

Ord. No. 721
Amend. 857,
957,
957
p. 1231

Law ordinance creating and regulating the fire department of the City of Albany.

The People of the City of Albany do hereby enact and ordain:

Section 1. That the fire department of the City of Albany shall consist of a chief engineer, an assistant engineer, fire lieutenant, fire captain, fire driver, and a board of control, consisting of three members, one an ex-officio, one appointed by the city council, and one appointed by the board of control, subject to the approval of the city council. The board of control shall be composed of three members, one an ex-officio, one appointed by the city council, and one appointed by the board of control, subject to the approval of the city council.

Section 2. There shall be an election of the board of control of the fire department, to be held on the first day of December, 1914, and annually thereafter for said purposes, and the election shall be given by the Secretary of said fire department by publication of notice to that effect in a daily newspaper published in the city of Albany, and in three places, not more than ten days before the day of said election, and in a public place of said election at least ten days before the day of said election, and in the entrance to the place of the meeting of said fire department. The board of control shall appoint, to conduct said election, three members of the department, who shall subscribe to an oath or affirmation to faithfully discharge their duty. Said election shall be held in the fire department building, and the polls shall be open from seven o'clock a.m. to seven o'clock p.m. on the day of the election, and immediately upon the close of the polls, the shall be publicly counted and the election of said board of control shall be transmitted to the Secretary of the fire department, and if the ten days thereafter, and upon the day of the election, the result of the election. The person having the highest number of votes, or chief engineer, shall be declared elected, subject to the approval of the council. The person having the highest number of votes, or chief engineer, shall be declared elected, subject to the approval of the council. Such election shall be certified by the board of control to the fire department, and the council shall be notified by majority vote, and if the council confirm or disapprove said election, and in case of disapproval, or if a majority of the council, the fire department shall, upon the day of the election, be re-elected by the council.

Reading, Alaska, Oregon

same shall be reported to the council and a majority of the council shall concur or disapprove such election and so on until a chief engineer and assistant engineer shall be elected by the department that shall be confirmed by a majority of the council. The three persons found by the board of control to have received the highest number of votes on the board of control shall be declared elected members of said board of control. No person who is not at the time of his election a member in good standing of the fire department shall be qualified to be elected or hold the office of chief engineer or assistant engineer or member of the board of control and if any person after his election as chief engineer or assistant engineer shall cease to be a member in good standing of the Alameda fire department, his office shall immediately become vacant.

Section 2. In case a tie vote occur for either of the offices of chief engineer or assistant engineer, upon certificate being filed with the council of a tie vote, the council shall by a majority vote decide who shall be confirmed as chief engineer or assistant engineer. In case a tie vote occur for the office of board of control, the board of control shall determine who shall be entitled to succeed.

Section 3. The chief engineer and assistant engineer shall each be liable to a fine of \$100 or a term of imprisonment to perform his duty at any fire within the city limits; such fine to be collected by the treasurer of Alameda Fire Department, and no person shall be received or used as such a person or failure to do so shall be cause for the officer or person named to be liable of his office as such on the date at the time of such fine.

Section 4. The chief engineer and assistant engineer shall hold their offices until their successors are elected and appointed and no person shall at any time receive their vote or be elected as chief engineer or assistant engineer or vacant. Whenever there is a vacancy in the office of chief engineer or assistant engineer, the council shall by a majority vote, appoint some qualified person to act until a successor is chosen as provided by Section two of this ordinance.

Section 5. The chief engineer and assistant engineer before entering upon the duties of their respective offices, shall each take an oath or affirmation to faithfully and to the best of his ability perform the duties of his office and shall enter upon the discharge of their duties in their respective offices on the date of their election.

election and qualifications.

Section 6. The chief engineer shall receive an annual salary of \$200.00, which shall be paid quarterly out of the treasury, the same as other claims against the city are paid, provided that in case the chief engineer shall be absent from the city during his term of office, during the time of such absence, such salary shall be paid to the assistant engineer as other claims against the city and shall be deducted from the salary of the chief engineer. The salary of the engine man shall be \$25.00 per month, payable monthly out of the treasury as other claims are paid. The salary of the auto driver shall be \$5.00 per month payable monthly as other claims against the city are paid. The salary of the assistant engineer and the fire call men shall be \$10.00 per month, payable quarterly as other claims against the city are paid.

Section 7. All engine men and auto drivers shall be on duty at all times and shall lodge within the department headquarters. The assistant engineer, the city teamster and the fire call men shall lodge within the rear quarters and at all times from eight o'clock in the evening until five o'clock in the morning and shall be subject to the orders of the chief engineer and shall with all dispatch answer every fire alarm both day and night and perform such other duties as the chief engineer may prescribe. The chief engineer shall have power and authority to appoint, subject to the approval of the council, the fire call men. The council shall by a majority vote appoint the engine men, auto driver and city teamster, all of whom shall serve during the pleasure of the council. The chief engineer shall report to the council any of said fire call men and his care of such business shall report to the council at least once a week and shall report to the council the names of men appointed by him to fill the vacancy or vacancies.

Section 8. In the absence of the chief engineer and assistant, the council or the department or their inability to employ any man of the department is hereby authorized and empowered to act as chief engineer and clothed with the power and duties of such chief engineer.

Section 9. The business of the department engine and auto drivers shall be paid the sum of \$25.00 per year, the same to be paid quarterly as other claims against the city and paid out of the treasury as other claims against the city are paid.

a warrant upon the Treasurer for such quarterly amounts.

Section 11. The persons shall be allowed to vote at any election for chief engineers or assistant engineers unless he shall have been a member of the Fire Department for thirty days next preceding such election and no person shall be eligible to any office in the department unless he possesses the qualifications of a voter.

Section 12. Whenever a vacancy occurs in the office of the board of control, such vacancy shall immediately be filled by election by a majority vote of the remaining members of the board.

Section 13. At its annual meeting the Fire Department shall elect a foreman, two assistants, foreman, the president, secretary and treasurer who shall hold their office for one year and until their successors are elected and shall be elected and shall be filled in such manner as the by-laws of the department shall prescribe.

Section 14. The Albany Fire Department shall have power to make rules, regulations and by-laws for its own government not inconsistent with the ordinances of the City of Albany.

Section 15. The council shall order all work and supplies for the department, and locate all cisterns and fire company houses hereafter to be built. All proposals for work and supplies shall be opened by the Chief Engineer in the presence of a majority of the committee on fire and water and by them, without unreasonable delay, be reported to the council which shall award the contract to the lowest responsible bidder or bidders. All work done for, and supplies furnished, to said department shall be under the supervision of the chief engineer and a majority of the committee on fire and water, and they shall certify and file for such work and supplies.

Section 16. The chief engineer shall within five days after any fire, make report in writing to the council, stating the cause, the amount of loss, the value of the property destroyed or injured with the name of the owner thereof, the estimated loss. He shall also report to the council in writing at its last meeting in December each year and obtain if required, the number, location and condition of all cisterns and fire apparatus and the state and condition of the department and shall examine all property of the City in the custody and keeping of the department and shall recommend to be made of it.

quire into the cause of fires and cause complaints to be filed against and diligently prosecute all persons criminally connected therewith.

Section 17. If any person elected to the office of civil engineer or a civil and engine of the ins department shall fail or refuse to qualify as required by this ordinance within ten days from the date of his confirmation or appointment, his office shall be deemed vacant.

Section 18. All ordinances or parts or provisions in conflict herewith and especially Ordinance No. 600 are hereby repealed.

Passed the council April 22, 1914.

Attest:
F. E. Van Tassel

Approved April 25th, 1914.

Recorder of the City of Albany

L. M. Burl
Mayor.

CITY RECORDER'S CERTIFICATE

State of Oregon, }
County of Linn } ss.

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of.....

Ordinance No. 721.....

has been by me carefully compared with the original Ordinance Bill No. 795..... now on file in my office, and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 795, as passed by the Council of the City of Albany, Oregon, on the 22nd day of April, 1914.....

Witness, my hand and official signature and the seal of the City of Albany, this 27th day of April, 1914.

F. E. Van Tassel
Recorder of the City of Albany.