

CITY OF CLAREMONT NORTH CAROLINA ORDINANCE 19-22
AMENDMENT TO THE CODE OF ORDINANCES
TITLE 3, CHAPTER 2, ARTICLE A

WHEREAS, the City Council of the City of Claremont places a great emphasis on the preservation of life and property within the City of Claremont, and as such has provided for the creation and operation of a City Fire Department.

WHEREAS, the City of Claremont proposes to amend the Code of Ordinances regulating the structure and operation of the Claremont Fire Department to ensure the most professional and efficient service possible to the City of Claremont.

WHEREAS, notification of the public hearing was duly published.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAREMONT, THAT TITLE 3, CHAPTER 2, ARTILE A OF THE CLAREMONT CITY ORDINANCES IS HEREBY AMENDED BY CHANGING THE FOLLOWING:

ARTICLE A
Fire Department

Sec. 3-2-1 Creation of the ~~d~~Department.

There is hereby created a department known as the Claremont Fire Department, the object of which shall be the prevention and extinguishment of fire and the protection of life and property within the limits of the city and any other surrounding territories as specified in writing and approved by the city council, including but not restricted to a fire district or areas covered by any mutual aid agreements entered into by the city.

Sec. 3-2-2 Officers.

(a) The department shall consist of a chief ~~Fire Chief, an Assistant Fire Chief, two assistant chiefs, and any~~ such other officers as deemed necessary by the Fire Chief and approved by the City Manager. Any officer positions will be subject to yearly budgetary approval by City Council. fire chief as specified within the standard operating guidelines of the Claremont Fire Department.

(b) The ~~Fire Chief and the Assistant Fire Chief and any and all employees of the Fire Department are employees~~ chief is an employee of the City of Claremont and is ~~are~~ hired by the city manager ~~City Manager~~. The city personnel policy will state hiring guidelines. The assistant chiefs and other officers shall be selected from the membership by a plurality vote of the members of the department subject to a confirmation vote of the city council. Said election of officers shall be held by the department at its regular scheduled meeting in May of each year, and the recommendations for office shall be submitted to the council at the first regular meeting in June of each calendar year for approval and installation.

~~Election proceedings shall be as specified by the standard operating guidelines of the department.~~

(c) The ~~Fire Chief~~ chief shall be held accountable to the manager ~~City Manager~~ for administrative affairs of the department and shall make written and verbal reports as may be required. The chief shall be held accountable to the city council for matters of policy development.

(d) The chief shall be responsible for coordinating with the ~~city~~ manager the development of an annual budget for submission to the city council.

(e) The chief shall be technically qualified by training and experience and shall have the ability to ~~command men~~ lead employees and hold their respect and confidence.

(Ord. of 7/4/07, No. 36-07; Ord. of 2/3/14, No. 07-13; Ord. of 5/5/14, No. 14-13)

Sec. 3-2-3 Duties and powers of the **Fire Chief** chief.

(a) Subject to approval of the ~~city council~~ **City Council**, the chief **Fire Chief** shall formulate a set of rules and regulations to govern the department, and shall be responsible to the **City Manager** ~~manager~~ for the personnel, morale and general efficiency of the department. Further, he or she shall recommend to the **City Manager** ~~manager~~ the reforms and changes in the **Fire Department** ~~fire department~~ which practical experience shows should be instituted. Periodically, the **Fire Chief** chief may be required to submit a statement of conduct of the affairs of the department, and shall include therein any suggestions for the improvement in the service or personnel of the department.

Additional, specific functions of the **Fire Chief** ~~fire chief~~ are:

(1) To issue to the department under his or her command a set of standard operating guidelines as may be necessary to preserve property, prevent the loss of life and ensure a ready to respond firefighting force;

(2) To enforce the laws, ordinances, fire regulations and executive orders applicable to his or her jurisdiction; **The Fire Chief will be Code Official and may delegate this authority to county or state code official for assistance.**

(3) In accordance with authority granted by the **City Manager** ~~manager~~, to suspend from duty any ~~members~~ **employee** of the department for incompetence, neglect of duty, immorality, drunkenness, drinking intoxicants when on duty, or who shall be found unfit for duty when called on emergency service, or who fail to obey orders given by proper authority, and in addition for any just or reasonable cause in the judgment of the manager; and

(4) To require the proper submission and handling of the necessary and required reports.

(b) The chief shall insure that, at least once a month, department ~~members~~ **employees** have access to a department drill or instruction in the operation and handling of equipment, **first-aid medical response** and rescue ~~work~~ **operations**, salvage, a study of buildings in the city, fire prevention, water supplies, and all other matters generally considered essential to ~~good firemanship~~ **operational readiness** and safety of life and property from fire. Such drills or instructions shall account towards the ~~members~~ **employee's** required continuing education.

(c) The **Fire Chief** chief shall assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the causes, origin and circumstances of all fires.

(d) The **Fire Chief** chief is hereby empowered to enter any and all buildings and premises at any 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. Any person so served with a notice to abate any fire hazard or hazards, shall comply therewith and promptly notify the **Fire Chief** chief.

(e) The **Fire Chief** chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the department.

(f) The **Fire Chief** chief shall report monthly to the **City Manager** ~~manager~~ the conditions of the apparatus and equipment; the number of fires during the month, their location and cause, and date of same and loss occasioned thereby; the number and purpose of all other runs made; and the number of ~~members~~ **employees** responding to each fire or other run.

(g) The **Fire Chief** chief shall make a complete annual report to the **City Manager** ~~manager~~ within one (1) month after the close of the fiscal year. The report to include the information specified in subsection (f), together with comparative data for previous years and recommendations for improving the effectiveness of the department.

(h) In the absence of the **Fire Chief** chief, **the Assistant Fire Chief, or other designee** ~~the assistant chiefs~~ shall be in full charge of the department.

(Ord. of 2/3/14, No. 07-13; Ord. of 5/5/14, No. 14-13)

Sec. 3-2-4 Membership ~~Employment~~.

(a) All members of the Claremont Fire Department are employees of the City of Claremont and shall be selected based upon the policies of the City of Claremont, by recommendation of the Fire Chief to the City Manager.

(a) Persons meeting the following requirements may be eligible for membership:

~~—(1) Applicant must be 18 years of age and a citizen of the United States, and or have eligibility to work in the United States through E-Verify. Junior members must be a minimum of 14 years of age and have parental consent to participate;~~

~~—(2) Applicant must be in good health, of sound mind and body;~~

~~—(3) Applicant must have a valid North Carolina operators license;~~

~~—(4) Applicant must not have been convicted of any felonious crime;~~

~~—(5) Members must reside within two miles of the Claremont Fire District, or demonstrate the ability to serve the community through station duty, participation at incidents and events or other assigned duties;~~

~~—(6) Members must have a minimum of a high school diploma, or GED equivalent;~~

~~—(7) All applicants (former members and transfers) regardless of transcripts, or previous positions held within the fire service, upon approval, shall enter as a new member of the department; and~~

~~—(8) Members are not to serve as a volunteer for more than one other emergency services agency.~~

~~—(b) Application for membership shall be filed in accordance with the standard operating guidelines of the department. It shall be the duty of the fire chief to process the application for membership in the manner specified by the standard operating guidelines the department.~~

(c) ~~members~~ Employees of the department are subject to adhere to the city personnel policy and the standard operating guidelines of the department and will be accountable as to such governing policies and guidelines of the department at all times as they discharge their duties as a ~~members~~ employees. ~~members also may be suspended or dismissed by the chief for conduct detrimental to the department, neglect of duty, disobedience of orders at a fire call, or other irresponsible actions. Such disciplinary action may be appealed in such manner as specified in the city personnel policy and the standard operating guidelines of the department.~~

(Ord. of 7/4/07, No. 36-07; Ord. of 2/3/14, No. 07-13)

Sec. 3-2-5 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) Recommendations of apparatus and equipment needed shall be made by the Fire Chief chief to the manager City Manager, and after approval by the manager City Manager, shall be purchased in a manner as may be designated by the council.

(c) All equipment of the department shall be safely and conveniently housed in those places as may be designated by the council.

(d) Suitable arrangement or equipment shall be provided for citizens to turn in an alarm, and for notifying all members of the department so that they may promptly respond.

(e) No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in any way by the department.

(f) 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, an officer or authorized member of the department.

Sec. 3-2-6 General provisions.

(a) Each member of the department shall be issued a badge designating his rank.

(b) Each member of the department driving a ear personally owned vehicle to an operating scene shall be issued a suitable insignia to be attached to the car.

(c) No person shall drive any vehicle over a fire hose except upon specific orders from the Fire

Chief chief or other officer in charge where the hose is issued.

(d) No person shall park any vehicle or otherwise cause any obstruction to be placed within 25 feet of the entrance to any fire station or other place where fire apparatus is stored, or within 15 feet of any fire hydrant or cistern.

(e) No person shall maliciously turn in or cause to be turned in a false fire alarm. (Ord. of 3/3/52, No. 109)

Sect. 3-2-7 Enforcement.

(a) All regularly appointed members of the department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this article.

(b) It is hereby made the special duty of the ~~chief of police~~ **Chief of Police** and other peace officers who may be on duty and available for fire duty, to respond to all fire alarms and assist the department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observances of all sections of this article.

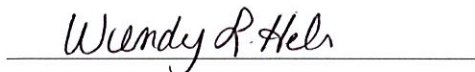
Section 2. This ordinance shall be effective upon passage.

Adopted this the 6TH DAY OF December 2021.



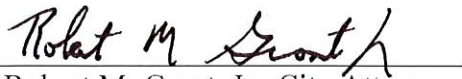
Shawn R. Brown, Mayor

ATTEST:



Wend y L. Helms, City Clerk

APPROVED AS TO FORM:



Robert M. Grant, Jr., City Attorney