

**CHARTER TOWNSHIP OF IRONWOOD
FIRE DEPARTMENT STRUCTURE, RESPONSIBILITIES AND ACCOUNTABILITY
ORDINANCE**

ORDINANCE NUMBER -59

Proposed Ordinance

Section 1: Scope, Purpose and Intent

This ordinance is adopted pursuant to the authority granted the Charter Township of Ironwood Board under the Charter Township Act, MCL 42.13 and the Firefighter Training Council Act (Act 291 of 1966), the Fire Prevention Code (Act 207 of 1941) and the Police and Fire Protection (Act 33 of 1951).

The purpose of this ordinance is to provide that the Charter Township Board shall hereby establish the Ironwood Township Fire Department; To establish jurisdiction and authority of the Township Board over personnel selection; 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.

Section 2: Geographic Coverage Area

The Ironwood Township Fire Department shall be responsible for providing services to the entire geographic boundaries for the Charter Township of Ironwood.

The fire department shall restrict its delivery of emergency services to geographic area described in this section, and to other jurisdictions with fire mutual aid agreements between that jurisdiction and the Charter Township of Ironwood.

Section 3: Scope and Level of Services

Consistent with appropriations and budget authorization, the Ironwood Township Fire Department is authorized to provide to the citizens of the Charter Township of Ironwood, the following programs and services within the scope of their training:

1. Fire Suppression
2. Fire Education

3. Fire Prevention and Code Enforcement
4. Confined spaces rescue for township employees for pits, excavation, trenching and shoring operations.
5. Provide upon request assistance for County Search and Rescue
6. Provide Basic Medical level fire calls and to assist emergency medical services.
7. Provide upon request to Gogebic County Airport for Aircraft Rescue and Firefighting (ARFF)
8. Hazardous Materials Incident Response
9. Provide upon request Fire Mutual Aid Response to other jurisdictions included in mutual aid agreement.
10. Mutual Aid for Automatic Tanker Response to Support Fire Suppression Calls.

Section 4: Basic Organizational Structure

The Ironwood Township Fire Department shall be actively supervised and managed by a department Chief and such other firefighters as needed. The Chief shall **be appointed in accordance with section 42.13 of the Charter Township Act, by the Township Supervisor with approval, of the Township Board. All other officers and firefighters shall also be appointed by the supervisor with approval of the chief with final approval of the Township Board.** The Supervisor shall use the Classification for fire chief (R29.405a) to ensure the officer meets the requirements for a fire chief.

To ensure continuity of command and appropriate incident supervision, the Township Board authorizes the following officer positions which shall be subordinate to the Chief, and which creates the following chain of command in descending order of authority:

Assistant Chief (1)

Captains (3)

Firefighters

The membership of the department shall be limited to 30 members.

The Township Board may add to the Ironwood Township Fire Department membership, by the passing of a resolution, at a board meeting.

With the advice and assistance of the Chief the Township Board shall develop and approve job descriptions for each of these positions.

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.

Each command officer shall be responsible that subordinates carry out orders.

Section 5: Fire Department Finances

The Charter Township of Ironwood 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 incidental to the maintenance and operation of a fire department.

Section 6: Fire Department Rules and Regulations

The Charter Township of Ironwood Board shall approve rules and regulations for the operation of the department, as established by the Fire Chief and, as approved by the Supervisor and for the care of the equipment through adoption of general policies, and the Fire Chief shall prepare and enforce specific procedures consistent with such policies. Furthermore, the fire department may keep and maintain their bylaws by which they can govern their fraternal organization.

Section 7: Chief Duties

The Charter Township of Ironwood Board shall authorize the Township Supervisor subject to the approval of the Board to appoint a Fire Chief who

shall be the chief administrative officer of the department. **The Chief shall be accountable to the Township Board for the efficient and effective operation of the department, and for the department's compliance with all state laws and administrative rules, township ordinances and policies.** The Chief shall serve at the pleasure of the board.

The Chief shall develop written administrative rules to increase the efficiency and effectiveness of the department, including pre-planning and post-incident critiques, regulations, as well as assigning and scheduling of personnel, and shall submit the Township Board plans for the long-range needs of the department.

The Chief shall be familiar with state and federal laws that impact on fire department operations, and shall develop written rules and regulations, and issue orders consistent with, applicable federal and state laws and administrative rules. Noncompliance of applicable state and federal laws and regulations shall be promptly reported to the Township Supervisor.

The Chief shall maintain a current copy of Part 74 and the MIOSHA (Michigan Occupational Safety and Health Act) General Industry Safety Standards and shall develop written policies and procedures to ensure compliance. The Chief shall promptly inform the Township Board of any procedure or equipment that is not in compliance with any MIOSHA General Industry Safety Standard and shall recommend board actions to achieve compliance.

The Chief shall review all personnel and operating problems that are not resolved at the department level with the Township Supervisor and shall report department activities monthly to the Township Board. A typed report on department fire activates/training and apparatus maintenance shall be given monthly to the Township Board, at a regular Board meeting.

As needed, the Chief shall notify the Township Supervisor of major problems or issues that require board action. When such problems must be resolved immediately because of imminent threats to the health, safety, or welfare of the Township, the Township Supervisor shall be empowered to resolve the issue or problem, subject to the subsequent report of the action to the Township Board.

The Chief may appoint additional officer roles such as: Training Officer, Safety Officer, Equipment Officer, Public Information Officer with the approval of the Township Board. They serve at the pleasure of the Chief.

The Department shall hold regular departmental informational and training meetings for which they may receive compensation for them after submitting documentation of the meeting or training for approval of the Township Board.

The fire department employees may hold meetings at the fire hall to discuss issues they have and to hold elections of their fraternal officers listed in their bylaws

The Chief may incur expenditures against the department budget with the approval first 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 needs for such amendments become known. The department's expenditures shall not exceed the amount appropriated. Capital outlay purchases that exceed \$1,500.00 dollars shall conform to the Township policy regarding written quotes.

The Chief shall also be responsible for the following:

1. Supervise the extinguishment of all fires that endanger the health safety and welfare of the Charter Township of Ironwood.
2. Enforce Township burning ordinances. (If applicable)
3. Make determinations of the hazards and or the dangerous or may be harmful to the environment, human or animal life health, safety or welfare of any substance that is spilled, leaked or otherwise released in the Township. See Ordinance 40: "Dangerous or Hazardous Materials" as applicable by the scope of practice of his/her training level.
4. **Ensure that all personnel are trained and qualified for the duties that they are expected to fulfill.**
5. **Ensure that fire prevention programs are conducted.**

6. Ensure that qualified personnel conduct fire inspections and that the fire prevention code adopted by the Township Board is fairly and effectively enforced. (If applicable)
7. Ensure that all department equipment and buildings are properly maintained and in good working order and all written records are maintained.
8. Ensure that all department personnel comply with departmental and board rules, regulations and policies.

Section 8: Firefighters

All new applicants for vacant firefighter positions shall be of good character, possess a good driving record, shall be subject to and shall pass a pre-employment firefighter physical, by a physician of the Townships Board's choice, at the townships expense. The physician's examination shall determine if the applicant is physically fit and have the ability to perform assigned emergency operations. The physician will identify pre-existing physical conditions that would preclude the applicant from performing the duties associated with firefighting. The applicant shall be subject to a criminal background check.

All firefighters shall serve an in initial probationary period. At the discretion of the Chief, the probationary period may be extended.

Probationary status shall continue at minimum, until the probationary firefighter successfully completes the State of Michigan's Firefighter training requirements for a **paid on call firefighter, (Firefighter I with hazardous materials operations)**, within two (2) years.

At the conclusion of the probationary period, the Chief may recommend that a probationary firefighter that has met all of the qualifications contained in the firefighter job description be given permanent firefighter status by the Township Board. The Chief shall also recommend to the Township Board the dismissal of any firefighter who does not or cannot meet the qualification's to be a firefighter and the reasons for such recommendation.

A probationary firefighter shall be entitled to all compensation and benefits afforded to permanent firefighters, but shall be restricted to perform only those duties for which he/she has been specifically trained and qualified. A probationary

firefighter shall not be issued department insignia or badges. Probationary firefighters shall not use emergency signal devices on their private vehicles.

Section 9: Training

The department Training Officer's shall develop a regular schedule of in-house training classes, including an attendance requirement for all department personnel. The schedule shall specify the type, amount and frequency of training to be provided to fire service personnel necessary to assure that all employees are adequately trained to properly handle the inherent risks of firefighting and other emergency incidents. The Chief shall ensure that a record of each firefighter's participation and skill mastery is maintained. **Each firefighter shall be trained before they are permitted to perform emergency operations. The Chief shall ensure that qualified individuals deliver in-house instruction.**

The Chief shall require that all firefighters have achieved and maintained all certifications required by state or federal law or rule to perform fire suppression, emergency medical services, or other services performed by the department.

All training shall be recorded and conform to the Michigan BFFT and the Firefighter Training Council Standards to receive continuing education credits in the SMOKE system.

Section 10: Safety

The Chief shall be familiar with the provisions of federal and state laws and administrative rules related to employee safety and health regulations, shall develop written procedures to ensure compliance.

The Chief shall establish and implement written procedure for emergency operations in compliance with current MIOSHA regulations. The written procedures shall include all of the following:

1. Compliance with a nationally recognized incident management system that will be implemented at each emergency.
2. A personnel accountability system that will be implemented at each emergency.
3. Applicability to all employees who are operating at the emergency.
4. Procedures that are in accordance with the "two in/two out" rules as found in the provisions of current MIOSHA standards.

5. A trained highest-ranking firefighter shall function as the incident commander at each emergency.

Section 11: Disciplinary Procedures

Violations of this ordinance, other board rules, department administrative regulations, or convictions of a felony shall subject any personnel involved to disciplinary proceedings.

The Chief upon good cause shown shall document a violation, or when a violation occurs in/her presence. The Chief shall provide a copy of the written reprimand to an alleged violator. The written reprimand shall state the rule that was allegedly violated, the nature of any disciplinary action taken, and the consequences of any further recurrences.

Disciplinary action may range from a reprimand to a suspension, demotion or dismissal, or a combination of any of the above, 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. Conviction of a felony
6. The degree of wantonness, if any, of the act

Dismissal of a firefighter shall be a decision of the Township Board upon the recommendation of the Fire Chief following a hearing by the Township Board, if requested by the firefighter. Such hearing may be conducted in a closed session if requested by the firefighter who is subject to dismissal.

Any disciplinary act other than dismissal may be appealed to the Township Board, which shall affirm, deny, or modify the disciplinary action taken by the Chief.

The Township Board may, on its own initiative, bring disciplinary charges against any fire department personnel. Disciplinary action initiated by the Township Board shall follow the above procedures, except that the responsibilities designated above to the Chief shall be performed by the Township Board.

In addition to such administrative rules that may be promulgated by the Chief, theft of property owned by the Township, or theft of property committed while

performing duties of a firefighter, or other actions that are violations of state or federal penal codes, shall be cause for dismissal.

Firefighters shall not respond to emergencies, meetings or training sessions while under the influence of alcohol or any controlled substances. This shall be cause for dismissal.

Section 12: 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 firefighter personnel.

The time records shall be submitted monthly to the Township Clerk who will remit them to the Township Board for payment, and all such time slips shall be signed by the department personnel designated on the time slip.

Section 13: Public Contact

The Fire Chief, his/her designee, or Township Board may release facts regarding fires or other emergencies to news media on behalf of the department. If needed, the Township Supervisor, after communicating with the Fire Chief, may also release facts regarding fires or other emergencies to the township board or news media on behalf of the department.

Department personnel shall not, in connection with department activities or functions, make statements or writings that constitute libel or slander; which would impede a law enforcement investigation or compromise the presumption of innocence until proven guilty; or which would deny any person due process. This includes the premature release of records to the public or not withholding of information relevant to the ongoing law enforcement investigation of suspicious acts that may be a crime.

Members of the public will be allowed in the fire station only when accompanied by a member of the department. All department personnel will always treat the public courteously and professionally. Fire department members shall always use all proper efforts to promote the welfare of the Fire Department and community.

Section 14: Emergency Responses

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

Use of emergency signals on vehicles shall be permitted only when the department has been officially dispatched to an emergency or during training or testing and participation in parade activities.

The Fire Chief will ensure compliance with all Michigan Laws and PA 300 of 1949) regulations regarding the use of emergency signal equipment on Township-owned and personal vehicles.

Section 15: Department Equipment

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

Lost or damaged equipment shall be reported as soon as possible when a loss is greater than \$500.00 dollars to the Township Board. Township property shall be disposed of only with prior approval of the Township Board. All department-issued equipment shall be returned to the Chief or Equipment Officer upon terminating employment with the department within fourteen (14) days.

Section 16: Use of Fire Station

Only Township-owned vehicles and equipment may be kept at the fire 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 station. All fire vehicles are to remain at the fire hall when not in use. Department vehicles needed should be picked up on the day of training and not brought home. No personal use allowed.

Section 17: Soliciting Donations

All fund-raising activities shall have the prior approval of the Township Board, and all revenues solicited in the name of the fire department shall be deposited with the Township Treasurer with a receipt issued. Such fund will be disbursed by Treasurer, upon receiving a warrant signed by the clerk, following audit and approval by the Township Board.

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 as a 501-c-3 charity by the Internal Revenue Service.

Section 18: Conditional Members

Under special circumstances, the department may take into consideration certifying and individual as a "Conditional member" of the fire department. Individuals that might be considered to be a conditional member would typically be those such as, but not limited to, children with special disabilities, terminally ill children or other special needs children. Any request of this type may be brought to the department by the Fire Chief for discussion and acceptance and then brought to the Township Board at its next regular meeting for approval.

Section 19: Saving Clause

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

Section 20: Effective Date

Motion: To approve and adopt Ordinance Motion by: Second:

AYES: Members: _____

NAYS: Members: _____

State of Michigan)
) ss.
County of Gogebic)

I, the undersigned, the duly qualified and clerk of the Charter Township of Ironwood, Gogebic County, Michigan, do hereby certify the foregoing Ordinance was adopted by the Charter Township of Ironwood at a regular Township Board meeting held on the ____ day of _____, 202 .

I hereby certify that:

1. The above is a true copy of an Ordinance introduced for publication and final adoption by the Charter Township of Ironwood Board a duly scheduled and noticed meeting of the Township Board held on _____, pursuant to the required statutory procedures.
2. The complete text of the proposed Ordinance was posted at the Township Clerk's office and on the website on _____.

3. The attached Notice of Posting of the Ordinance was duly Posted within the Charter Township of Ironwood, on _____ at the following places;

Forslund's Building Supply - Lake Road
Gogebic Community College - Jackson Road
Lindquist Center - Jackson Road
Hautala's Bar Lake Road
Rick's Muffler Center - Lake Road
Charter Township of Ironwood Hall - Lake Road

ATTESTED:

SIGNED: _____
Charter Township of Ironwood Clerk