

ORDINANCE NO. _____ (TEMPLATE date: 01/13/2017)

AN ORDINANCE ESTABLISHING A FIRE DEPARTMENT FOR THE TOWN OF ANYTOWN, TENNESSEE.

WHEREAS, the Board of Mayor and Aldermen of the Town of ANYTOWN, Tennessee desire to protect the health, safety and welfare of the citizens of ANYTOWN by providing for the prevention and extinction of fires, rescue services, code enforcement, fire prevention, emergency medical care, and emergency management; and

WHEREAS, Article ____ Section ____ Subsection ____ of the Town of ANYTOWN charter authorizes the town to provide for fire protection by ordinance;

NOW THEREFORE, be it ordained by the Board of Mayor and Aldermen of the Town of ANYTOWN, Tennessee that:

SECTION 1. There is hereby established a fire department to be supported and equipped from appropriations by the board of mayor and aldermen and from other contributions. All apparatus, equipment, and supplies of the fire department shall be purchased with the approval of the fire chief in accordance with municipal purchasing requirements and shall be and remain the property of the town. The fire department shall be composed of a chief appointed by the board of mayor and aldermen, and such number of subordinate officers and firefighters as may be appointed by the fire chief. The fire department shall consist of no more than ____ volunteer firefighters. In addition to the fire chief and such volunteer firefighters as provided herein, there shall be any additional full-time career firefighters as shall be provided for in the annual operating budget of the city.

SECTION 2. The board of mayor and aldermen shall provide for the operations of the fire department in its annual budget. Any funds raised by the Fire Department Auxiliary, by any individual, or by any group may be accepted by the board of mayor and aldermen and may be used for purposes designated by the respective contributors. All equipment, materials, supplies, etc. purchased with contributed funds shall become the property of the Town of ANYTOWN. The board of mayor and aldermen may reject any gift or contribution it deems not to be in the best interest of the Town of ANYTOWN.

SECTION 3. The fire department shall have as its objectives:

- (1) To prevent uncontrolled fires from starting.
- (2) To prevent the loss of life and property because of fires.
- (3) To confine fires to their places of origin.
- (4) To extinguish uncontrolled fires.
- (5) To reduce morbidity and mortality from trauma, medical, and other life threatening emergencies by providing emergency medical care at the highest level that the equipment and training of the personnel makes practicable.

- (6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable.
- (7) To provide code enforcement and building inspections as directed by the city within adopted codes and ordinances.
- (8) To plan, prepare for, and respond to natural and man-made disasters as part of the community's emergency management plan by serving as the emergency management agency of the city, in cooperation with the county emergency management agency and TEMA.
- (9) To protect life, property, and the environment from the unintended release of chemical, biological, and radiological hazardous chemicals and substances to the extent possible that the level of equipment and training will allow.
- (10) To plan, prepare for, and respond to terrorism threats to hometown security based upon the anticipated risk to the community.
- (11) To work with the water department to insure that adequate water supplies for fire protection are available.
- (12) To provide public fire education materials and community risk reduction information to the citizens in order that they may protect themselves from harm.

SECTION 4. The chief of the Town of ANYTOWN Fire Department shall, under the direction of the board of mayor and alderman, set up the organization of the department, make work assignments to individuals, based on input, suggestions and recommendations from the members of the fire department, and shall formulate and enforce such rules, regulations, and policies as shall be necessary for the orderly and efficient operation of the fire department.

SECTION 5. The chief of the Town of ANYTOWN Fire Department shall prepare the annual departmental budget to be approved by the board of mayor and aldermen, keep adequate records of all fires, inspections, apparatus, equipment, personnel, training, maintenance, and work of the department. He shall submit such written reports to the mayor, as the mayor requires. The mayor shall submit such written reports to the board of mayor and aldermen, as the board of mayor and aldermen may require.

SECTION 6. The chief of the Town of ANYTOWN Fire Department shall have the authority to suspend or dismiss any other member of the fire department when he deems such action to be necessary for the good of the department. The Mayor may suspend the fire chief up to thirty (30) days. However, only a vote of the majority plus one of the board of mayor and aldermen shall dismiss the fire chief.

SECTION 7. The chief of the fire department shall be fully responsible for the training of the firefighters and for maintenance of all apparatus, property and equipment of the fire department, under the direction and subject to the requirements of the board of mayor and aldermen. All firefighters shall comply with the minimum training requirements specified in *Tennessee Code Annotated*, section 4-24-112. Before they can respond to any emergency incident, new firefighters shall complete an initial training period consisting of no less than sixteen hours of basic firefighter training during the first ninety days of their membership in the fire department. Each firefighter, including all

officers, shall receive no less than sixty hours of in-service firefighter training annually. All fire officers shall receive at least twelve hours of officer training annually. Career firefighters shall be trained in accordance with the standards of the Tennessee Commission on Fire Fighting Personnel Standards and Education, and their salaries shall be set so as to reflect the various levels of certification.

SECTION 8. Pursuant to requirements of *Tennessee Code Annotated*, section 68-102-108, the fire chief is designated as an assistant to the state commissioner of commerce and insurance and is subject to all the duties and obligations imposed by *Tennessee Code Annotated*, title 68, chapter 102, and shall be subject to the directions of the commissioner in the execution of the provisions thereof.

SECTION 9. The fire department shall respond to fires and other emergencies within the town limits. Personnel and/or equipment of the Town of ANYTOWN Fire Department may be used for fighting any fire, or assisting with emergencies, outside the town limits if:

- (1) in the opinion of the fire chief, the fire or emergency is in such hazardous proximity to property owned or located within the town as to endanger the town property;
- (2) the board of mayor and aldermen has developed policies for providing emergency services outside of the town limits or entered into a contract or mutual aid agreement pursuant to the authority of (1) The Local Government Emergency Assistance Act of 1987, as amended, codified in *Tennessee Code Annotated*, section 58-2-601 et seq., (2) *Tennessee Code Annotated*, section 12-9-101 et seq. or (3) *Tennessee Code Annotated*, section 6-54-601.

SECTION 10. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence, or clause shall not be affected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted wherefrom.

SECTION 11. Ordinance # _____ is hereby repealed. [Use Section 11 only if there is an existing ordinance establishing a fire department. Section 11 is not needed if there is no existing ordinance creating a fire department. Renummer the section below if Section 11 is not needed.]

SECTION 12. This ordinance shall take effect after its final passage, the public welfare requiring it.

Passed 1st Reading: _____, 20____.

Passed 2nd Reading: _____, 20____.

Passed 3rd Reading: _____, 20____.

MAYOR

RECORDER