

40.0100

**FIRE & RESCUE ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 185 eff. Aug. 1, 1993**

An Ordinance to provide that the Grand Haven Charter Township Board may establish the Grand Haven Charter Township Fire and Rescue Department; establish jurisdiction and authority of the Township Board toward the Township Fire and Rescue Services Department; and repeal any parts or portions of ordinances inconsistent herewith.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN
ORDAINS:

40.0101

Sec. 1 SCOPE, PURPOSE, AND INTENT

This ordinance is adopted pursuant to the authority granted the Township Board under P.A. 33 of 1951. The purpose of this ordinance is to provide that the Grand Haven Charter Township Board shall hereby establish the Grand Haven Charter Township Fire and Rescue Department; to establish jurisdiction and authority of the Township Board over personnel selections; to establish authority to adopt rules and regulations for the conduct of personnel and maintenance of equipment; to employ and appoint a chief, firefighters, and officers; and to prescribe the powers and duties of fire department employees.

40.0102

Sec. 2 FIRE AND RESCUE DEPARTMENT; ESTABLISHMENT, FUNDING, POWERS, AND DUTIES

There is hereby established the Grand Haven Charter Township Fire and Rescue Department. The Township Board, acting by resolution, shall appoint such persons who, based on experience, training, and qualifications would, in its discretion, best perform the duties associated with providing fire protection and emergency response services to the citizens of Grand Haven Charter Township.

The Township Board shall approve an annual appropriation for the operation and maintenance of the department and its equipment, and for that purpose shall have the authority to use general funds, to initiate the creation of a special assessment district and levy assessments, sell bonds, establish user fees, or raise revenues in any other manner provided for under law for the operation and maintenance of the department; it shall provide for payment of any debts incurred incidental to its continued operation; it shall purchase necessary equipment; and/or construct public buildings for uses incidental to the maintenance and operation of the department.

The Township Board shall authorize the superintendent, subject to the approval of the board, to appoint a Chief who shall be the Chief Administrative Officer of the Department. The Chief shall be accountable to the Superintendent 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 and Personnel Director shall recommend, subject to Township Board approval, the appointment of an Assistant Chief, Captain(s), Lieutenant(s), and Firefighters as may be deemed necessary.

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.

The Chief shall review all personnel and operating problems with and shall report to the Township Superintendent. A written administrative report shall be filed monthly with the Township Board.

As needed, the Chief shall notify the Township Superintendent of major problems or issues that require board action. When such problems must be resolved immediately and it is impractical or will endanger the health, safety, or welfare of the Township to wait until the next board meeting to resolve the issue, the Township Superintendent shall be empowered to resolve the issue or problem, subject to the subsequent approval of the Board.

The Chief shall hold regular department informational and training meetings.

The Chief may incur expenditures pursuant to the township Administrative Policies and Procedures Manual against the Department budget as appropriated by the Township Board. The Chief will monitor the unencumbered balances remaining in the Department budget and shall make timely recommendations for budget amendments at such time as the need for such amendments become known. The Department's expenditures shall not exceed the amounts appropriated.

The Chief shall also be responsible for the following:

1. Supervise the extinguishment of all fires that endanger the health, safety, and welfare of Grand Haven Charter Township.
2. Enforce Township Fire Ordinances or Fire Prevention Codes.

3. Ensure that all personnel are trained and qualified for the duties that they are expected to fulfill.
4. Ensure that fire inspection and community fire prevention programs are conducted.
5. To provide the necessary emergency medical service to reduce the effects of injury or sudden illness.
6. To provide the necessary services during natural or manmade disasters.
7. Ensure that all equipment and buildings are properly maintained and in good working order.
8. Ensure that all Department personnel comply with departmental and Board rules, regulations, and policies.

40.0104 Sec. 4 OFFICERS

There shall be a chain of command established among the department officers in descending order to rank, from the chief to the captain(s), lieutenant(s), to firefighters. 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 chief shall establish a job description for each rank. Each command officer shall be responsible that orders are carried out by subordinates.

40.0105 Sec. 5 FIREFIGHTERS

Applicants for vacant firefighter positions shall be of good character, possess a good driving record, and shall be screened by a physician of the Township Board's choice and at Township expense. The physician's examination shall determine if the applicant has any pre-existing physical conditions that would preclude the applicant from performing the duties associated with firefighting.

All firefighters shall serve an initial qualifying period for a period of not less than six (6) months. At the discretion of the Chief, the qualifying period may be extended. At the conclusion of the minimum qualifying period, the Chief may recommend that a qualifying firefighter that has met all of the qualifications contained in the firefighter job description be given firefighter status by the Township Board.

A qualifying part-time or fulltime firefighter shall be entitled to all compensation and benefits afforded to those respective positions, but shall be restricted to perform only

those duties for which he/she has been specifically trained. A qualifying firefighter shall not be issued department insignia or badges.

1. The general duties and essential functions of every firefighter shall include, but not be limited to the following:
 - A. Respond promptly to fire alarms within the assigned area to the extent they are reasonably able to do so; lay and connect hose; maneuver nozzles and direct fire streams; operate pumps, aerial ladders, and all auxiliary equipment; raise and climb ladders; use fire extinguishers, bars, hooks, lines, and all other fire and rescue equipment and tools.
 - B. Drive and operate all fire apparatus and equipment.
 - C. Ventilate burning buildings.
 - D. Remove persons safely from danger; perform rescues; administer first aid (within qualifications).
 - E. Perform salvage operations; place salvage covers; secure and/or enclose damaged structures; sweep water and remove debris as directed by officer in charge.
 - F. Clean and service all fire equipment and tools after returning from an alarm or training; perform general maintenance work in the upkeep of fire department property.
 - G. Relay instructions, orders and information to others as required.
 - H. Take charge as ordered by a superior officer.
 - I. Abide by the rules and regulations of the Fire Department and the Ordinances of the Township as they may be determined and changed from time to time.
 - J. Perform such other duties and activities as may be directed by the chief or other responsible officers from time to time.

Every Firefighter shall be obligated to follow the lawful orders, directions, and instructions of the chief or the designated officer in charge in carrying out the functions and activities of the Department.

2. The minimum qualifications of every firefighter to retain membership in the department after July 1, 1993, shall include, but shall not be limited to the following:

- A. The individual must have reached the age of eighteen (18) years.
- B. The individual must have graduated from an accredited high school or equivalent.
- C. The individual must have sound knowledge of the street locations throughout Grand Haven Charter Township.
- D. The individual must have the ability to understand, accept, and follow directions.
- E. The individual must have a working, private or party-line telephone at his or her residence.
- F. The individual must satisfactorily pass a physical examination (including drug and alcohol screening), which establishes that the individual is physically and mentally able to perform, with or without accommodations, each and every of the regular or anticipated essential functions of a firefighter.
- G. Within one (1) year the individual must possess a current, valid certification in cardiopulmonary resuscitation. Within two (2) years the individual must possess and maintain a First Responder or an Ambulance Attendant License from the State of Michigan Department of Public Health.
- H. The individual must satisfy the Michigan Firefighters Training Council minimum standards for physical, educational, mental, and moral fitness.
- I. The individual must possess a current driver certification through the Michigan Firefighter Training Council or must possess a Commercial Driver's License with proper endorsements on a valid Michigan Chauffeur's License, and the individual must demonstrate the ability to safely operate all departmental vehicles.
- J. The individual must satisfactorily pass a comprehensive ability/agility test including, but not limited to: man lift/carry; ladder/beam walk; climb with thirty-five foot (35') ladder; attachment and use of hoses and hose appliances; operation of pumps; timed entry into self-contained breathing apparatus; ground agility test; other job-related tests.
- K. The individual may be required to work up to one twelve (12) hour

shift each month.

- L. The individual must satisfactorily maintain all training and certification standards established by the department.

40.0106 Sec. 6 MINIMUM QUALIFICATIONS

The minimum qualifications of every Firefighter to retain membership in the department after July 1, 1993 shall include, but shall not be limited to, the qualifications set forth in Subsection (C) through (K) of Section 5 of this Ordinance. In the event a firefighter fails to satisfactorily pass an examination or test described in Subsections (F), (I), or (J) of Section 5, the individual shall be afforded an opportunity to be retested not less than thirty (30) nor more than forty-five (45) days after the failed test or examination. If the individual again fails the examination or test, the individual shall be removed from the position of firefighter.

40.0107 Sec. 7 NO CONTRACT OF EMPLOYMENT

The duties and qualifications set forth herein are minimums. The fact that an individual possess such minimum qualifications shall not be deemed to establish any contractual or legal right to occupy the position of firefighter. The terms and conditions for employment in a fire department funded by the Township shall be pursuant to the Grand Haven Charter Township Personnel Policies and Procedures Manual, which may be changed from time to time when, in the sole judgment of the Township, it is necessary to do so.

40.0108 Sec. 8 DISCIPLINARY PROCEDURE

Violations of any Township ordinance, Board rules, department administrative regulations, or convictions of a felony shall subject any personnel involved to disciplinary proceedings pursuant to the Township Personnel Policies and Procedures Manual. A violation shall be documented by the Chief upon good cause shown, or when a violation occurs in his presence.

Firefighters shall not respond to emergencies, meetings, or training sessions while under the influence of alcohol or any controlled substance.

40.0109 Sec. 9 COMPENSATION

Compensation to firefighters shall be in such amounts as may be determined from time to time by the Township Board. The Department shall keep accurate records that indicate the amount of compensable time served by all personnel. The time records of part-time personnel shall be submitted annually in November of each year to the Township Board for payment and all such time records shall be signed by the Department personnel designated on the time slip.

40.0110 Sec. 10 PUBLIC CONTACT

The Chief, or his/her designee, may release facts regarding fire or other emergencies to the news media. All other personnel shall refer all media inquiries to the Chief or the designee.

40.0111 Sec. 11 OPERATION OF EMERGENCY VEHICLES

When responding to emergencies, all personnel will drive emergency vehicles with appropriate concern for the safety of the public and defensive driving. 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.

40.0112 Sec. 12 DEPARTMENT EQUIPMENT

Protective gear shall be worn when engaged in firefighting in any enclosed structure, or outdoors when warranted, or when engaged in any emergency rescue.

Lost or damaged equipment shall be reported as soon as possible to an officer. Township property shall be disposed of only with the prior approval of the Township Superintendent. All department-issued equipment shall be returned to the Chief by personnel leaving the department.

40.0113 Sec. 13 USE OF FIRE AND EMERGENCY SERVICES STATION

Only Township-owned vehicles and equipment may be kept at the Fire and Emergency Services Station. Department equipment shall not be borrowed for private use.

Private vehicles must be parked in designated areas only.

Alcohol and controlled substances shall not be brought into the Fire and Rescue Station.

40.0114 Sec. 14 SOLICITING DONATIONS

All fundraising activities shall have the prior approval of the Township Board, and all revenues solicited in the name of the Fire and Rescue Station shall be deposited with the Township Treasurer. Such funds will be disbursed by the Township Board.

Any fundraising activities on behalf of the Fire and Rescue Department, yet not solicited in the name of the Township of the Department, shall be conducted by a tax-

exempt organization that has been designated as a 501-c-3 charity by the Internal Revenue Service.

The personnel of the Fire and Rescue Department are authorized to incorporate a tax-exempt charitable organization that shall be known as "The Grand Haven Charter Township Firefighters Association". The purpose of the association shall be to provide for the social development of personnel and the betterment of the fire and rescue services protection in the Township. The association shall be incorporated under the laws of the State of Michigan, with by-laws approved by the Township Board. The association may elect its own officers. The financial records of the association shall be audited annually by the Township Board.

40.0115 Sec. 15 SAVINGS CLAUSE

Should any portion of this ordinance be declared unenforceable by any court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect unaffected by the portion which might be so declared to be unenforceable.

40.0116 Sec. 16 EFFECTIVE DATE

This ordinance was approved and adopted by the Township Board of Grand Haven Charter Township on June 28, 1993, after its introduction and first reading on June 15, 1993, and after its publication in the manner provided by Public Act 359 of 1947, as amended. This ordinance shall take effect thirty (30) days after its publication.