

Ordinance No. 159.

An Ordinance creating and regulating
the Fire department of the City of Albany.

The People of the City of Albany do ordain as
follows:

Section 1. That the Fire department of the
City of Albany shall consist of a Chief
Engineer, one Assistant Engineer, a President,
a Secretary, a Treasurer, a Board of delegates,
and such Companies as now comprise
the same, or as may hereafter be admitted
there to, in accordance with the provisions
of this ordinance.

Section 2. There shall be an election on the
second Monday of December 1857. And annually
thereafter for Chief Engineer and one
assistant engineer; said election to be called
by the President of the department by giving
ten days notice thereof in one of the
Newspapers published in the City. The Board
of delegates shall appoint to ~~conduct~~ conduct
said election three judges from the
different Companies, who shall subscribe
to an oath or affirmation to faithfully
discharge their duties. Said election shall
be held at such place as the Board of
delegates may appoint, and the polls for
such election shall be opened at one
o'clock P. M. and close at 6-30 o'clock P. M.
The voting shall be by ballot and im-
mediately upon the closing of the polls,
the vote shall be publicly counted, and the
returns of said election duly forwarded
to the Secretary of the department im-
mediately, and by him transmitted to the

Board of delegates who shall convene within ten days thereafter and declare the result. The person having the highest number of votes for Chief Engineer shall be declared elected for the term of one year, and until his successor is elected and qualified. The person having the highest number of votes for Assistant Engineer shall be declared elected as Assistant Engineer for the term of one year and until his successor is elected and qualified. No person, who is not at the time of his election a member in good standing of one of the companies of the Albany Fire Department, shall be qualified to be elected to or hold the office of either Chief Engineer or Assistant Engineer in said department; and if any person, after his election as Chief Engineer or Assistant Engineer, shall cease to be a member in good standing of the company to which he belonged at the time of his election, and of the department, his office shall be immediately forfeited and become vacant, and the Board of delegates shall proceed at once to appoint some suitable and qualified person to fill out the unexpired term of such officer.

Section 3. Contested elections for Chief and Assistant Engineer shall be decided by a majority of the Board of delegates, and should a tie vote occur for either of said officers, the Board of delegates shall determine who shall be entitled to said office.

Section 4. Neither the Chief Engineer nor the assistant Engineer shall during the term of his office, be liable to any fine for absence from the roll call of his company, but each shall be liable to a fine of \$5. for absence from the roll call of his company, or failure to perform duty at any fire within the city limits; such fine to be collected by the company to which the officer belongs and paid over to the Treasurer of the department; and no excuse shall be received for such absence or failure except sickness of such officer or of some member of his family, or his absence from the city at the time.

Section 5. Whenever a vacancy occurs in the office of Chief Engineer by reason of death, resignation or inability to perform the duties of the office on account of sickness or other cause, except for the cause specified in section 2 of this ordinance the President of the department shall order an election to fill such vacancy for the unexpired term of said office; and whenever a vacancy occurs in the office of Assistant Engineer for any cause what ever, such vacancy shall be filled by the Board of delegates.

Section 6. The Chief Engineer and the Assistant Engineer, before entering upon the duties of their respective offices, shall each subscribe to an oath or affirmation to faithfully and to the best of his ability perform the duties of his office and

thereupon each shall be entitled to a certificate of office signed by the President and Secretary of the department. The persons elected under the provisions of this ordinance shall enter upon the discharge of the duties of their respective offices on the first Monday of January of each year, reciting their election and qualification.

Section 7. The Chief Engineer shall receive an annual salary of \$10,000 which shall be paid quarterly out of the treasury, the same as other claims against the city: Provided, however: That in case the Chief Engineer shall be absent from the city for more than thirty consecutive days during his term of office, then and in that case the forfeiture of said salary, which would during said time become due and owing to the Chief Engineer in case he had remained in the city, shall be paid to the assistant Engineers, as other claims against the city, and the amount so paid the Assistant Engineers, shall be deducted from the salary of the Chief Engineer.

Section 8. That in the absence of the Chief Engineer and Assistant Engineer of the Fire Department of the City of Albany or their inability to act the Foreman of Albany Engine Company no. 1 of said Fire Department be and he is hereby authorized and empowered to act as Chief Engineer of said Fire Department, and cloth with all the power and authority of such Chief Engineer.

Section 9. The Chief Engineer of the Albany.

Fire department of the City of Albany,
 and in case of his absence or inability to
 act the Assistant Engineer of said depart-
 ment, and in case of the absence or
 inability to act of both the Chief Engineer,
 and the Assistant Engineer of said Fire
 department, the Foreman of Albany Engine
 Company No. 1. of said department, in case
 of fire in any part of the City in the day-
 time or night time, may, whenever he
 shall deem it necessary, employ one person
 and team to haul each fire engine and
 apparatus to and from such fire and
 cover it that the City of Albany pay for
 such service ordered in the day time not ex-
 ceeding \$2.50, and for such service rendered
 in the night time not exceeding \$5.00;
 Provided, however that no money shall be
 paid out of the City Treasury under this
 section unless it be made to appear to the
 satisfaction of the Common Council of
 said City that in each instance, the fire
 engine and apparatus has been actually
 hauled to and from the fire by such per-
 son and team.

Section 10. Each steam engine company
 shall be allowed for ordinary expenses of
 company and apparatus the sum of \$100.00
 per quarter; each hand engine company and
 each hook and ladder company shall be
 allowed \$300.00 per quarter; each independent
 hose company shall be allowed \$15.00 per
 quarter, and the Board of Delegates shall
 be allowed \$500.00 per quarter.

Section 11. The City Recorder is hereby
 authorized and directed to draw upon

that the Treasurer in accordance with the provisions of Section 10.

Section 12. No person shall be allowed to vote at any election for Chief Engineer or Assistant Engineer unless he shall have been a member of the department for thirty days next preceding such election, and no person shall be eligible to office in the department without possessing the qualification of a voter.

Section 13. Each and every Company shall at its regular meeting in May of each year elect three of its members to the Board of Delegates, which Board shall consist of three representatives from each fire company in the department. Each person elected to the Board of Delegates shall before entering upon the duties of his office, take and subscribe an oath or affirmation to well and truly perform to the best of his ability, the duties of delegate as prescribed in the laws governing the department such oath or affirmation to be administered by some person duly authorized by law to administer oaths. They shall assemble on the second Monday of May of each year at 7 1/2 o'clock P.M. in the room of the Board and there and there organize by the election of a President, Secretary and Treasurer, whose term of office shall be one year or until their successors are elected and qualified. All officers shall be elected from among the members of the board. If any person elected as a member of said board should fail

to qualify as herein prescribed on or before the second Monday of May after his election, his place shall be deemed vacant and the Board shall at once notify the company from which such person was elected of such failure to qualify, and said company shall at its next regular meeting thereafter, proceed to elect some suitable person to fill such vacancy.

Section 14. The Board of Delegates shall make laws for the government of the department and all laws made by it shall be binding on every company, officer or member of the department, provided the same be not inconsistent with any law of the state or ordinance of the city. Any member of the department who shall violate any of the provisions of this ordinance or who shall refuse to obey the lawful orders of the Chief Engineer or Assistant Engineer, or of the Foreman of Albany Engine Company No. 1, when legally acting as Chief Engineer as in this ordinance hereinbefore provided, shall, upon complaint, be tried by the Board of Delegates, and if found guilty be censured, suspended, removed from office or expelled from the department, as a majority of the Board in its judgment may direct. They shall examine the returns and declare the results of all elections for Chief Engineer and Assistant Engineer, and give to the persons elected their certificates of office. They shall fix the time for holding their meetings, and all the proceedings shall be public.

Section 15. Each fire engine Company shall be composed of not less than thirty nor more than seventy five members; each hose Company shall be composed of not less than fifteen nor more than twenty five members; and each hook and ladder Company shall be composed of not less than twenty nor more than fifty members, all of whom must be duly registered members of the department.

Section 16. At its annual meeting each Company shall elect a Foreman, two assistant Foremen, a President, Secretary, Financial Secretary and Treasurer, who shall hold their offices for one year, and until their successors are elected and qualified; and all vacancies occurring in such offices shall be filled in such manner as the Company shall have previously prescribed.

Section 17. Each Company shall have power to make rules, regulations and by-laws for its own government, not inconsistent with the ordinances of the city or the rules of the department.

Section 18. Whenever the roll of members of any Company shall have been reduced below its minimum of members, it shall be the duty of the Foreman of such Company to notify the Board of Delegates of the fact. At the first regular meeting of the Board of Delegates after such notice be given, the Board of Delegates

shall inquire into the condition of such company and shall declare whether such company shall be disbanded or continued in the department.

Section 19. A Company desiring admission into the department must make application to the Board of Delegates, accompanying such application with a copy of the Constitution signed by at least the number of persons required to constitute a Company, who shall be residents of the city, and the names of its officers, and should the Board of Delegates, by a majority of its members, decide to recommend the admission of such Company, the secretary of the department shall furnish to the Common Council a certificate of such recommendation, together with a petition of the Company, the Constitution of the same and the names of the officers and men. If such recommendation shall receive the approval of the Common Council, the Company shall be declared admitted into the Department, and shall be furnished by the city with apparatus and a house for receiving the same; and no petition for the admission of any Company shall be entertained by the Common Council until it shall have received the recommendation of the Board of Delegates.

Section 20. The Common 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 the same shall be opened by the Chief Engineer in the presence of a majority of the Committee on Fire and Water, and by them without any reasonable delay be reported to the Common 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 all bills for such work and supplies.

Section 21. The Chief Engineer shall report to the Common Council the number, location, and condition of all cisterns and fire apparatus of whatever nature or kind, and the state and condition of the Company houses and all property of the City in the custody and keeping of said department, and all accidents by fire which may have taken place with the causes thereof and a description of the property destroyed or injured, and the names of the owners of the same, and also the estimated loss thereof, whether the property, or any part thereof was insured and if so in what amount, and shall also report the expenses incurred by the City in maintaining each Company and all other expenditures for the department during his term of office. Also such other information and recommendations

as he may deem proper. He shall furthermore inquire into the cause of all fires and see that all persons criminally connected therewith are diligently prosecuted by the proper authorities.

Section 22. That hereafter when any person, elected to the office of Chief Engineer or Assistant Engineer of the Fire Department of the City of Albany shall fail or refuse to qualify and enter upon the duties of his office as required by section 6 of this Ordinance, within one month from the time mentioned in said section, then said office of Chief Engineer or Assistant Engineer, so the case may be, shall be deemed vacant and shall be so declared by the Board of Delegates, and such vacancy shall be filled in the manner prescribed by section 5, of this Ordinance.

Section 23. All Ordinances heretofore existing relating to the Fire Department of the City of Albany are hereby repealed.

Section 24. This Ordinance shall take effect and be in force from and after its approval by the Mayor.

Passed the Council August 16th 1887.

Approved, August 23rd 1887.

J. K. Keating
Mayor

Attest:

W. J. Heron.

Recorder of the City of Albany.

State of Oregon }
 County of Linn }
 ss

J. N. J. Henton, Recorder of the
 City of Albany Linn County Oregon do hereby
 certify that the foregoing Ordinance no. 159,
 is a true and correct copy of the original
 ordinance bill no. 159, as passed by the
 Council of said city of Albany August 16th 1887,
 and on file in the office of the city Recorder.

Witness my hand and the seal of said
 City of Albany this 17th day of August 1887.

J. N. J. Henton,
 Recorder of the City of
 Albany.