

SORRENTO FIRE ORDINANCE

Approved: March 1, 1976
Amended: March 7, 1988
Amended: September 16, 1996
Amended: September 8, 1998
Amended: January 26, 2000
Amended: May 9, 2000
Amended: June 21, 2000
Amended: August 7, 2000
Amended April 13, 2004
Amended April 11, 2006

1. Department Created.
There is hereby created a fire department for the Town of Sorrento which consists of the fire chief and such other members as may be provided by the Board of Selectmen.
2. Chief.
The fire chief shall be elected every two years at the Town Meeting.
- 2a. Appointments.
All other appointments to or promotions within the Department shall be made by the Department after securing the advice of the fire chief.
3. Compensation.
The compensation of all members of the Department shall be set by the Selectmen within the limits of the town meeting appropriations.
- 3a. Any member of the Fire Department may not profit from his/her membership by charging for and being paid for any and all work performed for the Department.
Also, any purchases of the Department are not to be from members, members relations, members companies, or companies where a member is employed and/or represents.
Any exception to this must be through a joint meeting with the Fire Department officers and the Selectpeople.
4. Duties of Chief.
The fire chief shall be responsible to the Town Selectmen for the performance by the Department of its functions.
5. Duties of Fire Members.
All members of the fire department shall serve subject to the orders of the fire chief.
6. Removal for cause.
Any member of the Department may be removed for cause by notice and hearing after progressive discipline as per Article 5.

7. The Selectmen, with department input, are authorized to affirm, publish and put into effect personnel rules and regulations dealing with the general administration of the Department and with the conduct of its members.
8. The fire chief shall be the Town Public Safety Officer and Emergency Management Director. The fire chief may assign an Assistant Public Safety Officer and/or an Assistant Emergency Management Director, with agreement of the Selectmen.

SORRENTO FIRE DEPARTMENT

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BY-LAWS

SORRENTO FIRE DEPARTMENT

ARTICLE I

PURPOSE

The prime purpose of the Department will be: to provide for the general public safety in areas of: Fire prevention; Protection of life and property; Rescue and disaster assistance; and Emergency Medical Service (EMS) as may occur in the Town of Sorrento and vicinity.

ARTICLE II

ORGANIZATION

Sec. 1. The officers of the Department may consist of a Chief, Deputy Chief, Assistant Chief(s), Captains, Clerk, Treasurer, Chief Engineer, as many Lieutenants, Engineers, Training Officers, Safety Officers, and Truck Drivers as the Department deems necessary.

Sec. 2. The officers of the Sorrento Rescue Squad (the Squad is under the purview of the Sorrento Fire Department) consist of the Service Chief (EMS Director), Assistant Service Chief (Assistant EMS Director), 2 ASR (Authorized Service Representative), 1 DICO (Disease Infection Control Officer), and 1 ADICO (Assistant Disease Infection Control Officer). The Rescue Squad follows the rules and regulations of Title 13.

Sec. 3. There may be a Finance Committee of five members and a Grievance Committee, of three members; and such other committees as the Chief may deem necessary.

Sec. 4. The membership shall be open to all residents of the Town of Sorrento who are eighteen (18) years of age.

A.) New members will be nominated at one meeting and after attending the required 3 consecutive meetings may be voted on at any subsequent meeting which they attend. They shall be approved as a probationary Fire Department member for 1 year by 2/3rds written ballot of members present.

All new members will serve a probationary period of one year (unless otherwise deemed necessary), during which time membership can be declined by

a majority of the active members at a regular or special meeting. After successful completion of the probationary period, a majority vote by active members at a scheduled meeting will accept the probationary member as an active member. New (probationary) members do not have voting rights until their one year probationary period has ended and they have been voted in by the active Fire Department members as an active member.

B.) Junior members shall be those members under 18 years of age and at least 12 years of age. Written parental consent shall be obtained prior to accepting a junior member. Election shall be by the same procedure as new members. Restrictions on activities shall be set forth in the Standard Operating Guidelines.

C.) Categories of regular members shall be as follows:

1. Active
2. Inactive
3. Reserve
4. Probationary (one year-unless otherwise deemed necessary)
5. Junior Members

Rules and regulations governing the assignment to each category shall be promulgated in the S.O.G.

D.) Honorary Members: No requirement; elected by same procedure as new members. Serving in advisory capacity only, no voting rights.

E.) The Department may, upon a majority vote of the active members and approval of the Board of Selectmen, accept non-resident new members.

F.) Junior members - 12 to 18 years of age. Their duties shall be limited to the fire station or as directed by the chief. They may attend meetings as non-voting members. On fire calls, they are to report to the fire station and stand by for further instructions.

ARTICLE III

ELECTION OF OFFICERS

Sec. 1. Officers shall be elected from active members.

Sec. 2. The Deputy Chief, Assistant Chief(s), Captains, Clerk, Treasurer, Lieutenants, Safety Officer, and Training Officer shall be elected at the first regularly scheduled department meeting following the annual town meeting. All terms will run from a period of one year from the time of election or until a new election is held. They shall be at least 21 years of age.

Sec. 3. The Engineers and Truck Drivers will qualify for appointment after training by the Chief or his designee or State or Federal Instructors. Appointments shall be made by the Chief at the next regular department meeting. All engineers and truck drivers may be subject to a DMV check at any time deemed necessary by the instructors or the Chief. Truck drivers must be at least 21 years of age and have a valid Maine drivers license. All engineers and truck drivers must report any MV infractions charged to their license immediately.

Sec. 4. Committees shall be appointed by the Chair.

ARTICLE IV

DUTIES OF OFFICERS AUTHORITY & RESPONSIBILITY

Overall, all officers of the Department are expected to be exemplary models for the Department and its members, promote safety, and make the Department better for itself and the community.

A. Chief.

1.) The Fire Chief will have overall administrative authority and command of the Department personnel and equipment while on duty, parade, and on all other occasions. All orders given by him on those occasions shall be implicitly obeyed.

2.) It shall be the duty of the Chief to be present at all fires, if possible, to plan the attack, and to direct the action of all the various pieces of equipment upon their arrival.

3.) The Chief only will have the authority to temporarily suspend any member for just cause until the following regular meeting; at which time, the charges will be brought to the membership for vote.

4.) The Chief shall make a report at the next regular meeting of the Department of all fires and give as accurately as possible the following facts:

Locality of the fire.

Discovery, date, hour, minute, by whom.

Alarm by whom.

Origin of fire.

Cause of delay, if any.

General remarks.

5.) The Chief shall be responsible for the state of the equipment and for the equipment being supplied with proper and prescribed appliances necessary for its efficient service.

6.) The Chief shall have all authority and responsibility granted to him or her under the laws of the State of Maine unless specifically addressed in these by-laws of the Sorrento Fire Ordinance.

7.) The Town Fire Warden position shall be the elected fire chief. The fire chief may appoint deputy fire wardens, as many as may be deemed necessary.

B. Deputy Chief:

The Deputy Chief shall act as an assistant to the Chief in the administrative authority and command of the Department and equipment. He or she shall assume the Chief's authority in the Chief's absence.

C. Assistant Chief

At any time, the Department may have one or more Assistant Chiefs, all of whom will be at the same rank. Each Assistant Chief will be responsible for one or more of the following areas:

Apparatus
Equipment
Training
Health and Safety
Communications
Buildings
Prevention

The Assistant Chief will perform other specific duties that are assigned by the Fire Chief, and will assume the chief's authority and act as chief in his or the Deputy Chief's absence.

D. Captain

- 1.) The Captain of the Department will obey all orders of the Chief and, in the absence of the Deputy Chief or an Assistant Chief, will act in his place.
- 2.) It shall be the duty of the Captain to see that each subordinate officer does his duty.
- 3.) When the order "take up" is issued, the Captain will see that the hose and other equipment are returned to the trucks; he shall see that the rules for the care and management of the equipment are obeyed. The importance of maintaining the equipment in a clean and efficient working condition is most strenuously insisted upon. Care must be taken to keep the working parts of the equipment clean and bright parts polished.

E. Lieutenants:

- 1.) The Lieutenants shall substitute for any higher officer and assume the responsibilities of that officer in his or her absence.

F. Engineers:

- 1.) Engineers may also be Truck Drivers.
- 2.) It shall be the duty of the assigned members for each truck to keep the truck and equipment assigned to that truck in perfect order at all times; to drive the truck to a fire or anytime it is called out, and stand by to operate same.

- 3.) It will be the duty of the first Truck Driver of the Department reaching the engine house in time of fire, or other emergency, to drive and operate the truck. The responsibility of the truck driver may be transferred, as circumstances dictate, to another truck driver.
- 4.) Engineers and Truck Drivers must abide by rules of the road on taking the safest route to and from the emergency indicated unless otherwise ordered while responding to or returning from such emergency.
- 5.) Engineers and Truck Drivers shall operate their apparatus safely in such a manner as having due regard to conditions then or there existing. Apparatus must be under control at all times. Apparatus must never be driven at a speed that will endanger life or property.
- 6.) Engineers and Truck Drivers shall make an immediate report, through the best means available, to the Chief or Officer in charge, of all accidents, collisions, or circumstances that result in loss of life, injury to persons, damage to property, however slight, and all other extraordinary or unusual circumstances of any nature, whether happening to members or property of the Department, or to the person or property of others, in connection with the operations of the Department, at any time or place. They shall forward to the Chief as soon as circumstances permit a complete report in writing of each such incident, collision, etc.
- 7.) Assigned members shall keep a correct inventory of all tools and equipment carried on their apparatus.
- 8.) Assigned members shall see that the hose on the apparatus is changed at reasonable intervals and whenever wet, damp or immediately after returning from a fire or emergency.

G.) Truck Drivers

- 1.) As explained above in F.3, Truck Drivers will drive the engine or truck to the fire scene or other emergency until relieved of duty by a Chief, Deputy Chief, Assistant Chief, or Engineer.
- 2.) Truck Drivers shall be trained to drive the apparatus primarily as tankers in water shuttle and rural hitch operations.
- 3.) Truck Drivers driving apparatus to a fire scene or other emergency, or used as tankers, shall stay with the apparatus until relieved of duty.

H. Training Officers:

- 1.) Training Officers will be responsible for setting up training and maintaining proper records.
- 2.) Training Officers will make training available to meet N.F.P.A. Standards.

I. Safety Officers:

- 1.) Safety Officers shall be experienced senior members of the Department and shall be familiar with N.F.P.A. Standards.
- 2.) The Safety Officer shall in extreme cases of overwhelming danger have authority to order an immediate pull back of men and/or apparatus.
- 3.) The Senior Safety Officer shall keep the I.C. (Incident Command) advised of all safety factors involved in the operation of the Department.
- 4.) Safety Officers shall establish a safe and prudent area of operation for the Department at fires, emergencies, or training exercises and mark same with fire-line barricade tape.
- 5.) Assistant Safety Officers shall assist the Safety Officer in charge whenever possible.
- 6.) Safety Officers shall enforce protective clothing requirements on the fire or training ground as outlined by N.F.P.A. rules, State of Maine laws and the directions of the I.C. (Incident Command).

J. Clerk:

It will be the duty of the Clerk to keep the minutes of the Department and take the roll.

K. Treasurer:

It will be the duty of the Treasurer to keep the financial records of the Department and report the balances of those accounts at each regular monthly meeting and as directed by the Finance Committee.

L. Finance Committee:

It shall be the duty of the Finance Committee to examine the Treasurer's account and make recommendations for the budget or appropriations.

The Finance Committee will additionally perform the following functions for the Department:

1. Assist the Fire Chief in preparing an annual budget.
2. Determine need for repairs and maintenance.
3. Recommend the method of needed repairs and maintenance.
4. Recommend the provider of needed repairs and maintenance.

Committee members will serve a term of one year from October to September with no term limits. The committee will consist of five active fire department members and the Fire Chief, who will be an automatic appointment to the committee each year. Members to the committee will be nominated and voted on by the Fire Department at the first regular business meeting following the Annual Town Meeting. If a member is unable to fulfill his elected term, another member may be appointed.

There will be a budget category for repairs and maintenance that will allow an expenditure with only the committee's approval after notice to the Fire Chief.

Members of the committee can be removed from the committee for cause after notice, hearing, and majority vote of the Department. Vacancies will be filled by Department vote.

The committee shall appoint a chair who will keep records and provide a report to the Department at business meetings or when requested by the Fire Chief.

L. Grievance Committee:

The Grievance Committee shall consist of 3 members appointed and approved by a majority of the Fire Department members attending a regular or special meeting.

It shall be the duty of the Grievance Committee to investigate such complaints and petitions as may be reported in writing by any member of the Department and report thereon at the next regular or special meeting.

ARTICLE V

DUTIES OF MEMBERS

Sec. 1. It shall be the duty of the members to obey the orders of their superior officers when on duty. It shall be their duty to attend all regular and special meetings, training sessions, to answer every alarm of fire, and to assist in preparing the apparatus for operation, unless in the event of sickness, absence from the town, or absolute necessity.

Sec. 2. No member shall appear at a meeting or on duty in a state of intoxication or under the influence of any type of drug, have intoxicating substances or drugs on or near the apparatus or in the firehouse, or smoke tobacco products in the firehouse. No member shall use indecent or improper language or in any way bring disgrace to the Department under penalty of progressive discipline leading to possible expulsion as hereafter provided.

Sec. 3. Any Officer of the Department (with the exception of the Chief) who is guilty of misconduct or the abuse of his authority, may be removed from office by a two-thirds vote of the Department at any regular meeting or special meeting.

Sec. 4. Any member may be expelled for misconduct by a two-thirds vote of the Department at any regular or special meeting, only after progressive discipline has been exhausted.

The progressive discipline of this Department shall be as follows with the exception of Title 17, 29 M.R.S.A.

Sec. 3:

1. Verbal warning.

2. Written warning to become part of personnel file.
3. Suspension as per discretion of the Chief or chief officer.

Any member violating the provisions of Article V, Sec. 3. shall be liable to expulsion at the option of the Department.

ARTICLE VI

MEETINGS

Sec. 1. The Department shall hold its regular meetings on the second Tuesday of each month, unless otherwise necessary.

Sec. 2. The 1st regular meeting following the Annual Town Meeting shall be considered the Annual Meeting of the Department.

Sec. 3. Six members shall constitute a quorum.

Sec. 4. A special meeting may be called by the Chief, Deputy Chief, Assistant Chief, Captain or by written petition of five active members.

Sec. 5. The Chief or an elected Chair shall preside at all meetings; to preserve order and to decide all points of order that may arise, subject to an appeal from his/her decision to the members of the Department; but on such an appeal, a majority of all members present shall be necessary to reverse his/her decision; to give the deciding vote in case of a tie and to carry out and enforce the by-laws of this Department to the best of his/her ability.

Sec. 6. The Chief or Clerk shall give each member at least one day notice before a special meeting is called.

ARTICLE VII

DUES - VOTING RIGHTS

The Fire Department shall pay annual membership dues for all active and reserve members of the Fire Department to the State Federation of Fire Fighters and Hancock County Fire Fighters Association. Only paid members shall be eligible to vote at any meetings of these organizations.

ARTICLE VIII

RULES OF ORDER

Sec. 1. Any member desiring the floor shall address the Chair and only one member shall be entitled to the floor during the same period of time.

Sec. 2. No member shall be allowed to speak until recognized by the Chair.

Sec. 3. No questions can come before the Department unless properly moved and supported and declared by the Chair to be open for discussion.

Sec. 4. All questions, unless otherwise decided by the By-laws, shall be settled by the majority votes cast.

Sec. 5. When a question is properly put before the Department, it must be disposed of before another can be entertained.

Sec. 6. No subject tabled can be taken up during the same meeting unless so specified when tabling.

Sec. 7. No member shall leave the meeting before adjournment unless permission is given by the Chair.

ARTICLE IX

ORDER OF BUSINESS

1. Call to Order.
2. Roll Call.
3. Reading minutes of the last meeting.
4. Treasurer's Report.
5. Report of Committees.
6. Presenting of bills and action on same.
7. Old business.
8. New Business.
9. Good of the Order.
10. Adjournment.

ARTICLE X

AMENDMENTS

Sec. 1. Amendments to these By-laws shall be proposed in writing at a meeting of the Department and shall be referred to a Special Committee which shall report at the next meeting of the Department when they may be adopted by a two-thirds vote of the members present.

Sec. 2. Should the Special Committee fail to report at the proper time, the matter may be considered by the membership at the next regular meeting, and immediate action can be taken.

Sec. 3. All amendments of these approved By-laws will be submitted to the Selectpeople for approval.