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ORDINANCE No. 71.

AN ORDINANCE TO CREATE A BOARD OF FIRE COMMISSIONERS
AND TO ESTABLISH AND REGULATE A FIRE DEPARTMENT FOR
THE CITY OF DRAIN AND DECLARING AN EMERGENCY.

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THE PEOPLE OF THE CITY OF DRAIN ORDAIN AS FOLLOWS:

Section 1. That there shall be and is hereby created a Board of Fire Commissioners of the City of Drain, Oregon, consisting of three persons, residents of the City of Drain for at least one year previous to their appointment as such commissioner, who shall have the power and perform the duties hereinafter imposed and who shall be appointed as hereinafter provided, which said Board of Fire Commissioners together with a Chief and Assistant Engineer as hereinafter provided and such volunteer firemen as may be admitted under the rules and regulations approved by said Commission shall constitute the Fire Department of the City of Drain.

Section 2. It shall be the duty of the Mayor of the City of Drain within _____ days from the passage of this ordinance to appoint two Fire Commissioners who shall hold their office until their successors are appointed and qualified as provided by this ordinance. The term of office of the first two commissioners so to be appointed by the Mayor shall commence from the date of the said appointment and confirmation and shall expire by appointment, confirmation and qualification of their successors. The appointment of said two Fire Commissioners by the Mayor shall be made in writing and filed by him in the office of the City Recorder, which shall constitute the appointment of said Fire Commissioners. The third member and

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Chairman of the Board of Fire Commissioners shall be the Chairman of the Committee on Fire and Water of the Common Council and he shall hold office as Chairman of the Board of Fire Commissioners during such time that he shall be Chairman of the Committee on Fire and Water of the Common Council. Before entering upon his duties each of said Fire Commissioners shall make and file with the City Recorder the oath of office prescribed by Section 20 of the City Charter.

Section 3. The Fire Commissioners shall hold their meetings upon call of the Chairman of said Board or upon the call of a majority thereof upon due notice being given of the time and place of such meeting and said Commission shall organize by electing a Secretary to hold his office at the will of the Commission, provided that the Board of Fire Commissioners may fix by rule the time and place for holding meetings of the Board and of the Fire Department and provided that the Secretary of the Fire Department as hereinafter provided may also act as Secretary of the Board of Fire Commissioners. A majority of the Board of Fire Commissioners shall constitute a quorum for the transaction of business.

Section 4. The Board of Fire Commissioners shall have the supervision, control and management of said Fire Department and shall approve the Constitution, By-Laws and rules and regulations of said Department, adopted as hereinafter provided and may prescribe additional rules for its discipline and government, as may by it be deemed necessary; and the said Board of Fire Commissioners shall also have the control and management of the public property now per-

taining to the several Fire Companies of the said City of Drain, and that shall hereafter pertain to the Department created by this ordinance, and shall from time to time in the sound discretion recommend to the Common Council to purchase, add to and acquire, when necessary, or sell and dispose of, when not required for the use of the department, engines, hose, hose carts, trucks, ladders and other property pertaining to or necessary for the Department.

Section 5. The Firemen who are members of said Fire Department are hereby authorized to adopt a Constitution, Ty-Laws and rules and regulations for the government of said Fire Department, subject to the approval of said Fire Commissioners.

The Board of Fire Commissioners shall have power to hear and determine:

1. Charges made by the Chief Engineer against any officer or any member thereof;
2. Charges made against any officer by any member of the department;
3. Appeals from the action of the Department to hear and determine the rights of contestants for office of Chief and Assistant Engineer, and in case two or more persons shall have an equal, and the highest number, of votes for either of said offices the Board of Fire Commissioners shall elect one of said persons. They shall also order elections for Chief and Assistant Engineer, give ten days notice in writing or by publication in a newspaper published in the City of Drain of the time and place of voting, appoint judges and clerks of election, issue certificates of membership and of exemption and perform such other duties as the Ordinances of the City may require.

Section 6. There shall be elected annually on the first Friday in March, by the registered members of the Fire Department, a Chief and Assistant Engineer whose term of office shall be for one year and until their successors are elected and qualified.

Section 7. The Chief Engineer shall be the executive officer of the Fire Department. It shall be his duty and that of the Assistant Engineer, to see that the laws, order, rules and regulations concerning the Department, including ordinances of the Common Council, are carried into effect and also to attend to such duties as fire warden as may be required of them, and to see that all laws, order, and regulations established to secure protection against fire are enforced. It shall also be the duty of the Chief Engineer to enforce the rules and regulations made from time to time to secure discipline in said Fire Department, and he shall have power to suspend any subordinate officer or member for violation of the same and shall further report in writing, with his reasons therefor, to the Board of Fire Commissioners for their action.

He shall diligently observe the condition of the apparatus and working of said department and shall report in writing at least every three months, to said Board of Fire Commissioners upon the same and make such recommendations and suggestions respecting it, and for securing its greatest efficiency as he may deem proper, and in the absence or inability of the Chief Engineer to act, the Assistant Engineer shall perform the duty and possess the rights and powers of said office during such absence and inability.

Section 8. The Chief Engineer shall in all cases of fire or alarm thereof have command of the Department; he shall inspect and keep in repair all fire apparatus, public cisterns and hydrants and report to the Board of Fire Commissioners all repairs and supplies required by the Department, but in no case shall the said Chief Engineer incur any indebtedness against the said City of Drain unless so authorized by the Common Council and the Board of Fire Commissioners. He shall have power to remove buildings and fences when necessary for the purpose of extinguishing fire.

Section 9. When a vacancy occurs in the office of Chief Engineer the duties thereof shall devolve upon the Assistant, and whenever a vacancy occurs in the office of the Assistant Engineer such vacancy shall be filled temporarily by said Board of Fire Commissioners until an election of said Department can be held to fill said vacancy.

Section 10. The Board of Fire Commissioners shall report in detail to the City Council at the first meeting in October of each year the receipts and expenditures of the Department, with other matters pertaining thereto of public interest, including a complete inventory of all the property under their charge. Such report shall also exhibit a particular statement of all fire alarms and fires which have occurred in said City during the preceding year together with the cause of all such fires so far as the same shall have been ascertained. They shall exhibit a particular statement of all losses caused by such fires and the insurance thereon. It shall also show the amount of hose used, the number of all members in good standing in the Department and all such other information relating to the Department as to the Board shall seem important.

Section 11. Any person who may have been an active fireman in the Fire Department of the City of Drain for seven years immediately preceding the time of the passage of this ordinance, shall be entitled to enjoy all the privileges and immunities now enjoyed by exempt firemen of said City under the laws of the State existing at the time of the passage of this Ordinance. Any such person shall, upon application and satisfactory proof of such service and payment of the fees now required to be paid therefor, receive a certificate to that effect from the Board of Fire Commissioners; such certificate shall be signed by the Chief Engineer, the President of the Board of Fire Commissioners, and the Secretary of the Fire Department, and any person who shall have served as an active fireman for the period of seven consecutive years shall be entitled to a certificate of an exempt fireman.

Section 12. Any person, officer or member of the Department who shall wilfully violate any of the rules of the Department, or any of the provisions of this ordinance or who shall refuse to obey the lawful commands or order of the Chief or Assistant Engineer, shall be censured, suspended, removed from office or expelled from the Department as the said rules may direct, or the Board of Fire Commissioners determine.

Section 13. Whereas it is necessary in order to render property within the City of Drain more secure against fire that an organized Fire Department be had in the City of Drain in order to more effectively combat fires and in order to protect the property and inhabitants of the City of Drain, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and its approval by the Mayor.

Passed by the Council October 14th, 1929.

Approved by the Mayor October 14th, 1929.

Clarence Leonard

Mayor

Attest:

Geo. W. McCollum

City Recorder.