

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BESSEMER BY REPEALING EXISTING CHAPTER 3 OF TITLE I, AND REPLACING THE SAME WITH A NEW CHAPTER 3, TITLE I OF THE CODE.

THE CITY OF BESSEMER HEREBY ORDAINS:

The present Chapter 3, of Title I of the City Code of the City of Bessemer is hereby repealed and replaced with a new Chapter 3, Title I as follows:

1.71 COMPOSITION The City fire department shall consist of twenty (20) members which shall include the following officers CHIEF, ASSISTANT CHIEF, 2nd ASSISTANT CHIEF, CAPTAIN, LIEUTENANT, SECRETARY and TREASURER. They will be elected at the business meeting in April, and will take office on the first day of May, and hold such office for a period of one year unless they are re-elected.

A nominating committee will be appointed by the Chief consisting of the ASSISTANT CHIEF and two (2) members of the department. This committee will solicit nominations to fill all officer positions and will return to the March business meeting and present the nominations to the general membership, who will then approve the nominations. All nominees who are not elected will be automatically nominated for the next lowest office, also nominations can be made from the floor. These elections will be held at the April business meeting.

1.72 OFFICERS: All officers are to be approved by the City Council. All officers from the Chief through Lieutenant must have completed basic fire fighting school before they may hold office. Any vacancies which may occur during their elected time shall be filled by appointment by the Chief until the next date of an election. During the absence of the Chief, the senior officer present shall fulfill the duties of the Chief with the same authority.

The Secretary shall call roll at all meetings and keep a correct account thereof. He shall keep a true record of all transactions of the department in a book provided by the department for this purpose. He shall notify any and all members of any fines, warnings or expulsions. He shall send all fine, warning or expulsion letters by CERTIFIED mail. He shall log all Treasurers reports.

The Treasurer shall be responsible to keep a correct accounting of all money belonging to the department, pay all orders drawn upon him after being voted upon at the business meetings. He shall sign all checks. At the expiration of his

FIRE DEPARTMENT ORDINANCE

Page 2

office, he shall deliver all monies, books, papers and all department property that he has in his possession to his successor.

The Chief of said department shall have full authority of all fire equipment and dispatching, and shall answer to the City Council only. The Chief of said department shall fulfill the duties of the City Fire Warden in addition to his regular duties, and shall have the power to appoint an Assistant Fire Warden to work with him.

1.73 EQUIPMENT: No fire equipment of any kind shall leave the firehall for any reason than fires or practices without the full permission of the Chief. The City shall provide needed equipment to keep the department in an updated manner. Coats, boots, mitts or gloves, and helmets shall be furnished to members and replaced when needed. The Chief shall have the power to purchase supplies and or equipment up to One Hundred (\$100.00) Dollars, anything over this cost shall have the City Council's approval.

1.74 FOUL LANGUAGE: No officer shall use abusive, insulting, vulgar or violent language to any member in performance of their duty as a fireman. Any officer who may violate any portion of this article may be subject to fine, suspension or expulsion from his office by a vote of the membership.

1.75 QUORUM: Eight (8) members and One (1) officer shall constitute a quorum for transactions of any business at any regularly scheduled meeting.

1.76 NEW MEMBERS: New Members shall be between 21 and 50 years of age, be in good physical condition, pass a physical exam (paid for by the City), abide by the constitution and by-laws, attend the first available basic fire fighting school, and be a resident of the City of Bessemer, provided, if the department is unable to come up with a good applicant from within the City limits, it shall be able to fill the vacancy from outlying borders of the City. It must first advertise twice before going to the outlying borders.

New Members further will be put on a probationary period for a period of six (6) months, have the ability to work with other firemen, attend all fires and meetings, unless he has a valid excuse, must take orders from the senior officer in charge of any fires, meetings or department activities. After six (6) months, he shall be voted upon to see if he has met the requirements. Secret ballot vote will be held and the majority of members present must vote for his permanent membership in the department. Only one (1) member at a time will be elected to the department by a majority vote by secret ballot. If there is no

FIRE DEPARTMENT ORDINANCE

Page 3

majority vote for one candidate, then the one with the least votes will be dropped from the ballot and the vote will be taken again until one gets the majority vote.

1.77 MEETINGS, ATTENDANCE, EXPULSION: The Fire Department shall hold one business meeting per month and as many practice meetings as the Chief may see fit, but never less than one per month.

All members shall make every attempt to attend all scheduled meetings. A valid excuse for missing a meeting may be granted by the Chief, or senior officer in charge of the meeting in case the Chief is absent, by notification before the scheduled meeting.

Any member who shall miss Three (3) practice meetings in a row without a valid excuse shall be sent a notification by CERTIFIED mail to appear at the next scheduled business meeting to defend himself. A vote by secret ballot shall be taken to vote on his dismissal. Failure to attend and defend himself shall be automatic dismissal.

Any member can also be dismissed from the department for any other violation of the by-laws provided such member has been given a chance to defend himself for the reasons of the violation, and the charge or charges put against him be put in writing. The dismissal vote shall be by secret ballot.

1.78 RETIREMENT: Subject to requirements of state and federal laws, SIXTY-FIVE (65) years of age shall be mandatory retirement age. They shall then be placed upon the honor roll by the majority vote of the membership.

1.79 VISITATION OF DECEASED MEMBERS: Members of the department shall be in full dress uniform, and go as a group when paying respect to a deceased member. All deceased members shall be placed upon the honor roll by a majority vote of the membership.

1.80 BEER AND ALCOHOL: No beer or alcohol shall be allowed within the fire hall.

1.81 STATE FIRE REPORT: It shall be the duty of the Chief to fill in the State Fire Report. The senior officer in charge at the fire shall get all needed information to complete this report.

1.82 INSURANCE COMPENSATION: All firemen shall be covered according to the Michigan Workers Disability Compensation Act MCLA 418.161, and any subsequent amendments thereto or as required by applicable state or federal law.

FIRE DEPARTMENT ORDINANCE

Page 4

1.83 ANNUAL OPERATING BUDGET: The annual budget shall be established annually, by the City Council. The department and City shall negotiate the amount of such budget and the Chief shall present such budget to the membership of the Fire Department before presentation to the City Council.

1.84 MUTUAL AID: Mutual Aid shall be covered by a separate agreement.

1.85 COMPENSATION: For services performed, the members of the Fire Department in a manner as established by resolution of the City Council. Payments shall be made in two (2) installments annually, representing one half of total compensation in January and one half in June. Any mutual aid money shall be additional and paid by July 1.

1.86 RULES AND REGULATIONS: The Department may adopt any and all ordinary rules to promote an efficient department, subject to approval by the City Council. The Department may further adopt such constitutions and by-laws, subject to Council approval as necessary for their efficient operation and administration.

1.87 COUNCIL MEETING ATTENDANCE: The Chief shall attend any City Council meeting when requested by the members of the Council. If he is unable to attend, he shall send the next available senior officer.

1.88 ADMINISTERING ORDERS: It shall be the duty of the senior officer present to be in charge of all fires, meetings, practices and all department functions. He shall give out all orders and any member who fails to abide by such order will stand the chance of expulsion from the department, by complaint of officer in charge and by a vote of majority membership by a secret ballot.

1.89 DRESS UNIFORMS: Department dress uniforms shall be such as the members of the department may adopt. Said uniforms shall remain the property of the fire department. Uniform shall be defined as Shirt, Tie, Pants, Hats, Badges (Coats to be optional). The City of Bessemer shall pay the cost of the new uniforms.

Any and all ordinances inconsistent with this ordinance are hereby repealed.

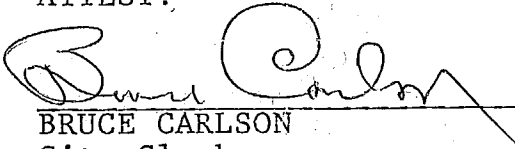
This Ordinance shall be effective upon its adoption and publication, as required by law.

Adopted and approved by the City Council of the City of
Bessemer, Michigan, this 7th day of January, 1991.



PAUL SEMMERLING
Mayor

ATTEST:



BRUCE CARLSON
City Clerk