

BAY CITY ORDINANCES

ORDINANCE NO. 665

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND REGULATION OF THE BAY CITY FIRE DEPARTMENT; REPEALING ORDINANCE 413 AND DECLARING AN EMERGENCY

The City Council of the City of Bay City ordains as follows:

Section 1: Repeal. Bay City Ordinance 413 is repealed in its entirety.

Section 2: 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 the Bay City Fire Department. 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 3: Organization. There are two organizations of the Fire Fighters of Bay City:

a. Department. The responsibilities of the Bay City Fire Department 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. Association. This organization 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 VOLUNTEER FIREFIGHTERS' ASSOCIATION and is hereafter 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 4: Purpose.

a. Objectives. The objectives of the Department shall be the protection of life and property from and during any fires, emergencies and disasters that may occur. The Department shall meet as often as is necessary to drill, plan and train to fulfill the above objectives.

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

Section 5: Affiliations. The Bay City Fire Department and all of its members shall be affiliated with the Oregon Volunteer Firefighters' Association.

Section 6: 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 or she considers necessary. These Fire Chief appointments will be made with the approval of the examining process described herein and all appointed officers 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 by the Fire Chief.
- c. Senior Fireline Officers are appointed in accordance with Paragraph 6(a) herein, and are as follows:
 - (1) Fire Chief: The Fire Chief is appointed by the Mayor, subject to approval by the City Council. He or she shall be in complete charge of the Department at all times and is responsible to the City Council for the Department's general condition and efficient operation, training of its members, and all duties requiring executive ability of the office. The Fire Chief is responsible for filing all required reports with the appropriate governing agencies as required by law. Questions arising on matters not specifically covered by this ordinance shall be referred to the City Council. The Fire Chief may be removed by the City Council in accordance with the City's Personnel Ordinance.
 - (2) Assistant Fire Chief: The Assistant Fire Chief is second in command and is appointed under the provisions of Paragraph 6(a) herein. The Assistant Fire Chief has all of the duties of the Fire Chief when the Fire Chief is unavailable.
 - (3) Fire Marshall: The Fire Marshall is third in command. and is appointed under the provisions of Paragraph 6(a) herein.
 - (4) Captains. There may be up to four (4) Captains appointed under Paragraph 6(a) herein. 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 under the provisions of Paragraph 6(a) herein.
- d. Junior Fireline Officers: These positions are appointed by the Fire Chief:

(1) Lieutenants: Lieutenants are appointed by the Fire Chief. The number of Lieutenants is at the discretion of the Fire Chief and they are appointed to fulfill certain special needs of the Department.

(2) Engineers. Engineers are appointed by the Fire Chief, and shall be trained to the standard of Driver/Pumper Operator, NFPA 1002, Generally, the numbers of engineers will depend on the number of fire apparatus in the Department.

(3) Firefighters. Firefighter positions are appointed by the Fire Chief, and shall be trained to the standard of Firefighter I or Firefighter II, NFPA 1001.

e. Executive Board. The Executive Board is comprised of the Senior Fireline Officers and the President of the Association. 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 7: Membership Requirements. Membership of the Department requirements are as follows:

a. Any person of good character, health and ability who is fifteen (15) 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 8: Drills. Fire Department drills shall be held weekly with the exception of weeks where the regular drill night falls upon a recognized holiday.

Section 9: 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.

b. 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 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 duty is grounds for dismissal.

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

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, at any time that the Fire Chief deems that a gross violation of rules has occurred, in his or her sole discretion, or that continued service of a member would be detrimental to the Department, the Fire Chief may immediately suspend such member from the Department for up to thirty (30) days without a hearing. A hearing shall be held if suspension is to continue beyond thirty (30) days or expulsion from the Department 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 reinstatement.

Section 10: Interpretation of Ordinances. Questions or interpretive discrepancies concerning this ordinance shall be resolved by majority vote of the City Council.

Section 11. Severability. The invalidity of a section or subsection of this ordinance shall not affect the validity of the remaining sections or subsections.

Section 12. Effective Date. The City Council finds that immediate adoption of the ordinance is necessary to protect the health, safety and welfare of its residents and to provide certainty as to which rules apply within the Bay City Fire Department. This ordinance shall become effective immediately after its adoption by the City Council and approval by the Mayor.

PASSED AND ADOPTED BY THE CITY COUNCIL THIS 9th DAY OF June 2015 and APPROVED BY THE MAYOR THIS 9th DAY OF June 2015.



Shaena E. Peterson, Mayor

ATTEST:



Linda Downey, City Recorder

Ayes: 6
Nays: 0
Abstentions: 0