

~~Town Meeting~~
~~Sept 13, 2001~~

**TOWN OF CANAAN, MAINE
FIRE AND RESCUE DEPARTMENT ORDINANCE**

August 27, 2001

ARTICLE 1

**SECTION 101 THIS ORDINANCE SHALL BE KNOWN AS THE TOWN OF
CANAAN FIRE DEPT. & RESCUE DEPT. ORDINANCE**

SECTION 102 PURPOSE.

The purpose of this ordinance is to establish, in the manner provided by law, a municipal fire department and municipal rescue department, and to define the powers and duties of the chief of those departments. The further purpose of this ordinance is to provide the maximum legal protection available to the department chiefs and municipal firefighters and rescue personnel, and to best protect the health, safety, and welfare of the residents of Canaan.

SECTION 103 AUTHORITY.

This ordinance is enacted pursuant to 30-A. MSRA. 2001 et seq., 3151

SECTION 104 DEFINITIONS.

104.1 MUNICIPAL FIRE DEPARTMENT

A municipal fire department means an organized firefighting unit established pursuant to this ordinance.

104.2 MUNICIPAL RESCUE DEPARTMENT

A municipal rescue unit means an organized rescue unit established pursuant to this ordinance.

104.3 MUNICIPAL FIREFIGHTERS

A municipal firefighter shall mean an active member, whether full-time, part-time or on call, of a municipal fire department; who aides in extinguishing fires or an individual who receives compensation from the municipality for aiding in the extinguishing of fires and is at least 18 years of age.

104.4 MUNICIPAL RESCUE PERSONNEL

Municipal rescue personnel shall mean an active member, whether full-time, part-time, or on call, of a municipal rescue department, one

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who aids in providing first aid, emergency treatment and rescue assistance and is qualified to render such aid under current Department of Human Services regulations governing rescue and ambulance personnel.

ARTICLE II

MUNICIPAL FIRE DEPARTMENT

SECTION 201 ESTABLISHMENT

There shall be a Municipal Fire Department, which is hereby established by This ordinance.

SECTION 202 DUTIES

The Municipal Fire Department shall provide protection within the Town of Canaan and elsewhere as provided by mutual aid or other contractual agreement approval by the municipal officers.

SECTION 203 FIRE CHIEF

203.1 APPOINTMENT

The head of the Municipal Fire Department shall be the Fire Chief, Whom the Selectmen shall appoint.

203.2 TERMS, COMPENSATION

Municipal officers shall appoint the Fire Chief for a term of 1-year. The legislative body of the town at the annual town meeting shall establish the compensation of the Fire Chief.

203.3 POWERS AND DUTIES

- (A) The Fire Chief shall have the powers and duties established by title 30 A.M.R.S.A. 3153.
- (B) The Fire Chief shall also be the Rescue Chief and establish rules and regulations concerning activities, which involve both departments.
- (C) To establish rules and regulation concerning discipline, good order, proper conduct, care and management of the Municipal Fire Department

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SECTION 203.4

Municipal firefighters shall have the powers and duties set forth in 30 A. M.R.S.A, 3151 et. Seq. And set forth in any rules and regulations adopted pursuant to Section 203.3 (A).

ARTICLE III

MUNICIPAL RESCUE DEPARTMENT

SECTION 301. ESTABLISHMENT

There shall be a Municipal Rescue Department that is hereby Established by this ordinance.

SECTION 302. DUTIES

The Municipal Rescue Department shall provide first aid emergency and Rescue assistance to persons in need of such assistance within the Town of Canaan and elsewhere as provided by mutual aid or other contractual agreement approved by the municipal officers.

SECTION 303. RESCUE CHIEF

303.1 APPOINTMENT

The head of the Municipal Rescue Department shall be the Fire Chief, who shall be appointed by the Selectmen, consistent with policies established by the Board of Selectmen.

303.2 TERM, COMPENSATION

The Rescue Chief shall be appointed by the municipal officers for a term of 1 year. The compensation of the Rescue Chief shall be established by the legislative body of the Town at the annual town meeting.

303.3 POWERS AND DUTIES

The Rescue Chief shall have the following powers and duties:

- (A) to control the Municipal Rescue Department and all rescue apparatus belonging to the Town;

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- (B) to see to the maintenance of technical proficiency of rescue personnel;
- (C) to establish rules and regulation concerning the discipline, good order, proper conduct, care and management of the Municipal Rescue Department. Such rules or regulations shall not become effective until approved by a motion of the Board of Selectmen.

303.4 PRIVILEGES, IMMUNITIES

Members of the Municipal Rescue Department shall enjoy the privileges and immunities provided by the Maine Tort Claims Act.

ARTICLE IV

SECTION 401

No person shall use any Fire Department & Rescue 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 said Department, without the consent of the Chief.

SECTION 401.2

No unauthorized person shall enter any place where Fire Department & Rescue apparatus is housed, or handle any apparatus or equipment belonging to said Department unless accompanied by, or having special permission of, an authorized officer of said Fire Department.

SECTION 401.3

No apparatus shall be used by the Fire Department or by any person or persons for any purpose except public fire prevention and control, or for instruction of department personnel, or permitted to leave the Town of Canaan except in response to a call for aid at a fire in neighboring community, without the consent of the Chief of the Fire Department & Rescue of Canaan.

ARTICLE V

SEVERABILITY, EFFECTIVE DATE

SECTION 501 SEVERABILITY

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

SECTION 502 EFFECTIVE DATE

This ordinance shall be effective on its adoption at Town Meeting.

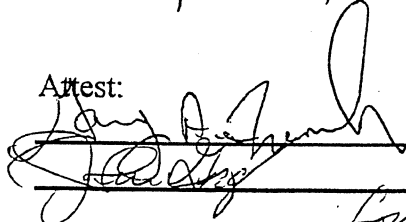
Date September 25, 2001

To: Sherrill HUNT, Town Clerk

A certified copy of an ordinance entitled "Town Of Canaan Fire Department and Rescue Department Ordinance" to be voted on at Town Meeting

on Sept. 25, 2001;

Attest:



Louise Townsend

Canaan Board of Selectmen