

ORDINANCE NO. 698

Ord 698
Rep 1507

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, an assistant Engineer, president, a secretary, a treasurer, a board of control, consisting of five members, and such a number as may hereafter be admitted by the by-laws and regulations of the department, and shall be known as Albany Fire Department.

Section 2. There shall be an election on the second Monday of December, 1913 and annually thereafter for chief engineer and assistant engineer and fire members of the board of control; notice of such election shall be given by the Secretary of said Fire Department, by publication not less than twice in a daily newspaper published in the City of Albany, and by posting a notice of said election ten days before said election in every public place more than ten days before the date of said election at the instance of the board of control, 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 duties. Said election shall be held within the city of Albany at the polls for such election which shall be equal at one o'clock P.M. and close at six o'clock P.M. The voting shall be by ballot and immediately upon the closing of the polls the votes shall be publicly counted and the returns of said election immediately forwarded to the Secretary of the Department, and by him transmitted to the board of control who shall convene within ten days thereafter, canvass the returns, make out, sign and file with the Secretary of the Department a statement of the result of said election. 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 and assistant engineer for the term of one year and until his successor is elected and qualified, and the five persons receiving the highest number of votes for the board of control shall be declared elected members of said board of control. The 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 or member of the board of control

in good standing of the Albany Fire Department, his office shall immediately become vacant.

Section 3. Contested elections of chief engineers and assistant engineers shall be decided by a majority of the board of control and shall be held with or without said officers, the board of control shall determine when they be entitled to said office.

Section 4. The chief engineer and assistant engineer shall each be liable to a fine of \$20.00 or a suspension from or failure to perform his duty at any time within the city limits, and a fine to be collected by the treasurer of Albany Fire Department, and no excuse shall be received or such excuse or excuse accepted as a witness of such officer or of some member of his family or his absence from the city at any time of suspension.

Section 5. When a vacancy occurs in the office of chief engineer, the assistant engineer shall immediately become chief engineer for the unexpired term and thereupon the foreman of the Albany Fire Department shall become assistant engineer for the unexpired term.

Section 6. The chief engineer and assistant engineer and members of the board of control shall enter into the duties of their respective offices and shall subscribe to an oath or affirmation to faithfully and to the best of his ability perform the duties of his office and they upon oath 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 and according to their election and qualification.

Section 7. The chief engineer shall receive an annual salary of \$1000.00 which shall be paid quarterly out of the treasury the same as other claims against the city and he shall be entitled to pay the Chief Engineer shall be absent from the city or more than fifteen (15) consecutive days during his term of office, there shall in that case the proportion of said salary which he would have received during said time become due and owing to the Chief Engineer in case he remained in the city, shall be paid to the assistant engineer as other claims against the city, and the amount so paid to the assistant engineer shall be deducted from the salary of the Chief Engineer.

Section 8. In the absence of the chief engineer and assistant engineer of the fire department or their inability to act, the foreman of the department is hereby authorized and empowered to act as chief engineer and clothed with all the powers and authorities of such chief engineer.

Section 13. Where a vacancy occurs in the office of the board of control, and a vacancy has not previously been filled by a term by a majority vote of the remaining members of the board of control.

Section 9. The person acting in the capacity of chief engineer in case of a fire in any part of the city, may, when necessary, employ and person and team to haul each fire engine and apparatus to and from such fire and contract that the city of Albany shall pay for such service rendered in the day time not exceeding \$2.00 and for such service rendered in the night time not exceeding \$5.00.

Section 10. The Albany Fire Department shall be allowed for ordinary expenses the sum of \$5000.00 per quarter, the same to be paid quarterly as other claims against the city are paid and the recorder is hereby authorized and directed to draw a warrant upon the Treasurer for such quarterly amounts.

Section 11. No person shall be allowed to vote at any election for chief engineer 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 without possessing the qualifications of a voter.

Section 12. At its annual meeting the Fire Department shall elect a foreman, two assistant foremen, the president, secretary and treasurer who shall hold their office for one year and until their successors are elected and qualified and all vacancies occurring in such office 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, of its own government not inconsistent with the ordinances of the City of Albany.

Section 15. The council shall have the right to employ and subsidize the department and create and fix terms and hire conditions houses hereafter to be built. All proposals for work and supplies shall be opened to the Chief Engineer in the presence of a majority of the committee on fire and water and he may, without in any way being 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 all bills for such work and supplies.

Section 16. The chief engineer shall report to the 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 care and keeping of said department, and all accidents by fire which may occur

SAVING: Albany, Oregon

taken place with the causes thereof and a description of the property destroyed and injured, with the names of the owners of the same, and also the extent of the 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 the department and other expenditures of 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 fires and see that a person criminally connected therewith are diligent prosecuted by the proper authorities.

Section 17. That hereafter whenever 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 Six of this ordinance, within one month from the time mentioned in said section, then said office of Chief Engineer or Assistant Engineer, as the case may be, shall be deemed vacant.

Section 18. All ordinances heretofore existing relating to the Fire Department of the City of Albany and especially Ordinance No. 10, 11, 12 and Ordinance No. 13 are hereby repealed.

Attest:
 F. H. Motman

Passed by the Council, October 26, 1913.

Recorder of the City of Albany

Witness my hand, October 26, 1913.

J. D. Gieson
 Mayor

City of Albany, Oregon

CITY RECORDER'S CERTIFICATE

STATE OF OREGON.

COUNTY OF LINN.

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

Ordinance No. 648 has been by me carefully compared with the original Ordinance Bill No. 765 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. 765 as passed by the Council of the City of Albany, Oregon, October 26th, 1913.

Witness, my hand and official signature and the seal of the City of Albany, this

29th day of October 1913

F. E. Van Tassel

Recorder of the City of Albany.