

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**ORDINANCE NO. 97-141  
AN ORDINANCE RELATING  
TO THE FIRE DEPARTMENT**

The Lake Elmo City Council hereby ordains that Section 216 and its subdivisions are hereby added to the Lake Elmo City Code to read as follows:

**"Section 216 Fire Department**

Section 216.01 - Composition. The Lake Elmo Fire Department (the "Fire Department") is a volunteer department of the City of Lake Elmo (the "City") and shall consist of a fire chief; two (2) district fire chiefs; four (4) fire captains, and up to twenty-eight (28) additional firefighters. A total of thirty five (35) positions are authorized. The Fire Department is also authorized two (2) volunteer support services positions (non firefighter) with need defined and requested by the chief and approved by the City Administrator. Payment structure will be defined by the City Administrator.

Section 216.02 – Position Classification. Firefighter positions have two (2) classifications for compensation purposes. The City Employee/Voluntary Firefighter and Voluntary Firefighter. Non firefighter positions will be defined as Volunteer Support Services.

Section 216.03 – Compensation. City employee voluntary firefighter positions shall be compensated at an annual stipend rate of \$2,500.00 per year. This compensation will be provided to a volunteer firefighter, in good standing, who is a City employee that volunteers for the Fire Department. City volunteer firefighter positions shall be compensated at a rate of \$10.25 per hour for calls for service. The compensation for voluntary firefighter service will change as proposed by the City Administrator and approved by the City Council. In addition, an annual and equal contribution to the City's fireman's retirement/relief association will be provided for each firefighter position regardless of the position or employment classification. The rate of contribution will vary as required by Minnesota Statute.

Section 216.04 – Appointment of Fire Chief. The replacement of the fire chief shall be selected by the Mayor and City Administrator from a pool of existing City firefighters, who have formally expressed interest in position through an application process and after achieving the established selection criterion. The fire chief will report to the City Administrator for overall management and regulation subject to the review by the City

Council. The City Administrator and Mayor shall define the selection process. The selected candidates name shall be forwarded to the City Council for appointment confirmation. The chief shall remain in that appointed position unless removed by the City Administrator and Mayor after formal concurrence by the City Council. The City Administrator and Mayor shall provide an annual evaluation of the fire chief. A volunteer fire chief stipend will also be paid in addition to volunteer firefighter payment for responding to calls for service.

Section 216.05 – Appointment of District Fire Chiefs. The District Fire Chiefs shall be selected in a designed process by the City Administrator and the Fire Chief and confirmed by the City Council. The District Fire Chiefs will continue to serve in the appointed position unless removed by the City Administrator and Fire Chief and confirmed by the City Council. The District Fire Chiefs will report to the Fire Chief for overall management and regulation. A volunteer District Fire Chief's stipend will also be paid in addition to volunteer firefighter payment for responding to calls for service.

Section 216.06 – Appointment of Fire Safety Officer. The Fire Safety Officer shall be selected by the Fire Chief and, recommended to the City Administrator for confirmation by the City Council. The Fire Safety Officer will continue to serve in the appointed position unless removed by the City Fire Chief and City Administrator for confirmation by the City Council. The Fire Safety Officer will report to the Fire Chief for overall management and regulation. A volunteer Fire Safety Officer stipend will also be paid in addition to volunteer firefighter payment for responding to calls for service.

Section 216.07 – Appointment of Fire Captains. The Fire Captains shall be selected in a designed process by the City Fire Chief, District Fire Chiefs and recommended to the City Administrator for confirmation by the City Council. The position of Captain will continue to serve in the appointed volunteer position unless removed by the Fire Chief and recommended to the City Administrator for confirmation in by the City Council. The Captains will report to the Fire Chief and District Fire Chiefs for overall management and regulation. A volunteer fire Captain's stipend will also be paid in addition to the volunteer firefighter payment for responding to calls for service.

Section 216.08 – Fire Department Policy Manual. The Fire Chief and District Fire Chiefs shall develop, review and implement Department Policies to communicate existing rules, operational procedures and practices and to establish performance standards. Policy developed shall be reviewed by the District Fire Chiefs, Fire Captains and the Fire Safety Officer prior to review and concurrence by the City Administrator. Department Policies shall define as required behavior. Standard Operating Guidelines (SOGs) shall also be developed in a separate

section of the Departmental Policy Manual. SOGs should be considered as guidance's and not required behavior. All Fire Department SOGs will have a final review and concurrence by the City Administrator. Any portion of an SOG developed or implemented determined in conflict with City operational practice or law will be considered repealed.

Section 216.09 – Equipment. The fire chief shall prepare and, from time to time update, an inventory of the Fire Department equipment and shall recommend additions to or replacement of equipment for inclusion in the City's Capital Improvement Program.

Section 216.10 – Unauthorized Use of Equipment. Unauthorized use of Fire Department equipment or facilities shall be a misdemeanor.

Section 216.11 – Right of Way. All personal cars of Fire Department members shall have right-of-way over all other traffic when responding to a call. Firefighters cars may be designated as such if necessary. Firefighters shall obey all traffic laws en-route to a fire alarm.

Section 216.12 – Obstructions. No person shall park any vehicle of any description or place any material or any obstruction within twenty (20) feet of the entrance to a fire station or within fifteen (15) feet of any fire hydrant or fire **system**. No person shall park any vehicles within three hundred (300) feet of a fire. No person shall oppose or obstruct a member of the Fire Department or a firefighter in the performance of any legal duty. No person shall obstruct or hinder the entry of a firefighter upon premises or into buildings or other places where a fire or fire hazard exists or is reasonably suspected to exist.

Section 216.13 – False Alarm. No person shall maliciously or intentionally sound a false alarm.

Section 216.14 – Pursuit. No unauthorized person shall ride upon, race with, trail or follow within six hundred (600) feet of any apparatus belonging to the Fire Department when actively responding to a fire alarm.

The Lake Elmo City Council hereby repeals Sections 215.10 through and including 215.12 of the Lake Elmo City Code.

**ADOPTION DATE:** Passed by the Lake Elmo City Council on the 21<sup>ST</sup> day of September, 2004.

**EFFECTIVE DATE:** This Ordinance shall be effective the day following its publication.

Dated: 9-21-, 2004

Lee Hunt  
Lee Hunt, Mayor

ATTEST:

Martin Rafferty  
Martin Rafferty, City Administrator

**PUBLICATION DATE:** Published on the 24<sup>th</sup> day of September, 2004.

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