ORDINANCE NO. 2011 - 01
AN ORDINANCE AMENDING CERTAIN PROVISIONS IN CHAPTER 2.24 OF THE ATKINS MUNICIPAL CODE PERTAINING TO THE ATKINS VOLUNTEER FIRE DEPARTMENT AND FOR OTHER PURPOSES

WHEREAS, there is a need to amend and update certain provisions of the General Rules, Command structure and duties of Officers in regards to the Atkins Voluntary Fire Department,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Atkins as follows:

SECTION 1: Subsections C., E. G. H. M. and N of Section 2.24.01 General Rules of the Atkins Municipal Code are hereby amended to read as follows:

C. All fire department personnel accepted after the adoption of these rules and regulations shall live within ten (10) road miles of the fire department station. Members living outside this area already on the department shall be grandfathered into the department.

E. Persons interested in becoming a member must complete an application which includes consenting to a background check and must attend a fire department meeting for the purpose of being interviewed as a potential probationary member. Any person previously convicted of a felony will not be considered for membership. To become a probationary member, the applicant must be approved by a majority vote of the membership of the Atkins Fire Department and approved by the Atkins City Council. If denied, an applicant must wait six (6) months before reapplying.

G. Probationary members will be considered for permanent membership after completing a one year probationary period during which the applicant will be evaluated quarterly by the Governing Committee. During the probationary period each probationary member must complete the following courses: "Introduction to Fire Protection", "Protective Equipment", and "Wildland Fire". During the probationary period, at the end of each quarter, the Governing Committee will evaluate each applicant in terms of job performance, attendance at fire calls, and attendance and completion of the courses described herein. If at the end of any quarterly evaluation, the Governing Committee deems it in the best interest of the Atkins Fire Department to determine at that time whether or not to continue or terminate the membership of any probationary member, then at that time the continuation of the probationary membership of any probationary member shall be approved or disapproved by a majority vote of the entire membership of the Atkins Fire Department. Otherwise, at the end of the one (1) year probationary period, a majority vote of the Atkins Fire Department membership will determine whether probationary members will be dismissed or retained.

H. New members must pass a physical examination, including a drug screen test, performed by

SEAL
FILED
Brenda Graves, City Clerk
City of Atkins
Date: 1-11-11

a doctor chosen by the Atkins Fire Department. The expense of the examination and drug screen test will be paid for by the Atkins Fire Department.

M. No department member while on duty shall possess, ingest, or be under the influence of any intoxicating liquor, narcotics or illegal drugs of any kind. Any member suspected of such will be removed from the call by the officer in charge. All members agree to submit to a drug or alcohol test upon request while on duty. Any member violating any provision of this rule shall be referred to the Governing Committee for disciplinary action.

N. Officers will be appointed or removed by the Fire Chief at his discretion, but such appointment or removal must be approved by a majority vote of the members.

SECTION 2: A new Subsection P is added to Section 2.24.01 General Rules to read as follows:

P. A member in good standing may take a leave of absence without pay for any reason for a period of not exceeding one (1) year, and upon request made within that one (1) year period, the person will be returned to active duty when the first available spot becomes open.

SECTION 3: Section 2.24.02 Command Structure is amended to read as follows:

The Fire Department shall be comprised of the following officers and members:

A. Chief
B. Assistant Chief
C. Captains (3) (Training Officer, Secretary/Fire Marshal, and Vehicle Officer)
D. Governing Committee
E. Firefighters

SECTION 4: Subsection C. of Section 2.24.03 Duties of the Chief is hereby amended to read as follows:

C. The Chief will be responsible for supervising the other officers and assuring that the other officers properly complete and perform the duties to which they have been assigned.

SECTION 5: A new Subsection D. is added to Section 2.24.03 Duties of the Chief to read as follows:

D. The Chief shall have the authority to remove any Firefighter from duty for any reason at

any time and shall refer any disciplinary matter to the Governing Committee for final resolution. The Chief shall report any disciplinary concern to the Mayor.

SECTION 6: Section 2.24.04 Duties of Assistant Chiefs is hereby amended to read as follows:

2.24.04 Duties of Assistant Chief

A. The Assistant Chief shall rank immediately below the Chief in authority and shall exercise powers of the Chief in his absence or inability to act.

B. The Assistant Chief shall otherwise devote his time to matters concerning the safety of the public, the Fire Department members and the safety and maintenance of the equipment used by the Fire Department.

SECTION 7: Section 2.24.05 Duties of the Captains is hereby amended to read as follows:

1. Secretary/Fire Marshal Captain.

A. It shall be the duty of the Secretary/Fire Marshal Captain to keep records and minutes of all proceedings and meetings and records of attendance at all meetings and fire calls of the Department, to keep all other necessary records for the Fire Department, and to provide up to date current information to the National Incident Management Records System.

B. The duties of the Fire Marshal shall include providing fire prevention programs to the public, promoting fire safety of the Atkins Fire Department and the Atkins community, conducting fire inspections on all necessary businesses, schools, daycares, nursing homes and other similar places, update and maintain necessary prefire plans, enforce national, state and local fire and building codes and standards, and supervise and conduct investigations to determine the cause of fires.

C. The Fire Marshal may recruit any available Firefighter to assist him in performing his duties.

2. Training Officer Captain.

A. The Training Officer Captain must become a certified training officer within the first six (6) months of his term.

B. His job duties shall include being responsible for maintaining all training records of Firefighters, and shall provide at least two (2) hours of training per month for members of

the Fire Department.

C. He shall be responsible for offering certified classes for all probationary members at least once each twelve (12) month period in "Introduction to Fire" and "Protective Equipment". If such classes are not attended by probationary members of the Department, it shall be their responsibility to become certified in these areas within their one (1) year probationary period.

D. He shall offer sixteen (16) hours training annually for members of the Fire Department as required by the Arkansas Fire Academy.

3. Vehicle Officer Captain.

A. It is the duty of the Vehicle Officer Captain to assure that all vehicles are in safe working order and ready for duty. If a vehicle is not in safe working order and ready for duty, it is the responsibility of the Captain to visibly label the vehicle as not safe or not in working order, and to remove the vehicle from service until the vehicle is properly repaired.

B. His duty shall also include being responsible for determining that all small engine equipment located on the trucks are in safe working order.

C. This officer shall be responsible for making sure that all fire trucks have successfully passed the annual pump test.

SECTION 8: Section 2.24.06 Governing Committee is hereby amended to read as follows:

A. The Governing Committee shall consist of the Chief, Assistant Chief and all three Captains.

B. All disciplinary matters, except those in Section 2.24.01 (G) and (K) shall be handled by, and with hearings conducted by, the Governing Committee which shall have the authority to place on probation, caution, reprimand, suspend, or terminate a member of the Department from duty for violations of the rules and regulations of the Department. This Committee shall promptly report any disciplinary decisions to the Mayor.

SECTION 9: Section 2.24.09 Fire Marshal is hereby repealed.

SECTION 10: This Ordinance being necessary for the public peace, health and safety of the citizens of Atkins, an emergency is declared and this Ordinance shall become effective immediately upon its passage and approval.

DATED this 11th day of January, 2011.

JERRY DON BARRETT, Mayor

ATTEST:

BRENDA GRAVES, City Clerk