

TOWNSHIP OF CRYSTAL FALLS

ORDINANCE NO. 101

AN ORDINANCE TO PROVIDE THAT THE TOWNSHIP OF CRYSTAL FALLS TOWNSHIP BOARD MAY ESTABLISH THE CRYSTAL FALLS FIRE DEPARTMENT; ESTABLISH JURISDICTION AND AUTHORITY OF THE TOWNSHIP BOARD TOWARD THE FIRE DEPARTMENT; AND REPEAL ANY PARTS OR PORTIONS OF ORDINANCES INCONSISTENT HEREIN.

THE TOWNSHIP OF CRYSTAL FALLS, COUNTY OF IRON AND STATE OF MICHIGAN ORDAINS:

Section 1 - SCOPE, PURPOSE AND INTENT

This ordinance is adopted pursuant to the statutory authority granted the Township Board. The Township of Crystal Falls Township Board shall hereby establish the Crystal Falls Fire 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 adopt a chief, firefighters and officers; and to prescribe the powers and duties of fire department volunteers and employees.

Section 2 - FIRE DEPARTMENT: ESTABLISHMENT, FUNDING POWERS AND DUTIES

There is hereby established the Crystal Falls Fire 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 fire protection to the citizens of the Township of Crystal Falls.

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 a fire department. The Township Board shall establish rules and regulations for the operations of the department and the care of the equipment.

Section 3 - ADVISORY BOARD

The Township Board may appoint an advisory "fire board" consisting of Township of Crystal Falls residents and the residents of any other City or Township that is provided non-mutual aid fire protection services under a written contract with the Township of Crystal Falls. Each person appointed shall serve for a one year term. This "fire board" shall meet quarterly, conduct its activities in accordance with the Open Meetings Act, being MCL

15.261, et seq, review the performance of the Crystal Falls Fire Department and make future recommendations to the Township Board on how the providing of fire protection services can be improved. The fire chief, as hereinafter provided for, shall be an ex officio non-voting member, however, no other fire department personnel are permitted to be members of the "fire board".

Section 4 - CHIEF: DUTIES

The Township Board shall appoint a 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, township ordinances and policies. The chief shall serve at the pleasure of the Township Board.

The chief shall recommend, subject to Township Board approval, the appointment of an assistant chief, volunteer captain(s), volunteer lieutenant(s), volunteer or otherwise engineer (drivers) and volunteer firefighters as may be deemed necessary.

The chief shall develop written administrative rules to increase 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 and shall report monthly to the Township Board. A written report shall be filed annually with the Township Board.

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

The chief shall hold regular department informational and training meetings.

The chief may incur expenditures 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 amendments become known. The department's expenditures shall not exceed the amounts appropriated. All capital outlay purchases shall conform to township policy regarding written quotes and competitive bidding.

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 Township of Crystal Falls.
2. Enforce township fire ordinance, including but not limited to, seeking recovery of fire protection costs incurred in responding to calls for services.
3. Ensure that all personnel are trained and qualified for the duties that they are expected to fulfill.
4. Ensure that community fire prevention programs are conducted.
5. Ensure that all equipment and buildings of the Crystal Falls Fire Department are properly maintained and in good working order.
6. Ensure that all department personnel comply with departmental and board rules, regulations and policies.
7. Enforce the terms and conditions of any written agreements for non-mutual aid fire protection services with any contractual cities or townships.
8. Mutual Aid activities and accountings.

Section 5 - OFFICERS

There shall be a chain of command established among the department officers in descending order of rank, from the chief to the assistant chief, volunteer captain(s), volunteer lieutenant(s), engineers (whether volunteer or not), to volunteer 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.

Section 6 - VOLUNTEER FIREFIGHTERS

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

All fire department personnel shall be subject to the terms and conditions of the Township of Crystal Falls Personnel Policies as such are currently in effect and/or subsequently amended by the Township Board.

Section 7 - DISCIPLINARY PROCEDURE

Violations of any township ordinances, board rules, department administrative regulations or convictions of a felony shall subject any Crystal Falls Fire Department personnel involved to disciplinary proceedings as set forth in the Township of Crystal Falls Personnel Policy. A violation shall be documented by the chief upon good cause shown or when a violation occurs in his presence.

Section 8 - COMPENSATION

Compensation of 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 shall be submitted monthly to the Township Board for payment, and all such time slips shall be signed by the department personnel designated on the time slip.

Section 9 - PUBLIC CONTACT

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

Members of the public may only be permitted in the fire station when accompanied by a member of the department.

The public will always be treated courteously and professionally by all department personnel.

Section 10 - EMERGENCY RESPONSES

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.

Section 11 - DEPARTMENT EQUIPMENT

Protective gear shall be worn when engaged in firefighting and while on the fire scene.

Lost or damaged equipment shall be reported as soon as possible to an officer. Township property shall be disposed only with the prior approval

of the Township Board. All department-issued equipment shall be returned to the chief by personnel leaving the department.

Section 12 - USE OF FIRE STATION

Only township-owned vehicles or equipment, or vehicles or equipment leased from the City of Crystal Falls, 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 consumed, brought into or maintained in the fire station.

Section 13 - 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. Such funds will be disbursed to 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.

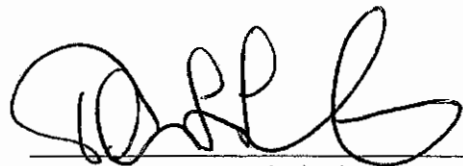
The personnel of the fire department are authorized to incorporate a tax-exempt charitable organization that shall be known as "The Crystal Falls Firefighters Association". The purpose of the association shall be to provide for the social development of personnel and the betterment of fire protection 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 by the Township Board.

Section 14 - 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.

Section 15 - EFFECTIVE DATE

This ordinance shall take effect on June 11, 2010. All ordinances in conflict herewith are hereby repealed.

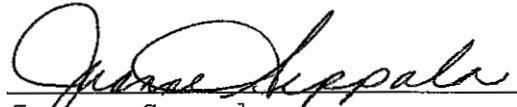


Thomas Lesandrini
Township Supervisor



Joanne Seppala
Township Clerk

I, Joanne Seppala, Township Clerk for Crystal Falls Township, certify that the above Ordinance Number 101, is a true and complete copy of said ordinance adopted by the Crystal Falls Township Board on June 1, 2010, at a meeting held in the Crystal Falls Township Hall at 4:30 p.m. dated June 1, 2010, and signed by Joanne Seppala, Crystal Falls Township Clerk. I further certify that the original of this ordinance has been inserted in the Crystal Falls Township Ordinance Book on June 28 2010.



Joanne Seppala
Township Clerk