

## ORDINANCE NO. 16

An ordinance to establish the BUTMAN TOWNSHIP VOLUNTEER FIRE DEPARTMENT; AND TO ESTABLISH JURISDICTION AND AUTHORITY OF THE Township Board over the Township Volunteer Fire Department; and repeal any parts or portions of ordinances inconsistent herein.

The Township of Butman, Gladwin County, hereby ordains:

### **Section 1: Scope Purpose and Intent**

This ordinance is adopted pursuant to the authority granted the township board under PA 33 of 1951. The purpose of this ordinance is to provide that the Butman Township Board shall hereby establish the Butman Township Volunteer 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 appoint a volunteer chief, volunteer firefighters and volunteer officers; and to prescribe the powers and duties of fire department volunteers.

### **Section 2: Fire Department; Establishment, Funding, Powers and Duties.**

There is hereby established the Butman Township Volunteer 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 Butman Township.

The township board shall approve an annual appropriation for the operating 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 purchase necessary equipment; and/or construct public buildings for uses incidental to the maintenance and operation of the fire department. The township board shall establish rules and regulations for the operations of the department and the care of the equipment.

### **Section 3: 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 board.

The chief shall recommend, subject to township board approval, the appointment of an assistance chief, captain(s), lieutenant(s), engineer (drivers) and firefighters as may deemed necessary.

The chief shall develop written administration 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 policy 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 supervisor of major problems or issues that require board action. When such problems must be resolved immediately and it is impractical or will endanger the health, safety or welfare of the township to wait until the next board meeting to resolve the issue, the township supervisor shall be empowered to resolve the issue of problem, subject to the subsequent approval of the 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 department's expenditures shall not exceed the amount appropriated. Any capital outlay purchases shall be approved by the board.

The chief shall also be responsible for the following:

1. Supervise the extinguishment of all fires that endanger the health, safety and welfare of Butman Township.
2. Enforce township fire ordinances and fire prevention codes.
3. Ensure that all personnel are trained and qualified for the duties that they are expected to fulfill.
4. Ensure that fire inspection and community fire prevention programs are conducted.

5. Ensure that all equipment and buildings are property maintained and in good working order.
6. Ensure that all department personnel comply with department and board rules, regulations and policies.

#### **Section 4: Officers**

There shall be a chain of command established among the department officers in descending order of rank, from chief to the assistant chief, captain(s), lieutenant(s), engineer (drivers), to 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 5: Firefighters**

Applicants for vacant volunteer firefighter positions shall be of good character possess a good driving record 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 firefighters shall serve an initial probationary period of not less than twelve (12) months. At the discretion of the chief, the probationary period may be extended. At the conclusion of the initial 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 firefighter status by the township board.

A probationary firefighter shall be restricted to perform only those duties for which he/she has been specifically trained. A probationary firefighter will not be issued department insignia or badges. Use of emergency signal devices on the private vehicle of a probationary firefighter shall be at the chief's discretion.

#### **Section 6: Personnel**

All personnel shall serve at the pleasure of the township board.

## **Section 7: Compensation**

There shall be no compensation whatsoever (in the form of wages, payments or gratuities) paid to personnel who have volunteered to serve as members of the Butman Township Volunteer Fire Department. Out-of-pocket expenses incurred in the performance of duties outlined in this ordinance, may be presented to the board monthly. Such expenses must be approved by the chief and submitted to the clerk, who will ask for board payment approval at the next regularly scheduled board meeting.

## **Section 8: Public Contact**

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

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

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

## **Section 9: 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 and sirens on emergency 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 10: 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 11: 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.

### **Section 12: Soliciting Donations**

All fund raising activities, by firefighters, shall be 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 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 501c charity by the IRS.

The personnel of the fire department are authorized to incorporate a tax-exempt charitable organization that shall be known as "The Butman Township Volunteer Firefighters Association." The purpose of the association shall be to provide for a social development of personnel and the betterment of fire protection on 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 13: 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 14: Effective Date**

This ordinance shall take effect on January 1, 2000 at 12:01 AM. All ordinances in conflict herewith are hereby repealed.

THE ABOVE ORDINANCE AS ADOPTED AT A SPECIAL MEETING OF THE BUTMAN TOWNSHIP BOARD ON THE 24<sup>TH</sup> DAY OF JUNE, 1999 AND SHALL BE PUBLISHED IN THE GLADWIN COUNTY RECORD ON OR BEFORE THE 8<sup>TH</sup> DAY OF JULY, 1999.

YEAS: 5  
NAYS: 0  
ABSENT: 0

**AUTHENTICATION OF RECORD**

We, John Wolski, Supervisor, and Paul D. Joyce, Clerk for the Township of Butman, Gladwin County, Michigan, hereby authenticate the following relative to the foregoing Ordinance:

1. That the same was passed by the township of Butman board of Trustees on the 24th day of June, 1999.
2. That the following Members of the Township Board voted yes, in favor of said Ordinance: John Wolski, Don Joyce, Linda Fornwall, Irene Faber and Shirley Kyle.
3. That the following members of the Township Board voted no, against said Ordinance: 0
4. That the following members of the Township Board were absent: 0

TOWNSHIP OF BUTMAN  
Gladwin County, Michigan

Date: June 24, 1999

John Wolski  
Supervisor

Paul D Joyce  
Clerk