

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

ORDINANCE 22 FIRE & RESCUE DEPARTMENT	22-1
Section 22.01: FIRE & RESCUE DEPARTMENT ESTABLISHED.....	22-1
Section 22.02: APPOINTMENT OF OFFICERS, FIREFIGHTERS, AND FIRE MARSHALL.....	22-1
Section 22.03: DUTIES OF THE CHIEF.....	22-3
Section 22.04: ASSISTANT CHIEF	22-4
Section 22.05: CAPTAINS.....	22-4
Section 22.06: SECRETARY	22-4
Section 22.07: RECORDS.....	22-4
Section 22.08: TRAINING AND DRILLS	22-4
Section 22.09: LOSS OF MEMBERSHIP.....	22-5
Section 22.10: COMPENSATION	22-5
Section 22.11: MEETINGS	22-5
Section 22.12: FIREFIGHTERS' RESPONSIBILITIES.....	22-5
Section 22.13: PROGRESSIVE DISCIPLINE POLICY	22-6
Section 22.14: VETERANS PREFERENCE	22-7
Section 22.15: DISABLED FIREFIGHTERS	22-8
Section 22.16: STATE FIRE CODE	22-8

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

ORDINANCE 22 FIRE & RESCUE DEPARTMENT

Section 22.01: FIRE & RESCUE DEPARTMENT ESTABLISHED. There is hereby established in this City a fire and rescue department consisting of a Chief, two Assistant Chiefs, up to four Captains, a Secretary, and not less than fifteen (15) nor more than twenty-eight (28) firefighters.

Section 22.02: APPOINTMENT OF OFFICERS, FIREFIGHTERS AND FIRE MARSHALL.

Subd. 1: The Chief of the Fire Department, Assistant Chief 1, Assistant Chief 2, the four Captains, and the Secretary, shall be appointed to their positions under the following procedures.

- a) Fire Chief. A committee made up of the Personnel Committee of the St. Stephen City Council and one representative from the Fire Department will interview candidates for the position and then make a recommendation to the City Council for final approval.
- b) Assistant Chiefs 1 and 2. A committee made up of the Personnel Committee of the St. Stephen City Council and the Fire Chief will interview candidates for the position and then make a recommendation to the City Council for final approval.
- c) Captains. A committee made up of the Personnel Committee of the St. Stephen City Council, Fire Chief and Assistant Chiefs will interview candidates for the position and then make a recommendation to the City Council for final approval.
- d) Secretary. A committee made up of the Personnel Committee of the St. Stephen City Council, Fire Chief and Assistant Chiefs will interview candidates for the position and then make a recommendation to the City Council for final approval. The Secretary does not have to be a member of the Fire and Rescue Department.
- e) Each officer candidate will apply for the position and the above committees will review the application and may choose to interview the candidates to make their decision on recommending a candidate or candidates to the City Council for final approval.
- f) All officer positions will be for a three-year term. Terms will be staggered. Any firefighter serving in an officer's position for the first time will be placed on a 12-month probationary period for the officer's position, after which performance will be reviewed and final approval will be obtained. During the officer probationary period, a firefighter may be removed, with or without cause, from the officer's

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

position. Successful completion of the probationary period will be determined by the Chief, with a recommendation to the City Council for final approval.

- g) Each officer shall hold office for a three-year period until his or her successor has been duly appointed, except that the officer may be removed by the City Council for cause.

Subd. 2: Firefighters shall be appointed by the City based upon non-discriminating criteria established by the City and related to the performance of the duties and responsibilities of a firefighter.

- a) Each firefighter candidate shall apply for the position of a firefighter by completing the application for the firefighter position.
- b) A Hiring Committee of the St. Stephen Fire & Rescue Department, which will consist of the six officers, secretary, and a representative from the City Council, shall review the applications and conduct a physical ability and agility test. The Hiring Committee shall score the results of the applicants based on the application and testing to determine which candidates shall be interviewed. After the interviews, certain candidates will be selected and presented to the City Council for approval to be hired.
- c) After the Council has determined which candidates will be provided a job offer, a conditional job offer will be made to the candidate subject to passing a physical examination.
- d) A firefighter's effective entry date will be the date he or she turns in the results of a physical examination.
- e) A new firefighter must complete Firefighter I & II training (NFPA 1001) and obtain certification by Minnesota Fire Certification Board. In addition, each firefighter must complete Emergency Medical Responder training and obtain Minnesota EMSRB certification. A new firefighter must complete the training within 24 months of their entry date. A firefighter will remain on probation until the required certifications are completed.
- f) A new firefighter will then be placed on a 12-month probationary period after which performance will be reviewed and final approval will be obtained. During the probationary period, a firefighter may be terminated with or without cause. Successful completion of the probationary period will be determined by the Chief with a recommendation to the City Council for final approval. The initial 12-month probationary period may be extended for up to 24 months from entry date pursuant to Section 22.02, Subd. 2 e. of this Ordinance.

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

- g) The minimum age of an applicant to the Fire Department shall be eighteen (18) years old.
- h) An individual under the age of 18 years is prohibited from being a firefighter.
- i) Firefighters shall continue as members of the department during good behavior, and may be terminated by the City Council only for good cause.
- j) Firefighter candidates must live within eight (8) minutes from the fire station based on driving time at the posted speed limits.

Subd. 3: The City Council shall appoint the Fire Marshal annually. The office of the Fire Marshal may be held by the Chief or by the Assistant Chief, if the Council by resolution approves. The Fire Marshal shall be charged with the enforcement of all ordinances aimed at fire prevention. The Fire Marshal shall have full authority to inspect all premises and to cause the removal or abatement of all fire hazards.

Section 22.03: DUTIES OF THE CHIEF.

- a) The Chief shall have control over all of the firefighting apparatus and shall be responsible for its care and condition in consultation with the City Council
- b) The Chief shall make an annual report to the City Council, as to the condition of the equipment and needs of the Fire Department prior to the annual budget meeting in August of each year.
- c) The Chief may submit additional reports and recommendations at any meeting of the Council, and shall report each suspension of a member of the fire department at the first meeting of the Council following such suspension.
- d) The Chief shall be responsible for the proper training and discipline of the members of the fire department, and may suspend any member for refusal or neglect to obey orders pending final action by the Council on discharge or retention.
- e) The Chief shall be responsible for drafting a job description for each of the officers and firefighters and rescue personnel which shall be approved by the City Council.
- f) The Chief shall make the following appointments on a yearly basis:
 - Fire Prevention Officer
 - Safety Officer
 - Public Information Officer
 - Chaplin
 - Training Officer

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

Section 22.04: ASSISTANT CHIEFS. In the absence or disability of the Chief, Assistant Chief 1 shall perform all the functions and exercise all of the authority of the Chief. In the absence or disability of either the Chief or Assistant Chief 1, Assistant Chief 2 shall perform all the functions and exercise all the authority of the Chief.

Section 22.05: CAPTAINS. The four appointed Captains shall assist the Chief and Assistant Chief in control of all emergency runs, trainings, and other duties as assigned by the Chief.

Section 22.06: SECRETARY. The Secretary shall keep accurate records of meeting minutes and be responsible for filing any necessary reports.

Section 22.07: RECORDS. The Chief shall keep in convenient form a complete record of all fires and emergency response and rescue calls. For fires, such records shall include the time of the alarm, location of fire, cause of fire (if known), type of building, name of owner and tenant, purpose for which occupied, value of building and contents, members of the department responding to the alarm, and such other information as he or she may deem advisable or as may be deemed advisable or required from time to time by the Council or State Insurance Department. For response and emergency calls, the records shall include the time of the call, location of the emergency or response, type of response, name of the person calling, and such other information as may be deemed advisable or required from time to time by the Council or information required by the Minnesota Fire Incident Reporting System (MFIRS) .

Section 22.08: TRAINING AND DRILLS. It shall be the duty of the Chief to ensure a minimum of a monthly training of at least one hour duration for the fire department and to ensure the members receive instruction in approved methods of firefighting, fire prevention, rescue, and emergency care. Each month the training will provide drills and education on skills required to perform fire and rescue duties. There will be two training sessions which cover the same topic each month; usually the third Monday or the Saturday following the Monday training. Because there are two opportunities for training on the same subject matter each month, it is the expectation that each firefighter shall attend a training session each month that training sessions are provided. If a firefighter misses a monthly training session, the absence must be excused by the Training Officer or a Chief Officer. Firefighters are required to make a minimum of eight (8) regular training sessions a year. Missing more than four trainings or two consecutive months of training without prior arrangement will result in dismissal from St. Stephen Fire & Rescue. Firefighters will be allowed to arrange for make-up trainings outside the two regular monthly trainings but it is their responsibility to contact the Training Officer for the training. The participation of each member in these sessions is to be verified and documented by the officers.

Section 22.09: LOSS OF MEMBERSHIP. Any member who has not met training requirements as established in Section 22.08, is subject to dismissal with the final ruling coming from the City Council.

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

Section 22.10: COMPENSATION. The members and officers of the department will receive compensation as set by resolution by the City Council.

Section 22.11: MEETINGS. The department shall meet on the first Monday of every month to attend to business matters. If the first Monday falls on a holiday, the monthly meeting will be held on the second Monday. The annual meeting shall be held in January.

Section 22.12: FIREFIGHTERS' RESPONSIBILITIES.

Subd. 1: Firefighters shall respond to fire calls in full turnout gear.

Subd. 2: Firefighters shall abide by all state laws when responding to calls.

Subd. 3: Firefighters shall not perform firefighters' duties unless they are trained for that specific duty.

Subd. 4: Regarding the use of alcoholic beverages and drugs:

- a) Firefighters shall not report to a call while under the influence of alcohol or drugs.
- b) Any firefighter shall have the responsibility of restricting another fellow firefighter from driving, if in his or her judgment, the fellow firefighter is under the influence of alcohol or drugs.
- c) The officer in charge shall have the responsibility of relieving from duty any firefighter if he or she believes that firefighter is under the influence of alcohol or drugs.
- d) Any firefighter who is so relieved for reporting a call under the influence of alcohol or drugs shall not be paid for that call.

Subd. 5: All firefighters are required to take their turns on weekly inspections of fire apparatus. Failure to do so will result in discipline.

Subd. 6: Any firefighter who is unable to pass the quantitative fit test with respect to the face mask as specified by OSHA 1910.134 shall not be allowed to wear a self-contained breathing apparatus (SCBA) in fighting fires. A firefighter unable to wear a SCBA will only be allowed to function in a support role and not be allowed to perform any fire suppression activities.

Section 22.13: PROGRESSIVE DISCIPLINE POLICY.

Subd. 1: To ensure orderly and operations and provide the best possible work environment, the City expects firefighters to follow rules of conduct that will protect the interests and safety of all employees and the public. It is not possible to list all the forms of behavior that are considered unacceptable for a firefighter.

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

Subd. 2: The following are examples of infractions that may result in disciplinary action, up to and including termination of employment from the Fire Department, but this list is by no means exclusive.

- a) Theft or inappropriate removal or possession of Fire Department property.
- b) Possession, distribution, sale, transfer, or use of alcohol or illegal drugs while responding to a call or during actual training.
- c) Fighting or threatening violence while responding to a call or at training.
- d) Sexual or other unlawful or unwelcome harassment.
- e) Unsatisfactory performance or conduct.
- f) Not meeting the yearly requirements for training and making fire calls.
- g) Insubordination.
- h) Disorderly or antagonistic conduct.
- i) Dishonesty, including lying about the reason for an absence from a fire call or training.

Subd. 3: Under circumstances where the City concludes that it will be helpful and appropriate, the City may follow a progressive discipline policy that includes an oral warning, a written warning, and ultimately, if the misconduct persists or reoccurs, demotion, suspension or termination. There may be situations, however, where the seriousness of the infraction, in the judgment of the City, makes it appropriate to omit one or more of the steps in the disciplinary procedure. In addition, some kinds of misconduct are of such a nature that they cannot be cured, and in those circumstances, the City might conclude that a warning would be futile and elect to terminate a firefighter. Likewise, there may be times when the City decides to repeat a step. Nothing, however, limits the City's ability to terminate any firefighter, at any time, for any reason, not proscribed by law, regardless of whether it has followed a progressive discipline procedure, if the City believes that immediate termination or some other sanction is appropriate under the specific circumstances presented.

Section 22.14: VETERANS PREFERENCE.

Subd. 1: Veterans Preference points are awarded to qualified veterans as defined by Minnesota Statute §197.477, and to certain spouses of deceased or disabled veterans subject to the provisions of Minnesota Statute §197.447 and §197.455

Subd. 2: The veteran must:

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

- a) Be a U.S. citizen or resident alien;
- b) Have received a discharge under honorable conditions from any branch of the U.S. Armed Forces; and have either
 - i. Served on active duty for at least 181 consecutive days, or
 - ii. Have been discharged by reason of service connected disability, or
 - iii. Have completed the minimum active duty requirements of federal law, as defined by CFR title 38, section 3.12a, i.e., having fulfilled the full period for which a person was called or ordered to active duty by the United States President, or
 - iv. Certified service and verification of “veteran status” granted under U.S. PL 95-202

The above information provided will be used to determine the eligibility for veterans’ preference points.

Subd. 3: The veteran is required to supply the following information:

- a) A copy of the DD214 or DD215. This copy must state the nature of discharge; i.e., honorable, general, medical, under honorable conditions. (DD214 “Member-1” copy will *not* be accepted).
- b) Disabled veterans must also supply a Military/United States Department of Veterans’ Affairs Rating Decision that supports/verifies the fact that the injury was incurred while on, or as a result of, active duty service. Disability incurred while on, or as a result of, active duty for training purposes does not qualify for disabled veteran preference per Minnesota Statute §197.455 and §197.447
- c) A spouse of a deceased veteran, applying for preference points must supply their marriage certificate, the veterans’ DD214 or DD215, USDVA verification that veteran died on or as a result of activity duty, a death certificate, verification of their marriage at the time of veteran’s death, and that the spouse has not remarried.

Section 22.15: DISABLED FIREFIGHTERS. Any firefighter who becomes disabled and remains so disabled for a period of six months or more shall have his or her status evaluated by the Selection Committee of the department. The evaluation shall determine whether he or she will remain a member of the department or whether his or her membership will be terminated. The final ruling of the department will be subject to the City Council approval.

Section 22.16: STATE FIRE CODE. The State Fire Code shall be applicable in this City. However, nothing in this subdivision shall prohibit this City from adopting or enforcing

ST. STEPHEN CITY CODE
CHAPTER 2: OPERATIONS, ADMINISTRATION & ORGANIZATION

any ordinance or regulation which specifies requirements equal to, in addition to, or more stringent than the requirements of the State Fire Code.