

Chapter 7 Fire Protection and Prevention

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Chapter 7 Fire Protection and Prevention

Article 1 Fire Department

SEC. 7-101 Title.

This Ordinance shall be known as the Town of Bucksport Fire Department and Ambulance Service Ordinance.

SEC. 7-102 Purpose.

The purpose of this Ordinance is to establish in the manner provided by law a Municipal Fire Department and Ambulance Service and to define the powers and duties of the Chief of the Department and Ambulance Service. The further purpose of this Ordinance is to provide the maximum legal protection available to the department, service, Chief, EMT's and Municipal Firefighters, and to best protect the health, safety, and welfare of the residents of Bucksport.

SEC. 7-103 Authority.

This Ordinance is enacted pursuant to 30-A M.R.S.A. 2001 et seq., 3001 et seq., and 3151 et seq.

SEC. 7-104 Definitions.

7-104-1 Municipal Fire Department

An organized firefighting unit established pursuant to this Ordinance to prevent and extinguish fires, and to provide rescue assistance.

7-104-2 Ambulance Service

An organized ambulance service established to transport ill or injured persons, and to provide emergency treatment.

7-104-3 Municipal Firefighter

An active member, whether full-time, part-time or on call, of a municipal fire department, who is adequately trained and who aides in the extinguishment of fires or assists in rescue of persons, receives compensation from the municipality for such services and who is at least eighteen (18) years of age. All firefighters must undergo, prior to employment, a complete pre-employment medical examination by a competent medical authority who will certify, after examination, the person is capable of performing the required duties of Firefighter.

7-104-4 Ambulance Service Personnel

An active member, whether full-time, part-time or on call, of a Municipal Ambulance Service who routinely provides emergency medical treatment to the sick and injured and who is licensed in accordance to Maine Emergency Medical Services System Rules.

SEC. 7-105 Establishment.

There shall be a Municipal Fire Department and Ambulance Service which is hereby established by this Ordinance.

SEC. 7-106 Duties

The Municipal Fire Department shall provide firefighting protection and rescue services within the Town of Bucksport and elsewhere as provided by mutual aid or other contractual agreement and approved by the Municipal Officers. The Ambulance Service will provide transportation for ill and injured persons within the Town of Bucksport and elsewhere as provided by mutual aid or other contractual agreement and approved by the Municipal Officers.

SEC. 7-107 Fire Chief

7-107-1 Appointment

The head of the Municipal Fire Department and Ambulance Service shall be the Fire Chief, who shall be appointed by the Town Council.

7-107-2 Terms, Compensation, Supervision

The Fire Chief shall be appointed by the Municipal Officers for an indefinite term, except the first (1st) year of the appointment will be a probationary period. The Municipal Officers may remove the Fire Chief for cause after notice and hearing by a majority vote of its members. The compensation of the Fire Chief shall be established by the Municipal Officers. The Fire Chief will report to and be supervised by the Town Manager.

7-107-3 Duties of the Fire Chief

- A. Direct and control all Municipal Firefighters and Ambulance Personnel in the performance of their duties, within the Municipality or contracted municipality(s), in accordance with the rules and regulations approved by the Municipal Officers of the Town of Bucksport and the .Bucksport Town Charter.
- B. Provide a training program for Firefighters and Ambulance Personnel in cooperation with appropriate governmental agencies and upon review by the Town Manager.
- C. Provide for the maintenance of all fire and ambulance equipment owned by the Municipality and buildings used by the Municipal Fire Department and Ambulance Service.
- D. Prepare and submit annually to the Town Manager a budget relating to the Fire Department and Ambulance Service.
- E. Prepare and submit every five years to the Town Manager a capital improvement plan relating to the Fire Department and Ambulance Service. Annual updates will be provided as directed by the Town Manager.
- F. Prepare and submit annually to the Town Manager, as directed, a report outlining the Fire Department and Ambulance Service activities for the preceding fiscal year.

- G. Suppress disorder and tumult at the scene of a fire or ambulance call and generally direct all operations to prevent further destruction, damage or injury.
- H. Submit for approval, by the Municipal Officers, receipt of any gift(s) or donation(s) or request for grant funds of any type.
- I. Submit for approval, by the Municipal Officers, any change in scope of service beyond that which is described by this Ordinance for fire protection or ambulance service.

7-107-4 Powers of the Fire Chief

- A. Advise and recommend to the Town Manager in the employment of all Firefighters and EMT's, and appoint a Deputy, Ambulance Director, and other Officers of the Fire Department and Ambulance Service.
- B. Advise and recommend to the Town Manager regarding the removal of firefighter(s) and EMT's and remove any Deputy, Director or Officer of the Fire Department and Ambulance Service for cause after notice and hearing.
- C. With approval of the Municipal Officers, adopt administrative and operating regulations or procedures relating to Municipal fire protection and ambulance service, consistent with this Chapter and Municipal Ordinances.

SEC. 7-108 Wages

The wages for all Firefighter and Ambulance Personnel will be set by the Municipal Officers.

SEC. 7-109 Privileges, Immunities

Members of the Municipal Fire Department and Ambulance Service shall enjoy the privileges and immunities provided by The Maine Tort Claims Act when acting in their capacity as firefighters and ambulance personnel.

SEC. 7-110 Severability

The invalidity of any portion of this Ordinance shall not invalidate any other part thereof.

Article 2 Fire Protection and Prevention

SEC. 7-201 Open Burning Restrictions

Open burning requiring a permit, as identified in Title 12 M.R.S.A §9325, is restricted as follows:

- 1. Open burning of wood wastes, leaves, brush, deadwood and tree cuttings, and painted and unpainted wood collected in the course of a commercial landscaping, lawncare or contracting activity may only be permitted if the material is located on the property where it originated.
- 2. Open burning of demolition material may only be permitted if:
 - A. The material originated from the demolition of a structure located on the property where the burn will be conducted;

- B. There is no visible evidence of any material in the pile that may not be legally burned out-of-doors;
 - C. There are favorable conditions for burning; and
 - D. The burn is conducted in accordance with any restrictions imposed by the Fire Department.
3. On any property in the Downtown, Downtown Shoreland, Village, Route 1 Shoreland, or Tannery Brook Shoreland Overlay District, open burning subject to permitting, other than recreational campfires, may not be permitted from June 1st to August 31st, except by special permission from the Fire Department. A permit may only be issued if the Fire Department has determined that there are favorable conditions for burning. Any permitted burn must be conducted on the same day the permit is issued. All permitted burns must be fully extinguished no later than midnight on the day of the burn, except as otherwise specified by the Fire Department.
4. On any property in the Downtown, Downtown Shoreland, Village, Route 1 Shoreland, or Tannery Brook Shoreland Overlay District, open burning of leaves is prohibited.

Chapter 7 Fire Protection and Prevention was introduced on June 24, 1997. It was adopted in its same form on January 10, 2008, after a review of town records found that it was not adopted previously.

Amended 12-10-09 to add Article 2.