

1ST READING: <i>5/25/90</i>
REFERRED TO (NAME OF COMMITTEE): <i>RS & RS</i>
PUBLIC HEARING:
2ND READING AND FINAL PASSAGE: <i>6-15-90</i>

AN ORDINANCE of the CITY OF MINNEAPOLIS

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Campbell

presents the following ordinance:

Amending Title 9, Chapter 173 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Fire.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 173.10 of the above-entitled ordinance be amended to read as follows:

173.10. **Composition of department.** The fire department shall consist of a chief of the department, AN ASSISTANT CHIEF OF THE DEPARTMENT AND ~~three~~ {3} FOUR (4) deputy chiefs, to be known as first deputy chief, second deputy chief, and third deputy chief, and such number of district chiefs as may be required to supervise department districts and departmental auxiliaries and perform such other duties as the chief may direct; one superintendent of fire alarm telegraph, one master mechanic, such number of assistants, captains, lieutenants, fire motor operators and firemenFIGHTERS, signal operators, maintenance men, mechanics, laborers, and other permanent and temporary employees as may be required to operate and maintain all apparatus and equipment used by the department, and perform such other duties as the chief may direct; one secretary and such number of CLERICAL clerks and other permanent and temporary employees as may be necessary to adequately record and report on all activities of the department and perform such other duties as the chief may direct, subject to the provisions of this chapter.

Section 2. That Section 173.20 of the above-entitled ordinance be amended to read as follows:

173.20. **Powers and duties of chief generally.** (a) The chief shall have

full control over all apparatus, equipment and supplies and full control and command over all persons in the employ of the fire department, and shall possess full power and authority over its organization, government and discipline, and to that end shall, from time to time, prescribe and enforce such rules and issue such orders as he THE CHIEF may deem advisable.

(b) The chief shall at all times supervise and keep in repair and ready for instant use all apparatus, equipment and supplies used for fire prevention, fire protection and fire fighting. He THE CHIEF shall keep a record of all fires and causes for and losses incurred in such fires as accurately as such causes and losses can be ascertained. He THE CHIEF shall submit a report of the condition and activities of the fire department to the city council at the close of each fiscal year or as soon thereafter as is practicable.

Section 3. That Section 173.30 of the Minneapolis Code of Ordinances be and is hereby repealed:

~~173.30. Removal of chief. When, in the opinion of the city council, the chief is incompetent to properly manage and direct the functions of the fire department, or for other causes it becomes necessary to remove the chief from the office for the good of the department to the best interests of the city, reasons for such incompetency and/or proof of such cause or causes shall be clearly set forth in charges as required by the civil service chapter of the city charter.~~

Section 4. That Section 173.40 (a) and (b) of the above-entitled ordinance be amended to read as follows:

173.40. Duties of ASSISTANT AND deputy chiefs; rank in command. (a) The first, second and third ASSISTANT AND deputy chiefs shall perform such duties as the chief may direct. In the absence of the chief, his THE CHIEF'S duties shall be vested in the first deputy ASSISTANT chief. In the absence of the

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chief and first deputy THE ASSISTANT chief, the duties of the chief shall be vested in the second MOST SENIOR deputy chief. In the absence of the chief and the first and second deputy chiefs, the duties of the chief shall be vested in the third deputy chief.

(b) The chief shall chart the city into as many districts as he THE CHIEF may deem advisable and shall assign one or more district chiefs to supervise each such district and perform such other duties as the chief may direct. The district chief or chiefs shall keep daily and up-to-date records of each company within such district upon forms prepared for such reports and shall be held accountable to the chief for the strict enforcement of all rules and requirements of the department within said district.

Section 5. That Section 173.50 of the above-entitled ordinance be amended to read as follows:

173.50. Chief to appoint certain officers. The chief shall assign competent officers TO SERVE AS ASSISTANT CHIEF; as deputy chiefs; assistant chiefs; FIRE MARSHAL; ASSISTANT FIRE MARSHAL; the chief of the fire prevention bureau; and superintendent of instruction; DEPUTY CHIEF OF TRAINING; ASSISTANT TRAINING DIRECTOR AND ENGINEERING OFFICER.

Section 6. That Section 173.60 of the above-entitled ordinance be amended to read as follows:

173.60. Superintendent of training school DEPUTY CHIEF OF TRAINING; duties. The duties of the superintendent of the training school DEPUTY CHIEF OF TRAINING are to instruct members of the department in fire protection, fire fighting and fire prevention. The department instructor shall conduct regular training periods and hold conferences for the purpose of instruction in meeting any or all emergencies incurred by members of the fire department. Said training and conferences shall be conducted at the department school and at the

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various fire stations as may be determined by the rules of the department and the orders of the chief.

Section 7. That Section 173.70 of the Minneapolis Code of Ordinances be and is hereby repealed:

173.70. Superintendent of fire communication; duties. The superintendent of fire communication shall have full supervision and control of the fire communication system under direction of the chief and shall perform such other duties as the chief may direct. He shall at all times maintain said system in a working order and shall keep a record of the operations of the department. He shall report to the chief the necessary improvements which will safeguard against interruption of the operation of the system and shall make rules governing the system which he deems expedient and beneficial subject to approval by the chief. When funds are provided by the city council for the maintenance of the police communication system, the superintendent of fire communication shall exercise the same supervision and control over such system as is herein required for the fire communication system.

Section 8. That Section 173.80 of the Minneapolis Code of Ordinances be and is hereby repealed:

173.80. Repair shop; master mechanic's duties. In order to keep all apparatus and equipment in repair and ready for instant use, the fire department shall include and maintain an adequately equipped repair shop. The master mechanic shall, under direction of the chief, have charge of the repair shop and shall perform such other duties as the chief may require. The master mechanic shall have the direction and supervision of a sufficient number of skilled mechanics and such other permanent and temporary employees as may be necessary to assist him to keep all apparatus, equipment and supplies in good repair and ready for instant use. He shall make rules governing the care of

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apparatus, equipment and supplies and shall prescribe adequate tests for fire motor operators subject to approval by the chief.

Section 9. That Section 173.90 of the Minneapolis Code of Ordinances be and is hereby repealed:

173.90. Repair shop records. The chief shall cause records to be kept of activities and costs in the repair shop, including perpetual inventories of apparatus, equipment and supplies, proper depreciation and overhead cost distribution, individual job and equipment group costs, and actual labor and material costs. He shall also submit proposed forms and details of records in this chapter required to the city council for its approval.

Section 10. That Section 173.100 of the above-entitled ordinance be amended to read as follows:

173.100. Fire station captains; duties. Each fire station shall be supervised by the captain of the company assigned thereto and where more than one company is assigned to one station a senior captain shall have supervision thereof. Said captain shall see to it that all property belonging to the department and committed to his company is kept clean and orderly, and that the apparatus, equipment and supplies are ready for immediate use, and shall keep such records and make such reports as the chief may require. He SAID CAPTAIN shall enforce all rules of the department and preserve order and discipline and perform such other duties as the chief may direct. He SAID CAPTAIN shall promptly report in writing to the chief all delinquent members of his company with a detailed statement of violations.

Section 11. That Section 173.110 of the above-entitled ordinance be amended to read as follows:

173.110. Active and auxiliary forces. There shall be two (2) classifications of personnel for the purpose of distribution of duties in the fire

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department: (1) The active force, and (2) the auxiliary force. The auxiliary force shall be composed of all members of the fire department assigned to fire prevention duties, the fire communication system, the administrative assistant, FIRE INVESTIGATION DUTIES, and all clerical assistants PERSONNEL. The active force shall include all other members of the fire department. All companies shall be organized from the active force and only in emergencies shall members of the auxiliary force be required to fight fires. All positions shall be filled in conformity with the fire department and civil service chapters of the city charter.

Section 12. That Section 173.120 of the above-entitled ordinance be amended to read as follows:

173.120. Oath of chief and members. The chief and each member of the fire department shall be qualified by the city clerk by THE FOLLOWING oath or affirmation: that he "I will faithfully observe the Constitution and laws of the State of Minnesota, the charter, and ordinances of the city, and perform to the best of his MY abilityIES all the duties of his THE office."

Section 13. That Section 173.160 of the Minneapolis Code of Ordinances be and is hereby repealed:

173.160. Disability payments. Any member of the fire department disabled by reason of sickness or injury while in the discharge of his duty shall receive his usual salary for the period of disability not to exceed ninety (90) days. Any disability or injury must be certified to by a reputable physician on forms prescribed by the civil service commission, in cases of absence from duty for more than twenty-four (24) hours on account of such disability or injury.

Section 14. That Section 173.170 of the above-entitled ordinance be amended to read as follows:

173.170. Members not to engage in other occupations. No permanent member

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of the fire department shall be engaged in any other employment for compensation WHICH COULD BE CONSIDERED A CONFLICT OF INTEREST nor shall he SAID MEMBER receive compensation for the performance of any other service for the city. This section shall not be construed as prohibiting service for compensation to the Fire Department Relief Association, the Minneapolis Fire Department Retirement Club FIREFIGHTERS FUND or any other organization of departmental employees.

Section 15. That Section 173.200 (c) of the above-entitled ordinance be amended to read as follows:

173.200. Powers of chief and assistants while fighting fires.

(c) No building or structure of any kind shall be blown up or otherwise destroyed for the purpose of checking the progress of any fire, except in case of absolute necessity and then only upon order of the chief, or in his THE CHIEF'S absence, upon the order of the deputy ASSISTANT chief or other officer DEPUTY CHIEF in command.

Section 16. That Section 173.230 of the Minneapolis Code of Ordinances be and is hereby repealed:

173.230. Inspection of department buildings and apparatus. There shall be a general inspection of fire department buildings, engines, apparatus and equipment belonging thereto by the appropriate committee of the city council in the spring of each year and at such other times as the chief, with the approval of the city council, may designate, and shall appoint a day or days for such inspection and give due notice thereof to the city council.

Section 17. That Section 173.250 of the Minneapolis Code of Ordinances be and is hereby repealed:

173.250. Budget estimate. On or before August first of each year the chief shall submit to the city council a detailed budget estimate of requirements for

the next fiscal year, including an estimate of cost of needed additions, replacements or repairs to apparatus, equipment and buildings.

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Section 18. That Section 173.260 of the above-entitled ordinance be amended to read as follows:

173.260. Annual reports. The chief of the bureau of fire prevention shall submit, as soon after December thirty-first of each year as may be, to the chief of the fire department SHALL SUBMIT TO THE CITY COUNCIL an annual report of the activities and proceedings had during the year under this chapter, with such information, statistical compilation and analysis, and recommendations as he THE CHIEF may wish or the chief of the fire department may direct to include therein. The chief of the fire department shall transmit such report, together with such additional information and recommendations as he may deem desirable to the city council as soon as may be, but in any event not later than sixty (60) days from the date of his receipt of said report.

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Dziedzic	X						Scallon				X		
Campbell	X						Niemiec	X					
Hilary	X						Cramer	X					
Rainville	X						Schulstad				X		
Cherryhomes	X						Johnson	X					
Coyle	X						President	X					
Scott	X						Sayles Belton	X					

PASSED

JUN 15 1990

DATE

APPROVED

~~NOT APPROVED~~

JUN 21 1990

DATE

Shane Sayles Belton
PRESIDENT OF COUNCIL

Shane
MAYOR

ATTEST

Steven
CITY CLERK