

ORDINANCE NO. 1978-M-26

AN ORDINANCE AMENDING CHAPTER 8, SECTIONS 8.001 THROUGH 8.017 OF THE MUNICIPAL CODE OF THE CITY OF ST. CHARLES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

1. That Chapter 8, Sections 8.001 through 8.017, of the Municipal Code of St. Charles are deleted, and the following substituted therefor:

8.001 Creation.) There is hereby created a Fire Department, an executive department of the City. The full time Fire Department shall consist of the Fire Chief, Assistant Chief, two Captains, four Firemen, and such other members as may be provided for from time to time by the Mayor and City Council. The additional members of the Fire Department are to be known as Paid on Call Firemen. The Paid on Call Firemen shall not exceed forty in number and not less than thirty. Within this group a yearly election shall be held to elect a President, Secretary, Treasurer and such other members as may be provided for from time to time, subject to approval of the Mayor and City Council.

All members of the Fire Department including the Fire Chief are to be considered employees of the City of St. Charles.

8.002 Office of Chief Created.) There is hereby created the office of Fire Chief, the Chief shall be appointed by the Mayor for a term of one year or until his successor is appointed, commencing May 1st of each calendar year, such appointments to be confirmed by the City Council of the City of St. Charles, Illinois.

8.003 Appointments and Promotion of Full Time Firemen.) All appointments to, other than that of the Chief, and promotions within the Paid Fire Department shall be made by the Board of Fire and Police Commissioners.

8.004 Discharges of Full Time Firemen.) No full time fireman shall be discharged from the department except after a hearing on the charges before the Board of Fire and Police Commissioners as provided by statute; provided that this section shall not be construed as affecting the power of the Mayor and City Council to appoint and remove the Fire Chief.

8.005 Appointments of Paid on Call Firemen.)

A. The Mayor by and with the advice and consent of the City Council, may appoint any reputable person as a Paid on Call Fireman to serve for such term and/or such conditions as may be provided for by the City Council. Such appointments are to be made from the eligible list, the names for the eligible list to be submitted and approved by the fire department except as provided for in the next section.

B. In the event the Paid on Call Force fall below the minimum provided for in this Chapter, and if the Mayor and City Council do not accept for appointment any of those names that are on the eligible list, then a committee of four, consisting of the Fire Chief, Assistant Chief, the Chairman of the Public Safety Committee and the President of the Paid on Call Firemen shall meet and add all such names to the eligible list as they may deem necessary. These appointments may be revoked at any time by the Mayor, City Council or the Fire Chief for cause.

8.006 Qualifications of Paid on Call Firemen.) Qualifications for a Paid on Call Fireman shall be but not limited to, the following: (a) a resident of the City, (b) persons who are in good health and who are physically fit, (c) persons who have good moral and character references and who are not addicted to the habitual use of intoxicating liquors or narcotics, and (d) persons who appreciate the responsibility vested with them and who are willing to serve when called. They must be willing to devote time to the necessary drills, meetings, tests or equipment, etc., in addition to actual alarms.

8.007.) The Fire Chief is responsible for the enforcement of all laws and ordinances coming within the legal jurisdiction of the department. The Fire Chief is responsible for planning, directing, coordinating, controlling, and staffing all activities of the department, for its continued and efficient operations, for the enforcement of rules and regulations within the department, for the completion and forwarding of such reports as may be required by competent authority and for the department's relations with the citizens of St. Charles, the City Government and other agencies. In the absence of the Fire Chief, the Assistant Fire Chief shall be charged with the above duties. It shall be the function and duty of the Fire Department and every member thereof to extinguish accidental or destructive fires and prevent the occurrence or spread of such fires and to respond to all but silent alarms and to attend all drills. It shall be the duty of the members of the Fire Department to see to the enforcement of all ordinances of the City, and to prevent infractions of such laws and ordinances.

8.008 Obedience to Orders.) Any fireman in attendance of a fire who shall neglect or refuse to obey the orders of the officer in command at such fire, shall be subject to disciplinary action as prescribed by statute and/or rules and regulations of the department.

8.009 Rules and Regulations.) The Fire Chief shall make or describe such rules and regulations for the guidance of the members and employees of the Fire Department as he shall see fit, such rules and regulations, when approved by the Mayor and City Council shall be binding on such members and employees.

8.010 Command at Fires.) In case of fire, the Fire Chief and his assistants shall rank in the order named and the officer of the highest rank at the fire shall take command of the fire department and direct the management thereof for the suppression of the fire in the best manner possible; and when it may be to prevent the spread of the conflagration, the officer in command may cause buildings to be removed, torn down, or destroyed in the best manner possible.

8.011 Absence of Paid on Call Firemen.) Any Paid on Call Fireman who plans to be out of the City for more than three days shall report this fact to the Chief. Any Paid on Call Fireman not reporting to alarms, drills and meetings for a period of thirty days without prior written permission shall be considered as having abandoned his position and as having separated himself from the department and his name shall be stricken from the roster. Proper written permission to remain absent for this or a longer period shall be obtained from the Chief for such causes as illness, military service, extended vacations or business trips.

8.012 Funds-Reports.) The City shall turn over to the Treasurer of the Paid on Call organization all monies received from the two percent tax on foreign fire insurance and the Treasurer shall pay it out for the maintenance use and benefit of the department as prescribed by law. An annual report itemizing expenditures from this fund shall be furnished to the Chairman of the Fire Committee for the City Council.

8.013 Enforcement of Ordinances.) It shall be the duty of all officers of the fire department and all police officers of the City to see that the provisions of this chapter are enforced and to arrest on view any person who shall be found violating any of the provisions of this chapter or who shall hinder, resist or refuse to obey any such officer in the discharge of his duty, and to that end all such officers are hereby vested with the usual power and authority of police officers.

8.014 Use of Apparatus - Injury.) It shall be unlawful for any person to use any fire engine, hose or any other apparatus belonging to the City for any private purpose other than the extinguishment of fires. It shall be unlawful for any person to remove the same or any part thereof from its place of deposit or having control thereof, shall permit such engine, hose or other apparatus to be used for any private purpose other than aforesaid. Upon conviction, such person shall be fined not less than Five Dollars (\$5.00) nor more than Five Hundred Dollars (\$500.00).

8.015 Service Outside Corporate Limits.) Members of the Fire Department are authorized to go outside the corporate limits of the City for the purpose of rendering aid to other fire department, or of extinguishing fires and rendering aid in the case of accidents. Provided that the fire department shall not render such services outside the corporate limits excepting upon order of the Chief of the Fire Department, the Assistant Chief or the Mayor and City Council. Excepting that where the City has undertaken by contract to render service to property outside the corporate limits the fire department may leave the corporate limits in the fulfillment of such contract.

8.016 Records.) The Fire Chief shall keep or cause to be kept a record of all meetings of the company and the attendance of all members, a record of all fires, and during the last week in April of each year, file with the Clerk a full report of such records and attendance and fires, which report shall be under oath.

8.017 Organization.) The Fire Department will hold regular meetings and may engage in social activities with the approval of the Mayor and City Council. The Secretary of the Paid on Call organization shall keep a record of all meetings and activities of the department.

2. That Chapter 8, Sections 8.001 through 8.017 of the Municipal Code of the City of St. Charles, as hereinbefore and hereafter amended shall remain in full force and effect.

3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

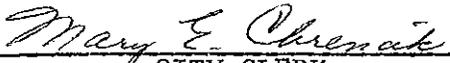
PRESENTED to the City Council of the City of St. Charles, Illinois, this 18th day of September, 1978.

PASSED by the City Council of the City of St. Charles, Illinois, this 18th day of September, 1978.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 18th day of September, 1978.


MAYOR

ATTEST:


CITY CLERK

Council Vote: Aye: 9 Nay: 0

STATE OF ILLINOIS)
)
COUNTIES OF KANE AND DUPAGE) SS.
)
CITY OF ST. CHARLES)

This is to certify that the above and foregoing is a true and correct copy of Ordinance No. 1978-M-26 entitled An Ordinance Amending Chapter 8, Sections 8.001 Through 8.017 of the Municipal Code of the City of St. Charles

passed by the City Council of the City of St. Charles on the 18th day of September 19⁷⁸ A.D., as morefully appears from the records and files of said City in my custody.

Given under my hand and the official seal of said City of St. Charles, this 18th day of September 19⁷⁸ A.D.

Mary E. Chrencik
Mary E. Chrencik, City Clerk