

ORDINANCE NO. _____

An Ordinance Establishing A Fire Department For The City Of Columbia, Tennessee and repealing Title 7 Chapter 1 of the Columbia Municipal Code.

WHEREAS, the Board of Mayor and Aldermen of the City of COLUMBIA, Tennessee desire to protect the health, safety and welfare of the citizens of COLUMBIA by providing for the prevention and extinction of fires, rescue services, code enforcement, emergency medical care, and emergency management; and

NOW THEREFORE, be it ordained by the Board of Mayor and Aldermen of the City of COLUMBIA, Tennessee that:

SECTION 1. There is hereby established a fire department to be supported and equipped from appropriations by the board of mayor and aldermen and from any other contributions received by the City or the Fire Department for the benefit of the fire department. All apparatus, equipment, and supplies of the fire department shall be purchased with the approval of the fire chief, within the limits established by the annual budget ordinance, in accordance with municipal purchasing requirements and shall be and remain the property of the City. The fire department shall be composed of a chief appointed by the City Manager, and such number of subordinate officers and firefighters as may be recommended by the fire chief. The fire department shall consist of no more firefighters as shall be provided for in the annual operating budget of the city.

SECTION 2. The board of mayor and aldermen shall provide for the operations of the fire department in its annual budget. Any funds raised by the Fire Department Auxiliary, or by any individual or group may be accepted by the board of mayor and aldermen and may be used for purposes designated by the respective contributors. All equipment, materials, supplies, etc. purchased with contributed funds shall become the property of the City of COLUMBIA. The board of mayor and aldermen may reject any gift or contribution it deems not to be in the best interest of the City of COLUMBIA.

SECTION 3. The fire department shall have as its objectives:

- (1) To prevent uncontrolled fires from starting.
- (2) To prevent the loss of life and property because of fires.
- (3) To confine fires to their places of origin.
- (4) To extinguish uncontrolled fires.
- (5) To prevent loss of life from asphyxiation or drowning.
- (6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable.

- (7) To provide emergency medical care at the highest level that the equipment and training of the personnel makes practicable.
- (8) To provide code enforcement and building inspections as directed by the City within adopted codes and ordinances.
- (9) To serve as the emergency management agency of the City, in cooperation with the County Emergency Management Agency and TEMA.
- (10) To protect the health and safety of the citizens from the transportation, storage, or manufacture of hazardous materials to the extent possible that the level of equipment and training will allow.
- (11) To work with the water department to insure that adequate water supplies for fire protection are available.
- (12) To provide public fire education materials and information to the citizens in order that they may protect themselves from harm.

SECTION 4. The chief of the City of COLUMBIA Fire Department shall, under the direction of the City Manager, set up the organization of the department, make work assignments to individuals, based on input, suggestions, and recommendations from the members of the fire department or other sources, and shall formulate and enforce such rules and regulations as shall be necessary for the orderly and efficient operation of the fire department. The fire chief shall set standards for shifts, work periods, uniforms and personal protective gear for the fire department.

SECTION 5. The chief of the City of COLUMBIA Fire Department shall prepare the annual departmental budget to be submitted to the City Manager and approved by the board of mayor and aldermen, cause to be kept adequate records of all fires, inspections, apparatus, equipment, personnel, and work of the department. He shall submit such written reports to the City Manager as may be required. The City Manager shall submit such written reports to the board of mayor and aldermen as the board of mayor and aldermen requires.

SECTION 6. The chief of the City of COLUMBIA Fire Department shall have the authority to suspend or dismiss any other member of the fire department when he deems such action to be necessary for the good of the department. The chief shall establish a system of discipline that shall serve to control the members of the fire department and insure that all rules and regulations of the department are obeyed at all times. The chief may be suspended up to thirty (30) days by the City Manager. However, only a majority of the board of mayor and aldermen shall dismiss the fire chief upon written recommendation of the City Manager.

SECTION 7. The chief of the fire department, shall be fully responsible for the training of all firefighters in all areas deemed necessary by the chief and for maintenance of all property and equipment of the fire department, under the direction and subject to the requirements of the board of mayor and aldermen. Each firefighter and/or officer shall receive no less than forty hours of in-service firefighter training annually, after an initial training period consisting of no less than 240 hours of basic firefighter training during the first year of his membership in the fire department. Firefighters shall be trained in

accordance with the standards of the Tennessee Commission on Firefighter Standards and Education or higher standards as may be required by the chief.

SECTION 8. Pursuant to requirements of *Tennessee Code Annotated*, section 68-102-108, the fire chief is designated as an assistant to the state commissioner of commerce and insurance and is subject to all the duties and obligations imposed by *Tennessee Code Annotated*, title 68, chapter 102, and shall be subject to the directions of the commissioner in the execution of the provisions thereof. The day to day responsibilities of this statute shall be the job of the city fire marshal and such other employees as may be assigned this responsibility.

SECTION 9. Personnel and/or equipment of the City of COLUMBIA Fire Department may be used for fighting any fire outside the City limits if:

- (1) in the opinion of the fire chief, the fire is in such hazardous proximity to property owned or located within the City as to endanger the City property;
- (2) the board of mayor and aldermen has approved policies for providing emergency services outside of the City limits or entered into a contract or mutual aid agreement pursuant to the authority of (1) The Local Government Emergency Assistance Act of 1987, as amended, codified in *Tennessee Code Annotated*, section 58-2-601 et seq., (2) *Tennessee Code Annotated*, section 12-9-101 et seq. or (3) *Tennessee Code Annotated*, section 6-54-601.
- (3) The City Manager and Fire chief may develop policies and fees for the delivery of fire protection and related services to areas outside the city limits.

SECTION 10. While at the scene of any emergency, the ranking member of the fire department shall have command of the scene. The senior fire department officer shall have authority to close any street during the course of the emergency. It shall be unlawful for anyone to interfere with the operations or apparatus of the fire department at any time.

SECTION 11. It shall be unlawful for anyone to park a vehicle, or cause an object to be placed, within ten feet of a fire hydrant so that it prevents fire department access to or operations at, such fire hydrant.

SECTION 12. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence, or clause shall not be effected by the invalidity of any other portion of this ordinance, and only

any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION 13. This ordinance shall take effect after its final passage, the public welfare requiring it.

Passed 1st Reading _____, 2001.

Passed 2nd Reading _____, 2001.

MAYOR

RECORDER