parties and shall not be entitled to any share of the assets, cash, equipment or apparatus of the department.

ARTICLE 3. ESTABLISHMENT OF FIRE BOARD, TERMS OF OFFICE, MEMBERSHIP

Section:

- 1) There is hereby established a joint Fire Board, which shall be composed of representatives of the townships of Parma and Sandstone and the Village of Parma which shall be the governing body of the Parma Sandstone Fire Department.
 - 2) No member of the board shall be an employee of the fire department of the participating municipalities.
 - 3) Membership: Shall be seven (7) members.
Two (2) from each of the participating municipalities.
Two (2) from Parma township, (two) 2 from Sandstone township, two (2) from Village of Parma and one a joint appointee by the fire board for a term of one (1) year.
 - 4) One (1) member from each shall be an elected township board member, appointed to serve by their respective boards, for a term of 4 years, concurrent with their term of office.
 - 5) One (1) member from each shall be a member at large from the community of the repective townships and village appointed by each entity, for a term of 3 years.
- Initial members shall be appointed with staggered terms. One (1) member, terms of one (1) year. One (1) Member, term of two (2) years. One (1) member, term of three (3) years.
- 6) The secretary of the Fireboard shall be responsible for notifying boards of expiration of terms of office for board appointments. Appointments to board shall be made within 30 days of expiration of term by the respective boards. All members shall be a resident of the respective communities that they represent.

7) The 6 members shall vote for chairman of the board and 7th member shall be appointed by the board of the municipality from which the chair shall come for a term of 1 year, when Chair is established.

8) Members of the Fire Board may be removed by their appointing governing bodies for misfeasance, malfeasance, nonfeasance of duties.

ARTICLE 4. FIREBOARD OFFICERS AND DUTIES:

Section:

1) The first 6 members shall vote for Chair person of the Board at the yearly election to be held at 1st meeting each January.

2) Vice Chair shall be elected by the board to perform duties of the Chair in the event of absence of the chairman.

3) Chair shall appoint a secretary to keep the minutes of all regular and special meetings and any other duties delegated by Chair and board. Keeping record of board appointments and notifying the respective boards of expiration of terms.

4) Members of the fire board who are elected to the boards of their respective entity shall report back all business and recommendations of the fireboard. In event of the absence of the elected board member, member at large shall report back to each respective municipality.

5) Chairman shall establish an agenda, run the meetings, according to the provisions established by the Michigan Open Meetings Act PA 267 of 1976, call for votes on motions, and keep order in the meeting.

6) The Chair shall appoint committees as needed.

7) The board shall maintain necessary insurance on all vehicles, personnel, equipment and building including liability insurance at it's discretion to adequately protect the Village and Townships and a copy of all policies shall be furnished annually to all entities.

ARTICLE 5. FIREBOARD MEETINGS, VOTING, COMPENSATION

Section:

- 1) The Fireboard shall meet 12 times per year. (One) 1 meeting per month on a regular basis. Special meetings may be held as needed. Regular meetings will be announced and advertised annually in a newspaper of general circulation and Special Meetings will be advertised as required and posted per Open Meetings Act. (PA # 276 of 1976)
- 2) The Fire Board shall operated under its established rules of procedure and keep a record of its proceedings. A majority of the members (4) constitutes a quorum for the transaction of business.
- 3) All meetings will be open to the public as required by the Open Meetings Act. (PA # 276 of 1976. The public will have reasonable opportunity to be heard. They will be expected to identify themselves and be recognized by the Chair. All out of order persons shall be removed for breach of peace, and the meeting adjourned until order is established.
- 4) The governing boards of the townships and Sandstone and Parma, and the Village of Parma shall hold two (2) joint meetings per year. Meetings will be held at the fire station and responsibility will be rotated for holding the meetings and keeping minutes of each.
- 5) Voting on Capital Outlay and financial spending of the department, requires approval of all three entities after recommendation from the joint fireboard on the expenditures.
- 6) All matters of policy, must be approved by 2/3 majority vote of the fire board members. Motions will be restated by the chair before a vote is taken and the maker and supporter of a motion shall be recorded. Voting will be by voice in yeas or nays and will be recorded by the secretary.
- 7) The chair may vote on motions by choice and shall vote to break a tie or in the event of no quorum.
- 8) No member of the Fire Board shall make decisions on policy or non-emergency expenditures without calling a special meeting of the fireboard.
- 9) Compensation to fireboard members for meetings attended shall be the responsibility of each individual unit of government at a rate set by the appointing board.

ARTICLE 6. DEPARTMENT BUDGET AND EXPENDITURES

Section:

- 1) Fire Chief and Department Officers shall prepare an annual Fire Department Budget and present it to the Fire Board along with a schedule of large equipment purchases for review. The budget shall then be reviewed by the governing bodies and may be amended, adopted or rejected.
- 2) The chief may incur expenditures against the departmental budget as authorized by the fireboard and governing bodies not to exceed \$500 per purchase against the departmental budget. All other expenditures must be brought before the fireboard. The chief will monitor balances in the departmental budget and make timely requests for amendments from time to time as needed.
- 3) The Chairman of joint Fireboard shall have emergency powers to authorize emergency expenditures within the limits of budget lines, until a special meeting can be held.
- 4) The Village of Parma shall be the treasurer for the joint department and shall disburse funds and pay bills as presented subject to approval of fireboard and governing bodies. An annual audit of fire department accounts shall be done when the annual audit of Village records are done and a copy of the final audit shall be submitted to each entity.

ARTICLE 7. DEPARTMENT RULES AND REGULATIONS

Section:

- 1) The Fireboard and Fire Department Officers shall establish reasonable rules and regulations for the operation of the fire department and the repair and maintenance and care of department equipment.

ARTICLE 8. CHIEF: APPOINTMENT, STATUS, QUALIFICATIONS, DUTIES

Section:

- 1) The Fireboard shall appoint a chief, who shall be the administrative officer of the department. The chief shall be accountable to the Fireboard, and serve at the pleasure of the fireboard and shall be an employee at will. The chief shall have no vested rights in his position and shall not be subject to any just cause, restrictions on discipline or discharge. The chief shall be subject to annual performance review, in December at the regular fireboard meeting.
- 2) Minimum qualification of chief shall be:
Certified in Firefighting 1 and 2, Certified in Medical First Response, knowledgeable of fire fighting training, hazardous materials, medical rescue. Physically able to perform all duties, knowledgeable of the area if a non-resident. Be available by telephone when not on duty.
- 3) The chief shall be accountable to the Fireboard and governing bodies for the efficient, effective operation of the department, and the department's compliance with applicable State Fire Codes and regulations.
- 4) The chief or his designee shall supervise the extinguishing of all fires that endanger the health, safety and welfare of residents and property of the townships of Parma, Sandstone and Village of Parma. He shall enforce any fire ordinances adopted by the local, county or state government, and ensure that all department personnel comply with departmental and board rules, regulations and policies. The chief shall notify the fireboard of any major problems or issues that require board action.
- 5) The chief along with his officers shall develop written administrative rules to increase the efficiency and effectiveness of the department, including pre-planning and post incident critiques, training sessions, regulations, assignment and scheduling of personnel, and shall plan for the long range needs of the department. All shall be subject to review and amendment, approval or rejection by the Fireboard as they deem necessary.
- 6) The chief shall establish and see that programs are conducted to insure all members of the department meet all State and Federal regulations, certifications and legal requirements.
- 7) The chief shall ensure that fire inspection and community fire prevention programs are conducted. He shall ensure that all fire department equipment and buildings are properly maintained and in good working order.

ARTICLE 9. EMPLOYEES (FIREFIGHTERS)

Section: A: Part-time

- 1) All department personnel will be subject to medical examination (physical) and drug testing to establish performance ability of the duties of firefighter for the department. All department personnel is subject to random drug and alcohol testing.
- 2) The chief shall take applications for all new firefighters, and present them to the fireboard for their review and approval before hiring of any new firefighters.
- 3) New firefighters shall be considered probationary for a period of one (1) year. Any trained, State Certified Firefighter moving into the area; probationary period will be at the discretion of the fire officers. Duties of probationary shall be only as assigned to him/her by the chief or officer in charge. Probationary firefighters shall not be issued department badges or insignia and shall use emergency signal devices on their private vehicle only if authorized by the fire chief.
- 4) Firefighters shall be of good character and follow all of the rules and regulations established by the Parma Sandstone Fire Department and the Fireboard. All employees shall be employees at will and subject to dismissal at any time without cause.
- 5) No person (not the chief, officers or fireboard members or members of the governing body shall have authority either orally or in writing to change the employment status of a probationary or volunteer firefighter without a meeting of the fireboard and vote by majority on employment status of employee.

Section B:

- * Full time employees
- * Amendments to this section will be added as implemented.

ARTICLE 10. OFFICERS, APPOINTMENT, RANK, DUTIES

Section:

- 1) The chief shall appoint officers from qualified adequately trained personnel, and shall establish a chain of command in descending order of rank. Officers shall be:
 - 2A) Two (2) Assistant Chief's, One (1) Captain and Two (2) Lieutenants. Officers shall aid^{ly} chief in development of departmental policies, administration of departmental rules, regulations, policy, training and incident command.

(8)

2B) Changes in officers may be implemented at direction of the fireboard. Any appointment of officers is subject to review and approval of the fireboard.

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

ARTICLE 11. EMPLOYEE COMPENSATION

Section:

1) Compensation to fire fighters shall be in such amounts as may be determined from time to time and recommended by the Fireboard to the townships and village. The chief shall keep accurate records that indicate the amount of compensable time served by all personnel and shall surrender such records on request by the fireboard or governing bodies. Compensation for mileage for approved Fire Department business (non-run) will be reimbursed under acceptable Federal guidelines for such.

2) All probationary and reserve firefighters shall be compensated at the same pay as volunteer firefighters.

ARTICLE 12. DEPARTMENT EMPLOYEE TRAINING

Section:

1) The chief or his designee shall hold regular department training information sessions with quarterly detailed reports to the Fireboard on training and status of personnel participation.
(ie: type of training, certification, firefighters attendance).

2) The chief shall ensure that all personnel are trained and qualified for the duties that they are expected to fill.

ARTICLE 13. DEPARTMENTAL DISCIPLINARY PROCEDURE

1) A violation of any ordinance, board rule, administrative regulation, conviction of a felony, drunkenness or use of illegal narcotics on duty, insubordination, conduct tending to bring the department into disrespect, misuse of equipment, appropriation of equipment, theft of equipment, abuse of equipment, gross neglect of duty, knowing, willing falsification of records and similar activities shall subject any member of the department to disciplinary proceedings.

2.A) The violation shall be documented by the chief or an officer and written report given to the chief and he shall provide a copy of the written allegation to the violator and the fireboard for review.

2.B) The written allegations shall state nature of offense, nature of any disciplinary action taken previously for any reoccurrences of offenses. Disciplinary action may range from oral reprimand to a suspension, demotion or dismissal or a combination of any of the above:

2.C) Depending on:

1. Seriousness of violation.
2. Consequences to the safety of others by the violation.
3. Potential harm to the department.
4. Prior record of the individual, reoccurrence of violations.
5. Degree of wantonness if any.

3) Any disciplinary action may be appealed to the Fireboard, who shall affirm, deny or modify the action taken by the chief. The fireboard, itself may bring charges against any fire department personnel. Disciplinary action initiated by fireboard shall follow the above procedures, except that the responsibilities designated above to the chief shall be performed by the fireboard.

4) Theft or intentional damage of Parma Sandstone Fire Department property or theft of any other property at the scene of an emergency shall be cause for immediate dismissal.

5) Fire department personnel shall not respond to emergencies, meetings or training sessions while under the influence of alcohol or any controlled substance.

6) Department personnel on workmen compensation, or medical leave for any reason, will not respond to emergencies until they submit a doctors report and have medical release before reporting for any duty.

7) Disciplinary action against chief shall be instituted by fireboard or governing bodies and shall be documented in the same manner as any other offense committed by a member of the fire department.

ARTICLE 14. PUBLIC CONTACT

Section:

1) The chief shall be the designated public relations (PR) person for the department, he/she shall strive to utilized public interactive skills as part of the chief administrative officer.

2) The fire chief or his/hr 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.

3) Members of the public will be allowed into the fire station only when accompanied by a member of the department or with prior approval of the chief. The public will always be treated courteously and professionally by all department personnel.

ARTICLE 15. EMERGENCY RESPONSES

Section:

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

2) Use of emergency signal equipment shall be permitted only when the department has been officially dispatched to an emergency. Fire department personnel only in vehicles on emergency response.

3) Fire Equipment participating in parades, school functions or community events is considered out of service. Lights and sirens may be used at discretion of firechief or driver.

ARTICLE 16. DEPARTMENT EQUIPMENT

Section:

- 1) Equipment, vehicles and building of the Parma Sandstone Fire Department is under joint ownership of the Townships of Parma, Sandstone and the Village of Parma.
- 2) Use of equipment, vehicles, and building is for fire protection, emergency medical response within its jurisdiction. Any use otherwise, without the approval of the joint fireboard, officers or governing bodies is considered unauthorized and the department, fireboard and governing entities will not be held liable for its misuse or unauthorized usage.
- 3) Department Computer: Additions to, deletions from any programs shall be with the prior approval and review of the fireboard. Any person intentionally tampering with, falsifying information and/or records will be subject to prosecution.
- 4) Protective gear shall be worn when engaged in firefighting in any enclosed structure, or outdoors when warranted.
- 5) Lost or damaged equipment shall be reported as soon as possible to an officer. Property shall be disposed of only with the prior approval of the fireboard with written report by the chief.
- 6) All department issued equipment shall be returned to the chief by any personnel leaving the department. Pay may be withheld from any firefighter or billed for any unreturned equipment.

ARTICLE 17. USE OF BUILDING AND GROUNDS

Section:

- 1) Alcohol and controlled substances shall not be brought into the building or on fire department grounds.
- 2) Private vehicles must be parked in designated areas only.

Quinn Smith
Clerk

Rob Benn

Adopted 8, 11, 97