

**CITY OF NORTH BONNEVILLE  
ORDINANCE NUMBER 1070**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING NORTH BONNEVILLE MUNICIPAL CODE CHAPTER 2.24 VOLUNTEER FIRE DEPARTMENT.**

**WHEREAS**, the City finds it necessary to update the existing code relating to the city's volunteer fire department to better address changes in city, state and insurance needs and requirements; and

**WHEREAS**, the City now desires to amend Chapter 2.24 of the NBMC to clarify provisions of these city emergency services;

**NOW, THEREFORE**, The City Council of the City of North Bonneville does hereby ordain as follows:

**Section 1.**

**Chapter 2.24 Volunteer Fire Department  
Repeal in its entirety**

**Section 2.**

**Adopting Chapter 2.24 Volunteer Fire Department**

Chapter 2.24 Volunteer Fire Department is hereby adopted and added as follows:

Chapter 2.24 Volunteer Fire Department

Sections:

- 2.24.010 Administrative Role and Responsibility.
- 2.24.020 Fire Department By-laws.
- 2.24.030 Fire Department Membership.
- 2.24.040 Prequalification Requirements.
- 2.24.050 Fire Department Personnel Review, Requirements and Training.
- 2.24.060 Compensation.
- 2.24.070 Chief, General.
- 2.24.071 Chief, Qualifications.
- 2.24.072 Chief, Duties.
- 2.24.080 Selection of the Chief.
- 2.24.090 Other Department Officers.
- 2.24.091 Assistant Chief.
- 2.24.092 Secretary.
- 2.24.100 Equipment and Property.
- 2.24.110 Fire Department Enforcement.

**2.24.010 Administrative Role and Responsibility.**

The City of North Bonneville's [City] fire control services are performed by the Fire Department which is under the legislative purview of the City Council [Council] and the administrative purview of the City Mayor [Mayor].

The Council, as the City's legislative authority, provides for the community's health, safety and welfare by assuming a variety of duties and functions related to a fire department operation including rules, regulations, standards; developing the yearly budget and serving as an appellent body. Accordingly, the Council is tasked with developing the City's fire control policies, maintaining mutual aid agreements and service contracts, and approving its yearly budget.

The Mayor serves as the City's chief executive officer and has direct authority over all City personnel and department activity. Thus, the Mayor is responsible for assuring the City Fire Department provides adequate public service delivery. The Mayor may delegate their responsibility the Fire Chief but retains ultimate responsibility for service delivery decisions. The Fire Department is overseen by a Fire Chief [Chief] who is answerable to the Mayor and/or a designated subordinate. The City relies upon volunteers to staff the Fire Department and provide its services as the City does not have the financial means to provide for a permanent staff.

#### **2.24.020 Fire Department By-laws.**

The Fire Department shall adopt by-laws, rules or regulations as it may deem necessary or desirable; and shall provide for such personnel for the government of its affairs as it may deem necessary. These by-laws, rules or regulations shall be vetted by the City attorney to assure they do not contain impermissible language. Since this volunteer department utilizes City owned building and equipment, and is funded by the City, the Fire Department and its members are representatives of the City. Thereby, by-laws or any department rules or regulations are subject to a review and approval by the Council to assure compliance to governmental procedures and requirements.

#### **2.24.030 Fire Department Membership.**

Fire Department membership is limited to a total of 20 fire fighters and additional auxiliary members unless this number is amended by Council action. The Fire Department membership shall consist of, at least, a Fire Chief (Chief), Assistant Chief, Secretary, and any necessary titled individual (officers) as determined by the Chief's assessment of roles and duties.

#### **2.24.040 Prequalification Requirements.**

Fire Department membership is open to all city residents at least 18 years of age. All fire department applicants are subject to criminal background and driver record check, drug test, physical agility test, health evaluation by a licensed physician, completion of the State of Washington Board for Volunteer Fire Fighters and Reserve Officers medical exam form, and possession of a valid driver's license. These requirements shall be satisfied prior to their acceptance as a fire volunteer. Auxiliary members are only required to pass a criminal background check.

A Council member may serve as a volunteer fire fighter, provided that action is approved by Council resolution adopted by 2/3rds of the full legislative body in accordance with RCW

35.21.770 and they have the ability to meet the prequalification requirements. A council member approved to serve in this role shall adhere to these code provisions.

#### **2.24.050 Fire Department Personnel Review, Requirements and Training.**

The City will review all applicants' requisite paperwork for completeness and provide the chief with the approval to start the health evaluation and training. After the administrative review, all volunteer are provided with a copy of North Bonneville Personnel Manual and department by-laws and are obligated to follow the rules, regulations, procedures and practices contained within these documents. Firefighters shall sign off that they have reviewed these documents, understand and agree to comply with the contents.

Firefighters are also obligated to familiarize themselves with the rules, regulations and policies intended to assure public health and safety contained in City, state, and federal regulations. The State of Washington safety standards for firefighters are contained in chapters of the Washington Administrative Code (WAC) 296-305. All firefighters must have training and education commensurate with the duties and functions they are expected to performed. Such training and education must be provided before emergency activities are performed in accordance with WAC 296-305-05502. Accordingly, the chief must certify this training and education before the firefighter is capable of serving as a qualified firefighter.

In addition, all volunteer firefighters are members of the Washington Cities Insurance Authority (WCIA) and must comply with the licensing, driving qualifications, fitness and training requirements. All firefighters are exempt from Commercial Driver's License but all operators of emergency vehicles shall carry a current certification card proving they have completed the Emergency Vehicle Accident Prevention Program. The operator control is contained in WCIA FLT.01 and approval process is contained in WCIA FLT.02. The fire emergency vehicle operations controls for training and approval are contained in WCIA FIR.04 and FIR.05.

All firefighters shall take whatever prudent measures are necessary to assure preservation of life and protection of property. The Fire Department membership is required to attend at least two (2) scheduled regular and/or special drills per month, except when excused by proper authority.

An auxiliary member is generally a volunteer who is unable to perform the physical firefighter requirements, but receptive to assisting the department with cleaning, maintenance, and/or documentation needs. Auxiliary members shall not be used for fire or rescue operations and cannot be a command officer.

Firefighters shall not provide Fire Marshall Services.

#### **2.24.060 Compensation.**

In exchange for the training and public service they will receive compensation established by Council and are eligible for State operated retirement program administered by the Washington State Board of Volunteer Firefighters and Reserve Officers. All firefighters are entitled to a stipend and eligible for pension consideration in accordance with City of North Bonneville Personnel Manual and City codes and ordinances.

#### **2.24.070 Chief, General.**

The Mayor delegates his authority to the Chief who then has control over fire personnel, fire related equipment, fire prevention strategies, fire fighting activities, rescues and other health and safety related emergency service matters conducted within the City limits. The Chief is elected by its member but is subject to approval by the City. The Chief may at times have authorities' outside City limits as stipulated in various mutual aid agreements. The Chief may delegate portions of their duties to other officers but the responsibility of all department actions and reports remains with the Chief and ultimately the Mayor. If the Chief is confronted with a situation involving law enforcement assistance, and particularly rescue operations and/or criminally related activity, the Chief will coordinate their response with the Sheriff's Department.

#### **2.24.071 Chief, Qualifications.**

The Chief shall be qualified by training, experience and ability to command firefighters. The Chief shall be an active firefighter whose activities and actions comply with standards established by the State of Washington Board of Volunteer Firefighters and Reserve Officers. The Chief shall not engage in any activity which they do not have certified training.

#### **2.24.072 Chief, Duties.**

The Chief selects appropriate officers necessary to operate the department based on training, ability and experience. The Chief shall assure that performed drills and instructions in the operation and handling of equipment, first aid, rescue, salvage, structure study, fire prevention, water supplies other matters generally considered essential to the operation and safety of life and property from fire or fire related emergency. The Chief is accountable for its members conduct in accordance with the North Bonneville Personnel Manual and Washington State laws.

The Chief shall be responsible for the safety and needs of its department members and the City. The Chief is required to provide the City with all pertinent information including, but not limited to change of officers, new members sign up, and receipt(s) requiring reimbursement. Incident reports in which there is a death or injury or suspected arson shall be forwarded to the City within 3 days. The Chief shall timely sign all reports and maintain records as required by RCW 40.14.070 with a duplicate copy provided to the City. The Chief is responsible for the care and custody of all fire related equipment.

The Chief shall administer the budget and see that the records are kept in accordance with City financial requirements. If there are budget concerns, overage or lost of significant equipment, the chief shall bring the concerns to the attention of the City as soon as possible.

The Chief shall provide quarterly reports to the Council and Mayor concerning the condition of the apparatus and equipment; the number of calls responded, the number of incidence reports, their location and cause, date of activity and losses incurred; the number and purpose of runs; the name and number of members responding to each run and changes in membership and other items requested by Council and/or the Mayor.

The Chief shall annually provide a written report to the Mayor and ~~to~~ Council by September 30 summarizing the following items: number of training sessions and drills, types of training activities, calls and actual responses, fire investigations, inspections, equipment status, number of active personnel and general responses to fire related hazards/concerns. The information should be formatted so that it may be easily tracked from year-to-year. The Chief shall provide

recommendations for improving department efficiency as part of the budgeting process. The Chief shall work with the City Administrator to address next year's budgeting needs and/or financial issues should they arise.

A member may be suspended or discharged from the department with cause by the Chief at any time in accordance with the City's personnel policies and practices. The Chief shall consult with the City Attorney prior to discharging a volunteer. A discharged volunteer has the opportunity to appeal that action within 90 day following the discharge.

The Chief is empowered to enter any and all buildings and premises at any reasonable hour with some factual basis for that action, to inspect for fire related hazards, and to serve written notice upon the owner or occupant thereof to abate, within a specified time, any and all fire hazards that may be found. The Chief shall be observant of people's privacy while on their premises. The Chief is responsible for assuring that entrance to property or buildings does not constitute trespass. Any person so served with a notice to abate any fire hazard or hazards shall comply therewith and promptly notify the Chief the matter of resolution.

#### **2.24.080 Selection of the Chief.**

The Chief shall be elected to office by the membership through a balloting process at or before the second meeting in January of every even year and provided they have the requisite training and experience to assume this role. Upon the election of the Chief, the Chief shall notify the City and is subject for approval by the Council.

If the Chief resigns prior to their two [2] year term of office the Chief shall appoint a person to serve in their stead for the remainder of the term with confirmation at the next regularly scheduled meeting and further, subject to Council and Mayor approval.

#### **2.24.090 Other Department Officers.**

The City requires at least three Fire Department officers for the purpose of being able to communicate with the volunteer department. The Chief and Assistant Chief and any other command officer shall have the authority and responsibility of commanding all members of the Fire Department. The Chief shall keep the Mayor apprised on any significant event in real time. Auxiliary members, if selected by the Chief, as officers, cannot be considered as a command officer nor be able to go on any incidents or fire calls.

#### **2.24.091 Assistant Chief.**

The Assistant chief shall be an active firefighter whose activities and actions comply with standards established by the State of Washington Board of Volunteer Firefighters and Reserve Officers. The Assistant Chief shall have the authority and responsibilities of the Chief when that person is unavailable. The Assistant Chief shall not engage in any activity which they do not have the requisite training. If the Chief is absent from his post for more than a week they shall alert the Mayor to that circumstance. The Assistant Chief shall be the administration officer for department businesses. The Assistant Chief is accountable to the Chief and the Mayor.

#### **2.24.092 Secretary.**

The Secretary may be an auxiliary member but would not be considered a command officer. The Secretary shall record all meetings. In the Secretary's absence another attending member shall assume this temporary duty. The meeting report shall contain, at a minimum, the names of those in attendance, nature of discussions, training exercise activities, equipment problems and other related matters.

The Secretary is responsible for delivering Fire Department maintenance records, incident reports, fire inspector reports, record of fire/rescue calls verses responses, and fire Investigation document and other fire requirements of RCW 40.14.070 to City Hall in a format acceptable to the City. All original documents and any new reports shall be maintained. The Secretary shall assure the Fire Department spends revenue in accordance with its approved budget. In the event the Fire Department determines to establish an association through formation of a nonprofit, that body shall be responsible for handling all privately secured finances in accordance with State and Federal laws and auditing procedures. The Secretary is accountable to the Chief.

#### **2.24.100 Equipment and Property.**

The Public Works Department is responsible for Fire Department structures and the associated real property. The City's Public Works Department is also responsible for the fire hall and department structures, the surrounding grounds, and City's water system, except care and maintenance of the fire hydrants shall be a shared responsibility between the fire department and public works. All structural repairs [other than minor] shall be called to the attention of the City who will direct the Public Works staff for remedy.

The Chief is responsible for the care and custody of all fire related equipment, supplies, vehicles and tools intended for public use. Fire apparatus, facilities and/or equipment shall not be used for private purposes. Fire Department equipment and articles will remain under the Chief's control and used only for public purposes. No type of fire apparatus shall leave the City except in a response to a current mutual aid agreement response and only if the Chief shall determine that action would not jeopardize the community's health and safety.

Fire Department members shall log the time expended and type of maintenance performed on all fire equipment to assure its maximum state of readiness after use. Firefighters are required to keep their assigned equipment such as turnout gear, gloves, boots, and etcetera in clean repair and in its assigned location.

#### **2.24.110 Fire Department Enforcement.**

The Chief or representative is empowered to enter buildings and premises with some factual basis for that action to inspect for fire related hazards, and to serve written notice upon the owner or occupant of a need to abate a public health or safety issue within a specified time. The Chief shall be observant of people's privacy while on their premises. The Chief is responsible for assuring that entrance to property or buildings does not constitute trespass.

In the event of a fire or fire related emergency, the Fire Department shall enter any City property and related commercial or private structures. The Department shall have right-of-way and control over all non emergency traffic when responding to an alarm.

Section 3.

**Severability.**

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4.

**Effective Date and Publication.**

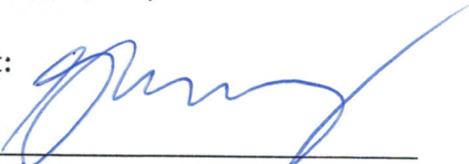
This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON October 11, 2016.



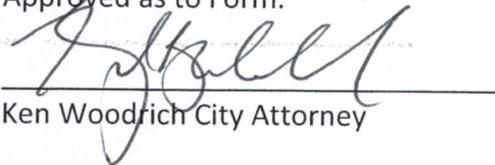
\_\_\_\_\_  
Don Stevens, Mayor

Attest:



\_\_\_\_\_  
Steven Hasson City Administrator

Approved as to Form:



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Ken Woodrich City Attorney