

Town of Mount Desert Fire Prevention and Emergency Medical Services Ordinance

ENACTED MARCH 8, 2022

Town of Mount Desert Fire Prevention and Emergency Medical Services Ordinance

FIRE PROTECTION AND EMS

SECTION I: FIRE DEPARTMENT

1.1 Short Title

This Ordinance shall be known as the “Fire Prevention and Emergency Medical Services Ordinance” and will be referred to herein as “this Ordinance.”

1.2 Purpose

The purpose of this Ordinance is to provide administrative authority and structure for fire protection, including emergency medical services (EMS) functions, for the Town of Mount Desert.

1.3 Authority

This Ordinance is adopted pursuant to Home Rule Powers as provided in Article VIII-A of the Maine Constitution and Title 30-A, M.R.S.A. Section 3001, and pursuant to Title 30-A M.R.S. Sections 3151 to 3155 (applicable to fire departments), as well as the laws relating to “emergency medical persons” and “emergency medical treatment” functions referenced in this Ordinance consistent with the licensing provisions at 32 MRS Sections 83 to 87.

1.4 Organization

1. The Fire Department shall consist of the Fire Chief and a sufficient number of municipal firefighters (volunteers, part-time, or full-time) to maintain and operate the department. The Fire Department will provide emergency medical services through a combination department consisting of both full-time and paid on-call personnel. The Fire Chief shall be appointed annually, and the Fire Chief shall appoint the Deputy and/or Assistant chiefs and other officers.

- A. A municipal fire fighter shall be a Town employee who is an active full time, part-time, or on-call member of the Fire Department who aids in the extinguishment of fires, fire

prevention, technical rescue, and other related emergency medical services (EMS).

- B. The Fire Chief, in consultation with the assistant chief and other officers of the Fire Department, shall appoint all municipal EMS persons/fire firefighters for the Fire Department.
- 2. The Fire Chief may, from time to time adopt and amend, offer guidelines and policies for the Fire Department, subject to the approval of the Town Manager.
- 3. Monthly drills shall be held by the Fire Department.

SECTION 2: POWERS AND DUTIES OF THE FIRE CHIEF

2.1 The Fire Chief shall have the powers and duties of the municipal fire chief as provided in the Town Charter and in 30-A M.R.S.A. § 3153. Specifically, the Fire Chief hereby is authorized to:

- 1. Direct and control all municipal firefighter, EMS, and rescue personnel in the performance of Fire Department and EMS operations within the Town of Mount Desert.
- 2. Provide a training program for the municipal firefighters, EMS and rescue personnel of the Town of Mount Desert in cooperation with appropriate governmental agencies. Training shall be identified in standard operating guidelines adopted by the Fire Chief with the approval of the Town Manager.
- 3. Provide for personnel oversight and training for emergency medical persons associated with basic and any advance emergency medical treatment and rescue services and support compliance with the licensing requirements in 32 MRS Sections 84-A to 87 and other laws related to emergency medical services.
- 4. Provide for the maintenance of all Town owned fire/EMS/rescue equipment and facilities used by the Fire Department and develop specifications for the purchase of new or replacement fire apparatus.

5. Inspect or cause to be inspected all fire trucks, EMS ambulances/vehicles, and other equipment to ensure it is in proper condition. Report regularly to the Town Manager concerning the condition of all equipment.
6. The Fire Chief or his designated agent shall have authority to enter any and all public buildings at a reasonable time for the purposes of fire inspection and to ensure compliance with National Fire Protection Association 101 Life Safety Code.
7. Investigate the cause of fires and keep records of his findings as to origin, location, owner, extent of damage or injuries and amount of insurance carried.
8. Obtain assistance from persons at the scene of a fire to extinguish the fire and protect persons and property from injury. Pull down and demolish structures and appurtenances if he/she judges it necessary to prevent the spread of fire.
9. Suppress disorder and tumult at the scene of a fire or medical event and, generally to direct all operations to support timely fire protection and EMS functions.
10. Prepare and submit annually to the Town Manager a budget relating to fire protection and EMS activities.
11. Appoint a Deputy Fire Chief with such duties as the Fire Chief may designate.
12. Employ all municipal firefighters and emergency medical persons and remove any municipal firefighter or emergency medical person as an employee or officer of the Fire Department, for cause after notice and hearing.

SECTION 3: ADMINISTRATIVE REGULATIONS

3.1 With the approval of the Board of Selectman, the Fire Chief may adopt administrative regulations relating to municipal fire protection, consistent with Title 30-A M.R.S.A., Section 3153 (3)(B) and consistent with this ordinance.

SECTION 4: MUTUAL AID

4.1 The Selectmen may authorize from time to time agreements which will authorize the Fire Department to aid in extinguishing fires, providing EMS, search and rescue services, and related fire safety services, and provide other emergency related services, in other municipalities. All such agreements are hereby approved and ratified.

Effective this 8th day of March, 2022

Enacted Special Town Meeting March 8, 2022.