FIRE/RESCUE DEPARTMENT ORDINANCE

Chapter 31

From the

CODE

of the

TOWN OF WINDHAM

COUNTY OF CUMBERLAND

STATE OF MAINE

FIRE/RESCUE DEPARTMENT ORDINANCE

(Effective upon adoption by Town Council on 1/22/91)

Chapter 31

ARTICLE I

Section .. 31-1 TITLE

This ordinance shall be known as the Town of Windham Fire/Rescue Department Ordinance.

§ 31-2 . . . PURPOSE

The purpose of this ordinance is to establish, in the manner provided by Maine Statutes, a municipal fire/rescue department and to define the powers and duties of the Fire/Rescue Chief and department members. The further purpose of this ordinance is to provide the maximum legal protection available to the Fire/Rescue. Officers, municipal firefighters and rescue personnel.

§ 31-3 . . AUTHORITY

This ordinance is enacted pursuant to MRSA Title 30-A, Sections 2001-2004 (general provisions), 3001-3007 (ordinances), and 3151-3157 (municipal fire protection).

§ 31-4 . . DEFINITIONS.

. . A MUNICIPAL FIRE/RESCUE DEPARTMENT

A municipal fire/rescue department shall mean an organized unit established to provide fire suppression, fire prevention and emergency medical services pursuant to this ordinance.

. . . . . B. FIRE/RESCUE CHIEF

Fire/Rescue Chief shall mean the administrative head of the municipal fire/rescue department.

. . . . . C OFFICERS

Officers shall mean the Fire/Rescue Chief, Deputy Chiefs, Company Captains, and Lieutenants.

. . .. D MUNICIPAL FIREFIGHTERS

A municipal firefighter shall mean an active member, whether full-time, part-time or on call , of a municipal fire/rescue department, who aids in the extinguishment of fires and/or an individual who receives compensation from the municipality for aiding in the extinguishment of fires and is at least 18 years of age

. . . . . E. MUNICIPAL RESCUE PERSONNEL

Municipal rescue personnel shall mean an active member, whether full-time or on call, of a municipal rescue company, who aids in providing first aid, emergency treatment and rescue assistance and is qualified to render such aid under current Department of Human Services regulations governing rescue and ambulance personnel and/or an individual who receives compensation from the municipality for said services and is at least 18 years of age.

.. .. F JUNIOR MEMBERS

Junior Members shall mean an individual who is an active member of the municipal fire/rescue department between 16 and 18 years of age whether part-time or on call

ARTICLE II
MUNICIPAL FIRE/RESCUE DEPARTMENT

§ 31-5. .. .. .. ESTABLISHMENT

There shall be a municipal fire/rescue department which is hereby established by this ordinance. The Municipal Fire/Rescue Department shall consist of the following companies:

.. . . .The South Windham Fire Company (District 1)
.. .. The North Windham Fire Company (District 2)
. . . . . The East Windham Fire Company (District 3)
... . The Windham Center Fire Company (District 4)
. . . . . The Windham Rescue Company

As a whole, the municipal fire/rescue department shall be called the Windham Fire/Rescue Department

§ 31-6 . .. .. DUTIES

The municipal fire/rescue department shall provide fire suppression, fire prevention and emergency medical services within the Town of Windham and elsewhere as provided by the Fire/Rescue Chief and Town Council.

§ 31-7. .. .. . FIRE/RESCUE DUTIES

A APPOINTMENT

The head of the Windham Fire/Rescue Department shall be the Fire/Rescue Chief, who shall be selected by the Town Manager subject to the approval of the Town Council. The Fire/Rescue Chief shall be subject to the supervision of the Town Manager consistent with policies established by the Town Council.

B TERM, COMPENSATION

The appointment of the Fire/Rescue Chief shall be for an indefinite period. The Fire/Rescue Chief shall serve until removed by the Town Manager, with the consent of the Town Council, or by resignation or retirement. The compensation of the Fire/Rescue Chief shall be determined by the Town Council

C. POWERS AND DUTIES

(a) The fire/Rescue Chief shall have the powers and duties established by MRSA Title 30-A, Section 3153, as it may be amended

(b) The Fire/Rescue Chief shall be the administrative head of the fire/rescue department responsible for the supervision of all matters relating to the fire suppression, fire prevention and emergency medical services in the Town and shall promulgate, and from time to time amend, rules and regulations for the guidance, government, and conduct of the Officers and members of the fire/Rescue department.

(c) The Fire/Rescue Chief shall appoint Deputy Chiefs, Company Captains, and Lieutenants.

(d) The Fire Rescue Chief shall prepare and submit a personnel policy manual for departmental operations to the Town Manager for his or her approval

(e) The Fire/Rescue Chief shall have the care and control of all vehicles and equipment assigned to the fire/rescue department.

(f) The Fire/Rescue Chief shall provide certain medical and transportation services through the Windham Rescue Company and shall work with the Deputy Chief-Emergency Medical Services to establish rules and regulations concerning activities of the Windham Rescue Company

(g) The Fire/Rescue Chief shall submit an annual written report on the activities of the fire/rescue department and shall discharge such other duties as may be required by the Town Manager

§31-8 DUTIES OF PERSONNEL

A MUNICIPAL FIREFIGHTERS

Municipal Firefighters shall have the duties and otherwise be controlled by the provisions of MRSA Title 30-A, Section 3154, as it may be amended.

B MUNICIPAL RESCUE PERSONNEL

Municipal rescue personnel shall provide emergency medical treatment and rescue assistance to persons in need of such assistance with the Town of Windham and elsewhere as provided by mutual aid or other contractual agreement approved by the Town Council Such treatment and assistance shall be provided in accordance with State statutes, as they may be amended from time to time, and Emergency Medical Services protocol, as amended from time to time by the State of Maine Emergency Medical Services.

§31-9 PRIVILEGES, IMMUNITIES

Members of the municipal fire/rescue department shall enjoy the privileges and immunities provided by MRSA Title 30-A, Section 3155 and Title 14, Sections 8101-8118, as they may be amended

ARTICLE III

SEVERABILITY, EFFECTIVE DATE

§31-10 SEVERABILITY

The invalidity of any portion of this ordinance shall not invalidate any other part thereof.

§31-11 EFFECTIVE DATE

This ordinance shall be effective upon its adoption by the Town Council