

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF VOLUNTEER FIREMEN OF THE CITY OF SWEET HOME PROVIDING RULES AND REGULATIONS GOVERNING THE APPOINTMENT AND DUTIES OF THE VOLUNTEER FIREMEN OF THE CITY OF SWEET HOME AND REPEALING ORDINANCE NO. 58 PASSED ON AUGUST 11, 1939.

The City of Sweet Home does ordain as follows:

Section 1. The name "volunteer firemen" shall mean all members of the Sweet Home fire department who are compensated for services performed as fire fighters who do not derive their living from the Sweet Home Fire Department. Regular firemen of the Sweet Home Fire Department who derive their living from the Sweet Home Fire Department may become members of the Sweet Home Volunteer Firemen's Association in the same manner as other "volunteer firemen."

Section 2. The fire chief of the City of Sweet Home Fire Department shall have the authority to promulgate rules and regulations for the control of volunteer firemen while engaged in fighting fire, drills, exhibitions, tests, meetings and for their conduct while in fire department quarters.

Section 3. The present personnel of the Sweet Home Volunteer Fire Department shall be "Volunteer firemen of the City of Sweet Home Fire Department" as provided for in this ordinance, provided, however, any such volunteer firemen shall be required to comply with all requirements with respect to age, physical fitness and agility as set forth in this ordinance.

Section 4. Any volunteer fireman who has reached the age of 60 years shall be automatically retired from service as an active volunteer fireman. At the discretion of the fire chief, the active status of volunteer firemen may be extended to the age of 65 years by one year extensions from the age of 60 years. Any volunteer fireman who shall become physically unfit for active firefighting shall be retired at the discretion of the fire chief of the city of Sweet Home.

Section 5. When a volunteer fireman is retired because of age limit or physical unfitness, he may continue as a retired member of the volunteer firemen's organization hereinafter provided for but his status as a volunteer fireman shall be limited solely to the volunteer firemen's associations, and such associations' functions other than the fighting of fires and duties related thereto, and shall have no vote as a member of the Sweet Home Volunteer Firemen's Association.

Section 6. The volunteer members of the Sweet Home Fire Department shall have the right to form an organization for the active and retired volunteer firemen. Such organization shall be known as the "Sweet Home Volunteer Firemen's Association," for the purpose of meeting as a group to administer the financial affairs of the association, to conduct social affairs and other functions for the general well-being of the association. The association may elect such officers as it shall deem necessary in the conducting of any such organization, and shall have the right to establish dates and times of meetings. All meetings of the association shall be conducted in the club rooms provided for the members of the volunteer firemen's association in the Sweet Home Fire Department quarters.



Section 7. The fire chief of the City of Sweet Home shall have the right to dismiss any volunteer fireman of the City of Sweet Home for lack of interest, cooperation, poor attendance at training periods, poor response to alarms of fire and violation of the rules and regulations as established by the fire chief, or who shall refuse or voluntarily neglect to obey or execute any order from the officer in command at any fire or for any reason considered by the fire chief to be detrimental to the proper operation of the fire department.

Section 8. Any person desiring to become a volunteer fireman of the City of Sweet Home shall make application for such membership on a form to be provided for by the fire chief of the City of Sweet Home, such application shall have attached thereto the signatures of two reputable citizens of the City of Sweet Home attesting to the good reputation of the applicant.

Any such person seeking membership as a volunteer fireman of the City of Sweet Home shall have the following qualifications:

- (a) He shall have passed his 21st birthday, and shall not be over 45 years of age.
- (b) He shall pass a satisfactory physical and medical examination by a doctor selected by the fire chief of the City of Sweet Home. Such examination to determine the physical fitness of the applicant with respect to general organic condition, sight, hearing, condition of all limbs, agility and any nervous disorders. The doctor giving such examination shall be paid by the City of Sweet Home. However, if the applicant is not accepted as a member of the Sweet Home Volunteer Fireman's Association after serving the stated probationary period the cost of the physical examination fee will be withheld from the final compensation due the applicant by the City of Sweet Home.

The fire chief may, in his discretion, waive the age and physical fitness requirements of this section in order to obtain volunteer firemen with special abilities for restricted lines of service required in fighting fires if he determines that it is in the best interests of the city of Sweet Home to allow such waiver.

No person may apply to become a member of the volunteer fire department who has been convicted of a felony or of a misdemeanor involving moral turpitude. It shall be the duty of the chief of police of Sweet Home upon request to conduct a complete identification check of all applicants.

Section 9. Any person desiring to become a volunteer fireman of the City of Sweet Home, and who shall have successfully completed the requirements in the preceding paragraphs provided for, shall become a volunteer fireman on a probationary basis for a period of three months from the time of his appointment as such. At the end of the three months probationary period, the fire chief shall submit a report to the Sweet Home Volunteer Firemen's Association with his recommendation as to whether any such person shall have successfully completed his probationary period. If the Sweet Home Volunteer Firemen's Association shall accept the application as a member of the association, any such person shall thereupon become a volunteer fireman of the City of Sweet Home, and a member of the Sweet Home Volunteer Fireman's Association. Any such election by the Sweet Home Volunteer Firemen's Association shall be by secret ballot at a regular meeting of the association, and the affirmative vote of three-fourths of the members present at any such meeting shall entitle such person to membership in the association. If any such person shall not receive the affirmative vote of three-fourths of the members present at any such meeting, membership in the association by any such person shall be rejected, his probationary status terminated and he shall no longer be a volunteer fireman of the City of Sweet Home in any status whatsoever.



Section 10. There is hereby created a board to be known as the Sweet Home Fire Department of Appeals. Such board shall consist of the Mayor of the City of Sweet Home, the city manager, and one other member to be appointed by the Mayor of the City of Sweet Home with the approval of the council, such member appointed with the approval of the council shall be a resident of the City of Sweet Home, Any volunteer fireman who shall be dismissed from the Sweet Home Fire Department for any reason shall have the right within 10 days of his being notified in writing of his dismissal to appeal from the order of the chief of the fire department. Any such volunteer fireman shall give written notice of his appeal from the order of the fire chief within such 10 days period by filing the same with the city recorder of the City of Sweet Home; thereafter, the Board of Appeals shall receive such testimony as it shall deem necessary pertaining to the dismissal of any such volunteer fireman and the reason therefor. The board shall have the right in its discretion to have any additional physical examinations as the board shall deem necessary. After the board has received such evidence as it deems necessary to a proper decision in the matter, the board shall either affirm or reverse the order of the fire chief. If the order of the fire chief is affirmed, the order of the chief shall be final. If the order of the fire chief is reversed, the person appealing shall be restored to his former status as a volunteer fireman. The volunteer fireman shall have the right to be present at all times when the board hears any testimony in connection with the order of dismissal of any such volunteer fireman. The volunteer fireman or his representative shall have the right to cross-examine any witnesses appearing before the board, and the fire chief or his representative shall likewise have the right to cross-examine any witnesses appearing before the board and giving testimony on behalf of any volunteer fireman.

The Mayor of the City of Sweet Home shall act as chairman of the board of appeals, and the decision of the board shall be final.

Section 11. Ordinance No. 58 of the City of Sweet Home entitled "An Ordinance providing for the organization and regulation of a volunteer fire department of the City of Sweet Home, and providing for the appointment of a fire chief for said department and matters in relation thereto; repealing all ordinances or parts of ordinances in conflict herewith and declaring an emergency," duly passed by the council of the city of Sweet Home on the 11th day of August, 1939, be and the same is hereby repealed.

PASSED by the Council and approved by the Mayor this 10th day of January, 1961.

William J. Penney  
Mayor

ATTEST:

ROY EAMES  
City Manager

First Reading: December 13, 1960

Second Reading: December 27, 1960

Third Reading: January 10, 1961