

MUNICIPAL FIRE AND RESCUE DEPARTMENT ORDINANCE
SULLIVAN, Maine

Revised at Town Meeting June 25, 2012

ARTICLE I
TITLE, PURPOSE, AUTHORITY, DEFINITION

SECTION 101. TITLE

This ordinance shall be known as the Town of Sullivan Fire and Rescue Department Ordinance.

SECTION 102. PURPOSE

The purpose of this ordinance is to establish in the manner provided by law a municipal fire and rescue department and to define the powers and duties of the chief and assistant chief of the department. The further purpose of this ordinance is to provide the maximum legal protection available to the department's chiefs and municipal firefighters and rescue personnel, and to best protect the health, safety, and welfare of the residents of Sullivan.

SECTION 103. AUTHORITY

This ordinance is enacted pursuant to 30-A, M.R.S.A. 2001 et seq., 3001 et seq. and 3151 et seq.

SECTION 104. DEFINITIONS

104.1 MUNICIPAL FIRE AND RESCUE DEPARTMENT

A municipal fire and rescue department means an organized firefighting unit and rescue unit established pursuant to this ordinance.

104.2 MUNICIPAL FIREFIGHTERS

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

104.3 MUNICIPAL RESCUE PERSONNEL

Municipal rescue personnel shall mean an active member, whether full-time, part-time or on call, of a municipal rescue department, who aids in providing first aid, emergency treatment and rescue assistance and is qualified to render such aid under current Maine Department of Human Services regulations governing rescue and ambulance personnel.

ARTICLE II
MUNICIPAL FIRE AND RESCUE DEPARTMENT

SECTION 201. ESTABLISHMENT

There shall be a Municipal Fire and Rescue Department, which is hereby established by this ordinance.

SECTION 202. DUTIES

The Municipal Fire and Rescue Department shall provide firefighting and first aid emergency treatment and rescue assistance to persons in need of such assistance within the Town of Sullivan and elsewhere as provided by mutual aid or other contractual agreement approved by the municipal officers.

SECTION 203. FIRE CHIEF AND ASSISTANT CHIEF

203.1 APPOINTMENT

The leadership of the Municipal Fire and Rescue Department shall be the Fire Chief, Assistant Chief and EMS Director. These leadership positions will be appointed by the selectman for two (2) year terms upon the recommendation, by vote, of the department membership.

203.2 TERMS, COMPENSATION

The compensation of the fire chief and assistant chief and EMS director shall be established by the selectmen.

203.3 POWERS AND DUTIES

- (a) The Fire Chief and Assistant Chief shall have the powers and duties established by 30 A, M.R.S.A. 3153 as amended, except that administrative rules and regulations promulgated by the Fire Chief or Assistant Chief shall not be effective until approved by the Selectmen.
- (b) The Fire Chief shall work with the Assistant Chief and EMS director to establish rules and regulations concerning activities which involve both units.
- (c) The Fire Chief shall submit a written monthly report on the activities of the department and shall discharge such other duties as may be required by the Selectmen.
- (d) The Assistant Chief shall have the following powers and duties:
 - (1) To act on the Chief's behalf in his/her absence.
- (e) The EMS director shall have the following powers and duties.
 - (1) To control all rescue apparatus belonging to Town.
 - (2) to see to the maintenance of technical proficiency of rescue personnel
 - (3) to establish rules and regulations concerning the discipline, good order, proper conduct, care and management of the Rescue Unit. Such rules or regulations shall not become effective until approved by a motion of the Board of Selectmen.

203.4 POWERS AND DUTIES

Municipal firefighters shall have the powers and duties set forth in 30 A, M.R.S.A.- 3151 et seq. and set forth in any rules and regulations adopted pursuant to Section 203.3 (3) above.

203.5 PRIVILEGES, IMMUNITIES

Members of the Municipal Fire and Rescue Department shall enjoy the privileges and immunities provided by the Maine Tort Claims act when acting in their capacity as firefighters and/or rescue persons.

ARTICLE III SEVERABILITY

SECTION 301 SEVERABILITY

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

EFFECTIVE DATE

These revisions to the ordinance shall be effective on its adoption at Town Meeting held June 25, 2012

Note: The ordinance was enacted on June 28, 2003