

**AN ORDINANCE FOR THE ORGANIZATION OF THE HOLDEN
FIRE DEPARTMENT**

ARTICLE 1. FIRE DEPARTMENT

SECTION 1: PURPOSE

In the interest of the protection of life and property from emergency within the corporate limits of the Town of Holden and in accordance with the duties incumbent upon Municipal Officials pursuant to 30 M.R.S.A., Section 3771 et seq., there is hereby created a Municipal Fire Department for the Town of Holden.

SECTION 2: OFFICERS

1. The Department shall consist of a Fire Chief and such other officers as the Department and the Municipal Officers may mutually provide for in the bylaws of the Department;
2. The Town Manager shall appoint the Fire Chief, subject to the confirmation of the Board of Selectmen. The Town Manager may remove the Fire Chief with or without cause with the consent of the Board of Selectmen.

SECTION 3: THE DUTIES OF THE CHIEF

1. The Fire Chief shall be responsible to the Town Manager for the performance by the Department of its duties under Title 30 M.R.S.A, Subsection 3153 (1996), and as the same may be amended from time to time, and such other duties as shall be prescribed by the Town Manager or the bylaws of the Department, it shall further be his duty to annually enter any and all suspect buildings and premises at a reasonable hour for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found, such conduct shall be in compliance with the regulations of Rule 80E of the District Court Civil Rules of Procedure;
2. Keep complete records of all fires, inspections, apparatus, and equipment, personnel costs, and other information about the existence and work of the Department;
3. To record and report to the Town Manager all accidents resulting from fire;
4. The Chief may delegate the performance of the above duties to his officers but he remains responsible to the Town Manager for compliance with the above sections;
5. In the event that the Office of Chief shall become vacant or the Chief is unable to perform his duties, or is not present at the scene of a fire, the line of succession shall be as follows:

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- First Assistant Chief
- Second Assistant Chief
- Captain
- Lieutenant
- Training Officer
- Assistant Training Officer

SECTION 4: EMPLOYMENT STATUS

All Holden Fire Department Firefighters shall be entitled to the same benefits as regular employees during their time of employment. Time of employment shall mean from the time they respond to the fire or other emergency and until such time as they arrive at the station or home, respectively.

SECTION 5: THE DEPARTMENT BYLAWS

The Fire Department shall promulgate personnel rules and regulations dealing with the General Administration of the Department and with the conduct of its members, such rules and bylaws shall be subject to the approval of the Board of Selectmen.

SECTION 6: DUTIES OF THE TOWN CONSTABLES AT THE SCENE OF A FIRE

It shall be the duty of the Town Constables to respond to all fires and to direct traffic at the scene of such fires; within the corporate limits of the Town of Holden.

SECTION 7: OTHER PROVISIONS

1. All motor driven equipment of the Department shall have right-of-way over all other traffic when responding to an alarm;
2. No person shall drive any vehicle over a fire hose unless such hose is protected by hose rasps or similar devices;
3. No unauthorized person with any vehicle shall follow within five hundred feet (500') of any apparatus belonging to the Fire Department, nor shall any person conduct themselves in any manner so as to interfere with the operation of the department, its equipment, apparatus or personnel, or park, without authority, any vehicle within five hundred feet (500') of the fire or other emergency to which the department is responding;
4. This ordinance supersedes and repeals any prior ordinance of the same nature inconsistent here with. This Ordinance becomes effective upon enactment.

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SECTION 8: ENFORCEMENT

Any person violating the provisions of Section 7 of this ordinance shall, upon conviction, be punished by a fine of not more than one hundred dollars (\$100.00) for each offense.

SECTION 9: SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

APPROVED AT TOWN MEETING 3/14/77

A TRUE COPY ATTEST:

Amended at Special Town Meeting 12/18/96