

Ordinance 2018-05

**REPEALING AND REPLACING CHAPTER 31 – VOLUNTEER FIRE DEPARTMENT
WITH
CHAPTER 31: OTTERTAIL VOLUNTEER FIRE & RESCUE
DEPARTMENT SECTIONS §31.20 – §31.39.**

PREAMBLE

Be it resolved, that we the active members of Ottertail Volunteer Fire and Rescue pledge ourselves to sustain the officers in the discharge of their duties and hold ourselves bound in honor to conform and abide by, in every respect, the following,

NAME AND PURPOSE

Name: This organization shall be known as the Ottertail Volunteer Fire and Rescue Department.

Purpose: Its purpose shall be to preserve life and property in the townships of Ottertail, Otto, Rush Lake, Leaf Lake, Amor, along with the City of Ottertail, and surrounding areas through mutual aid request in case of fire and/or other emergencies. To also promote fire safety education in the whole of Ottertail County with its mutual aid partners.

ADMINISTRATION

In exercise of the powers conferred upon the City of Ottertail, by the State of Minnesota, the following rules and regulations are herewith adopted for the governing of the Ottertail Volunteer Fire & Rescue Department. These rules and regulations shall be amended at the discretion of the Ottertail Volunteer Fire & Rescue Department and ratified by the Ottertail City Council.

§ 31.20 MEETINGS.

A) The fire and rescue department shall hold regular meetings on the 1st and 3rd Wednesday of each month at a time agreed upon by the membership and shall meet in special session on order of the Fire Chief. The Fire Chief shall schedule and preside at all meetings of the department. He/she shall preserve order and shall conduct all meetings in conformity with this constitution. In the Fire Chiefs absence, the next ranking officer shall act in his/her place.

B) The fire department shall meet monthly to conduct training meetings.

§ 31.21 MEMBERSHIP

No activity of the membership shall discriminate on the basis of race, sex, age, creed, color or religion. Any resident of Ottertail City, outlying areas or the departments Mutual Aid areas, who has attained the age of 18 years and who is willing to submit to the department permission to conduct drug screening and background checks, found to be in good standing in the community and possessing a valid Minnesota driver's license will be eligible to apply. The results shall be considered for membership in the Ottertail Volunteer Fire and Rescue

Department. Final approval is contingent on successfully passing a complete medical psychical and approval by Ottertail Fire and Rescue Department Members and the City of the Ottertail. Upon acceptance of hire, the new member shall serve a probation period from date of hire until biannual fit test, assuring physical capabilities.

§ 31.22 APPLICATION.

A) An application shall be obtained from the Fire Chief or City of Ottertail prior to the next scheduled meeting. 51% of present membership shall vote on approval of the new applicant.

B) At the next scheduled department meeting, the application will be read to the department. Vote by ballot or hand will take place at the discretion of the Fire Chief. The prospective member not being present. The prospective member will then be notified of the result.

C) For active member status, a majority vote will rule at which time the member will be considered a Level I probationary member and shall be exempt from voting on department issues for a period not less than 6 months. After which, will be considered Level II probationary for a period of not less than 6 months and qualified to vote on department issues, implying a total of not less than 12 months probationary period.

D) Each new member shall participate within a 24-month period, if available, in the basic entry-level firefighting/first responder and/or approved training courses in the State of Minnesota.

§ 31.23 EXPULSION.

Any member may be expelled from this department for cause, at any special meeting of the membership in which all elected officers are present, by 51% of the present majority vote. The member must be notified in writing, signed by the elected officers, that charges will be preferred against him/her at said meeting up to and including legal action. Documented proof of special meeting notice to all members is required. This section shall not apply to sections of this chapter, which define automatic discharge from the department, except where reference is made to this section.

§ 31.24 ATTENDANCE.

A) Any member who does not respond to at least 33% of the department functions (meetings, trainings, calls, after hours makeup details) during the year shall have their member status reviewed by the officers unless excused by the Fire Chief, Assistant Chief, Training Officer or Rescue Captain. Absence of over 67% is grounds for member status revocation. Voting privileges can be suspended for absence of more than one third of department functions. Sickness in the family, work, or out of town shall excuse members from drills providing such excuse has been submitted to the department by the member and is acceptable to the Fire Chief.

B) All members shall be required to attend 50% of all training sessions and meetings unless they have a reasonable excuse (as defined above) in addition to calls. All members are encouraged to attend all non-departmental continuing education provided by the State of Minnesota, Ottertail County, or neighboring departments/agencies as well as community and area events where Ottertail Fire and Rescue Department presence is required.

C) Any member may resign from the department upon written application to the Fire

Chief. All department property must be returned at that time.

D) Reinstatement: any member who has resigned in good standing may apply to the Fire Chief for re-admission to the department and brought before the members to vote back into the department.

E) All members must abide by all rules outlined above in order to receive good standing faith credit for the previous year of service. (i.e. to receive retirement credit for the year.)

§ 31.25 OFFICER QUALIFICATIONS AND ELECTION OF OFFICERS.

The officers of the Ottetail Fire & Rescue Department shall consist of one Fire Chief, two Assistant Chiefs, two Training Officer, Rescue Captain and one Secretary. All positions shall be nominated anonymously by the active members of the department and voted upon by the members.

A) No member of the Ottetail Fire and Rescue Department shall be eligible to hold the Office of Fire Chief until they have served 5 years in the fire service and 4 consecutive years as an active member of the Ottetail Fire and Rescue Department.

B) No member of the Ottetail Fire and Rescue Department shall be eligible to serve as Assistant Chief until they have served 4 years in the fire service and 3 consecutive years as an active member of the Ottetail Fire and Rescue Department.

C) No member of the Ottetail Fire and Rescue Department shall be eligible to serve as Training Officer until they have served 3 years in the fire service and 2 consecutive years as an active member of the Ottetail Fire and Rescue Department.

D) No member of the Ottetail Fire and Rescue Department shall be eligible to serve as Secretary until they have served 1 year as an active member of the department, is qualified and elected by the active members of the department.

E) No member of the Ottetail Fire and Rescue Department shall be eligible to serve as Rescue Captain until they have served 2 years in the fire/rescue service and have served 1 year as an active member of the department, is fully certified and elected by the active members of the department.

F) The elected officers of this organization shall consist of, a Fire Chief, Assistant Chief(s), Training Officer(s), Rescue Captain and Secretary.

G) The election of officers of this organization shall be bi-annually. Nominations for elected positions shall be made at the October business meeting. The election shall be by secret ballot. It shall be held during the business meeting night in November. Results presented to the department for approval by present Fire Chief. Those elected shall assume their office on the business meeting night in January. All officer terms shall serve two years.

H) All officers shall be elected by majority of members present at the regular meeting. No Officer shall hold more than 1 elected position.

I) All active and level II probationary members shall be eligible voters.

J) The City of Ottetail, nor the Active members of Ottetail Fire & Rescue Department shall

not appoint as Fire Chief any person that has not been nominated and elected by the fire department. Upon refusal of the city to appoint the Fire Chief recommended by the fire department, the office shall be declared vacant as defined in Section §31.27 and another election shall be held on the next regular fire department meeting.

Duties of the Officers

§ 31.26 FIRE CHIEF.

A) The Fire Chief shall schedule and preside at all meetings of the department. He/she shall preserve order and shall conduct all meetings in conformity with these bylaws. He/she shall order all disbursements of funds. He/she shall appoint all committees and perform all other duties commonly belonging to this office. It shall be the duty of the Fire Chief to appoint an auditing committee, consisting of three active members and the Secretary, to examine all books annually. They shall make their report in writing, signed by each member of the committee, to the department at the annual meeting {TBD}.

B) The Fire Chief shall have full charge of all apparatus, equipment and the building or part of building in which such apparatus is housed. He/she shall be in the sole charge of this department. Members shall take orders from no other than the Chief or his/her delegated representative(s). The Fire Chief shall be responsible for the efficiency of any and all apparatus used by this department. He/she shall conduct personal inspection of all apparatus at least once a month, to insure all means of combating fires are at their highest efficiency. He /she shall communicate such information, facts, and remarks as the interest of the department may require. At each regular meeting, and special meetings called for this purpose, the Fire Chief shall conduct, or have conducted, practice drills or training classes covering the handling of pumps, hoses, ladders, hookups, rescue, salvage, ventilation, inspections, fire prevention and other information subjects that are of value to firemen and rescue personnel. The Fire Chief shall appoint all fire ground leaders, pump operators, hose-person, drivers and/or make such other appointments, as he/she may deem advisable for the efficient operation of the department. The Fire Chief shall have the authority to make mutual aid agreements with other departments in the surrounding areas. Any officer has the authority to order department apparatus to the aid of other departments upon request of said department. In the event that the fire department and/or apparatus responds to a call from another nearby area, it shall be the duty of the Fire Chief to make arrangements or provisions for suitable temporary protection for his own community.

§ 31.27 ASSISTANT CHIEF(S).

The Assistant Chief(s) shall assist the Fire Chief. In the absence of the Fire Chief, he /she shall perform all duties of that office. If the office of the Fire Chief is at any time declared vacant, he/she shall become successor to the Chief for the remainder of the term in office or until his successor is elected. It shall be the duty of the Assistant Chief(s) to see that all meetings and drills and other department business are conducted in conformity with these bylaws. The Assistant Chief(s) shall report to the Fire Chief at fires and drills and shall assist him at all his duties. In the absence of the Fire Chief, he/she shall be in charge at fires and drills.

§ 31.28 SECRETARY.

The Secretary shall keep a true and accurate account of the proceedings of every meeting in a book provided for that purpose which shall be open for inspection by any member;

secretary shall assist in the examination and auditing of all books and accounts belonging to the department; secretary shall in case he/she cannot attend any meetings, deliver to his/her successor in office all books, papers, and all other property in their possession pertaining to this office. He/she shall attend to department correspondence and perform all other duties commonly belonging to the office of secretary.

§ 31.29 TRAINING OFFICER(S).

The Training officers shall be nominated by the department and elected by the department. They shall schedule monthly training exercises and record attendance in the training log. The Fire Chief must certify him/her.

§ 31.30 RESCUE CAPTAIN.

The Rescue Captain shall be nominated by the department and elected by the department. They shall supervise and direct the delivery of skilled emergency and non-emergency services in a variety of areas including emergency medical and rescue operations, advanced medical assistance, mentoring, training, quality improvement, public education and other duties as assigned.

§ 31.31 DUTIES OF MEMBERS.

A) Every member, at the alarm of fire or rescue, shall promptly respond to the alarm following the traffic laws of the State of Minnesota. One should remember that the State of Minnesota does not allow emergency vehicles to violate traffic laws. This applies to driving Department vehicles or personal vehicles. Upon arrival at the fire, every member shall check in with the incident commander, register his or her presence with the incident commander, and assist in any work assigned by the incident commander. He/she shall not leave the fire ground without checking out with the Incident Commander.

B) On orders to pick-up at fires, all members present shall assist in breaking, draining and loading of lines and replacing the equipment on the apparatus. They shall report back to the firehouse, answer roll call, and help put the apparatus in condition for the next run.

C) Any member appearing at a fire, drill, meeting or going into the fire station appearing to be under the influence of alcohol or a controlled substance shall be reprimanded and/or expelled in accordance with Section §32.23.

D) Any member being disorderly toward an officer at a fire or while on duty, shall be reprimanded and expelled from the scene. The department may direct in accordance with §31.23.

E) Any member bringing any person into the fire station shall be held responsible for any act that person may commit.

F) Every member of the department shall be provided with a copy of this chapter. Acknowledgement of receipt shall be signed and returned to the Chief.

G) In order that this department may function efficiently, the following rules and regulations shall be observed, and it shall be the duty of all active members to know them:

1. It shall be the first duty of all members to give strict obedience to the lawful orders of their elected and appointed officers.

2. All work at fires or drills shall be done in a confidential and orderly manner.

3. The following shall be the chain of command: Fire Chief, Assistant Chief, or designated Incident Commander.

4. The following shall be the chain of command on Rescue Call: Fire Chief, Rescue Captain, Assistant Chief or designated Incident Commander.

5. It shall be the duty of any qualified active member of the Ottertail Fire and Rescue Department to drive the equipment to fires and rescue calls. The first qualified member reaching the fire station shall drive the equipment to the fire and operate the pumps until relieved by the truck captain, or (in his absence) the operator on duty shall be responsible for checking on all small equipment on the apparatus and see that none is left at the fire or lost.

6. It shall be the duty of the hose team to handle all hose lines and to extinguish fires with the least possible water damage. They shall connect hoses to the apparatus; stretch hose lines and handle the nozzles. It shall be their duty to learn and practice the best methods of performing their special tasks.

7. It shall be the duty of the ventilation team to make rescues and to open and ventilate burning building and conduct salvage operations.

8. The officer in charge at a fire shall fill out a report on each fire or rescue call on the form provided for this purpose, immediately after returning to the fire station. The report shall state date, times, address, owner, occupant, and extent of damage, probable cause of fire, how extinguished, number of firefighters' present. From this report, a discussion of the fire shall be held at the next regular meeting.

9. It shall be the duty of the Fire Chief to see that the information in the fire report, if required, is reported and available to the proper authorities. Any member ordered to remain at the fire hall shall be entitled to compensation the same as members at the scene of the incident.

10. Each member of the fire/rescue department shall be responsible for his/her turnout gear and any other equipment used by him/her. And shall return all fire/rescue department property to its proper place. All members having been issued firefighting clothing are required to wear such clothing (full structure gear) at all incidents. Wild land gear if issued may be worn for wild land fires.

11. The Chiefs may from time to time appoint certain members of the department to care for the apparatus for a certain period of time. All members assigned to this detail shall inspect the equipment as ordered by the Chiefs.

12. No member of this department, except an officer acting on orders of this department (or Chief) shall disclose to any person, not a member of this department, business or other discussion which takes place at official functions of this department. Any member divulging disclosures that are deemed detrimental to the good of the department shall be subject to expulsion in accordance with Section §31.23, or township liabilities.

13. Each member of the Ottertail Fire and Rescue Department is expected to conduct him/her self, in act, deed or official colors to not bring discredit or adverse criticism on the department or the township board. Said member can and will be dismissed from the department by the Fire Chief and or Assistant Chief in accordance with Section § 31.23.

14. Members are strongly encouraged to attend all Ottertail County Association meetings and funerals of fellow firefighters, active and honorary.

§ 31.32 QUORUM, AMENDMENTS AND DISSOLUTION.

A) One-third of the active members of the department shall constitute a Quorum, and in all transactions not otherwise provided for, a majority of present votes shall govern.

B) This Chapter may be amended by vote of two-thirds of the Ottertail Fire Department active members present at any regular meeting. Amendments will be approved by the City Council at its next regular meeting upon passage.

§ 31.33 HONORARY MEMBERS.

A) There shall be established an honorary list of retired firefighters/rescue personnel with the requirement for the same established by vote of the membership. Those persons shall become honorary members and will be entitled to attend all fire department social events.

B) Retired/Honorary members are those who have acquired 10 years of service to the Ottertail Volunteer Fire & Rescue Department or have become disabled and unable to actively serve on the department. He /she shall be considered for honorary membership with the approval of the active membership.

C) The fire Chief shall notify any member forced to leave the department due to sickness or accident that he/she is entitled to honorary membership if he/she desires.

D) Upon special emergencies, honorary members that are willing and able may be called upon to assist in emergency management such as, traffic control, water truck operating, filling air packs, rehab efforts for the active personnel on site, etc.

In a motion made by J. Burlingame and duly seconded by R. Grobeck with members voting in favor/against the Adoption of the foregoing ordinance was passed by the City Council of the City of Ottertail, Otter Tail County, Minnesota as recommended by the Ottertail Fire and Rescue Department this 20th day of December, 2018. Effective upon its passage and publication.

Seal

- X Lueders
- X Carlson
- X Grobeck
- X Windey
- X Burlingame

Myron J. Lueders, Mayor

Attest:

Elaine Hanson, Clerk-Treasurer

Acknowledgement of Receipt

I _____ hereby declare that I have read, understand, and will obey these Bylaws set forth by the Active members of the Ottertail Volunteer Fire & Rescue Department.

Signature

Date