

ORDINANCE NO. 81-7

AN ORDINANCE SETTING REGULATORY RULES AND REGULATIONS FOR THE
CITY OF NEWTON VOLUNTEER FIRE DEPARTMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, TEXAS:

Section I.

The City of Newton hereby establishes rules and regulations for a department known as the City of Newton Volunteer Fire Department, the object of which shall be the prevention and suppression of fire and the protection of life and property within the limits of the City of Newton and outlying areas. The Fire Marshall shall be appointed by the City Council.

Section II.

Fire Chief:

The fire chief shall be the executive head of the Fire Department. He shall be elected by the membership of the fire department subject to the approval of the City Council. His approval shall be based on his training experience, executive and administrative qualifications and overall merit and fitness. The fire chief must be at least 25 years of age. His tenure of office shall be for an indefinite period of time and shall depend upon his good conduct and efficiency subject to yearly review. The choice of a Fire Chief shall not be limited to inhabitants of the City.

Section III.

Assistant Chief:

There shall be an Assistant Chief and appointment shall be made by the Fire Chief with the approval of the City Council based on merit and fitness. In the absence or disability of the Chief, the Assistant Chief shall perform all the functions and exercise all the authority of Chief.

Section IV.

Other Officers:

The department may consist of other officers as the Chief and the City Council may deem necessary for the effective operation of the department. Other officers shall be appointed by the Chief with the approval of the City Council.

Section V.

Duties of the Chief:

- a) The Chief shall be held accountable for the Department, only, and shall make written and verbal reports thereto as the City Council may require.
- b) The Chief shall formulate a set of rules and regulations to govern the Department and shall be responsible to the City Council for personnel, moral, and general efficiency of the department. Said rules and regulations shall be on file in the City Hall.

- c) The Chief shall determine the number and kind of companies of which the department is to be composed, and shall determine the response of such companies to alarms.
- d) The Chief shall conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the City, fire prevention, water supplies, and all other matters generally considered essential to good fireman ship and safety of life and property from fire. Frequency and type of drills shall be in compliance with the rules and regulations of the State Board of Insurance.
- e) The Chief is required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin, and circumstances of all fires.
- f) The chief and/or Fire Marshall are hereby empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and the Fire Marshall shall serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. Any person so served with a notice to abate any fire hazard or hazards shall comply therewith and promptly notify the Fire Marshall.
- g) The Chief shall see that complete records are kept of all fire, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.
- h) The Chief shall make yearly budget request to the City Council as required.
- i) The Chief shall make a complete annual report to the City Council, within one month after the close of the fiscal year, such reports to include information specified in subsection (g), together with comparative data for previous years and recommendations for improving the effectiveness of the Department.

Section VI.

Membership

The membership of the Department shall consist of such persons as may be in accordance with the City of Newton Volunteer Personnel Rules and Regulations, as adopted by the City Council. Membership shall be open to all persons above the age of 18 without regard to race, creed, or sex.

Section VII.

Equipment

- a) The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire.
- b) All equipment of the Department shall be safe and confidently housed in such places as may be designated by the City Council. Such places shall be heated during winter season.
- c) Suitable arrangement or equipment shall be provided for citizens to turn in and alarm, and for notifying an adequate number of members of the Department so that they might promptly respond.

- d) No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully take away or conceal any article used in any way by the Department, without the consent of the Fire Chief or the Mayor.
- e) No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless accompanied by, or having the special permission of the Fire Chief or the Mayor.
- f) The City of Newton is hereby authorized to enter into agreement or contracts with nearby incorporated communities or governing bodies of other organizations to provide the members of such communities or organizations with fire protection or to establish a mutual aid system.
- g) The Chief shall see that complete records are kept on file, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.
- h) The Chief shall make yearly budget requests to the City Council as required.
- i) The Chief shall make a complete annual report to the City Council, within one month after the close of the fiscal year, such reports to include information specified in subsection (g), together with the comparative data for previous years and recommendations for improving the effectiveness of the Department.

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- f) The City of Newton is hereby authorized to enter into agreement or contracts with nearby incorporated communities or governing bodies of other organizations to provide the members of such communities or organizations with fire protection or to establish a mutual aid system.
- g) No apparatus shall be hired out or permitted to leave the City without the consent of the Chief. The officer in charge of the Department shall have power to assign equipment for response to calls for outside aid in accordance with subsection (f), and in other cases when the absence of such equipment will not jeopardize protection in this City.

Section VIII.

General

- a) No person shall drive any vehicle over fire hose except upon orders from the Chief or other officer in charge.
- b) No person shall park any vehicle or otherwise cause any obstruction to be placed in front of the entrance to any fire station or other place where fire apparatus is stored, or within ten (10) feet of any fire hydrant or cistern.
- c) No unauthorized person with any vehicle shall follow within six hundred (600) feet of any apparatus belonging to the Department, nor park any vehicle within three hundred (300) feet of a fire hose.
- d) No person shall maliciously turn in or cause to be turned in a false alarm.

Section IX.

Enforcement

- a) Any person violating any of the provisions of this article shall, upon conviction in the Municipal Court of this City, pay a fine of not more than Two Hundred (\$200.00) dollars for each offense.
- b) The Chief, Assistant Chief, and Fire Marshall are hereby given the necessary special police powers for the purpose of enforcing the provisions of this article.
- c) It is the special duty of the Chief of Police and or other officers who may be on duty and available for fire duty, to respond to all fire alarms inside the City limits and assist the Department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this article.

Section X.

The immediate passage of the above and foregoing ordinance is deemed essential, creates an emergency and that the rule requiring all ordinances to be read at three meetings before final passage be suspended, and that said rule is hereby suspended, and this ordinance shall take effect immediately after its passage and approval, and it is so ordained.

PASSED, APPROVED AND ADOPTED this the 15th day of April, 1981.

Signed: Steve Bean, Mayor

Attest: Mertice Jacks, City Secretary