

**City of Gustavus, Alaska  
Ordinance No. FY11-24**

**AN ORDINANCE OF THE CITY OF GUSTAVUS AMENDING CITY ORDINANCE  
CHAPTER 6.02**

**BE IT ENACTED BY THE CITY OF GUSTAVUS CITY COUNCIL AS FOLLOWS:**

**Section 1.** Classification: This ordinance is of a permanent nature and is intended to be part of the Gustavus municipal code.

**Section 2.** Severability: If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and its application shall not be affected thereby.

**Section 3.** Enactment: Now therefore be it enacted by the Gustavus City Council that Chapter 6.02 shall be amended as follows. **Bolded/ Underlined** items are additions and ~~strikethroughs~~ are deletions.

**Chapter 6.02 Fire Department Ordinance**

**Sections:**

**6.02.010 Fire Department Established**

**6.02.020 Service Area**

**6.02.030 Fire Chief**

**6.02.040 Provisions for the Support of the Volunteer Fire  
Department**

**6.02.050 Equipment**

**Section 6.02.010 Fire Department Established**

There shall be a Fire Department in and for the City of Gustavus, Alaska, to be known as the Gustavus Volunteer Fire Department (GVFD), ~~and~~ **that** shall comply with all ~~R~~rules and ~~R~~regulations pertaining to fire and emergency medical services (EMS) as set forth in 13 AAC 52.030, Standards of Organization and Services of a Fire Department. It shall consist of a Fire Chief and as many other officers, firefighters, ~~and~~ EMS, **hazmat and search and rescue (SAR)** responders as the Chief deems appropriate for the effective operation of the department. **Members of the fire department may include both paid and unpaid individuals.**

### **Section 6.02.020 Service Area**

- a. The Gustavus Volunteer Fire Department shall serve as the primary emergency response agency within Gustavus City limits.
- b. The Fire Chief has the authority to negotiate ~~with ordinance of ratification by the City Council, to enter into mutual aid agreements and contracts with other agencies~~ **mutual aid agreements and memorandums of agreement or understanding, for signature by the Mayor after approval by the City Council.**

### **Section 6.02.030 Fire Chief**

- a. The department shall be supervised by the Fire Chief, who shall be appointed by the Mayor, **with input from GVFD volunteers and/or an advisory or search committee,** and with confirmation by the City Council, ~~from candidates recommended by the Gustavus Volunteer Fire Department Committee.~~ The Fire Chief shall be a person who is technically qualified by training and **who has the managerial** experience and ~~has the ability~~ **leadership skills** to administer and command the Fire Department.
- b. The Fire Chief shall determine the number and kind of **divisions and** companies of which the Fire Department shall be composed; and shall determine the response of ~~such companies~~ **these units** to alarms.
- c. The Fire Chief shall appoint all other officers and firefighters/EMS/**hazmat/SAR** responders. Such appointments will follow fair and impartial examinations. **All paid positions within the Department shall be established by the Council and shall be staffed in accordance with City of Gustavus employment ordinances and policies and procedures.** All officers shall be accountable to the Fire Chief or **to** the Fire Chief's representative.
- d. The Fire Chief shall at least ~~once~~ **twice a each** month provide for suitable drills or instruction in the operation and handling of equipment, in the area of EMS, rescue work, salvage, preplans, fire prevention, water supplies, **and** all other matters generally considered essential to good fire suppression and safety of life and property.
- e. The Fire Chief shall assist the proper authorities in suppressing the crime of arson by investigating or initiating the investigation of the cause and origin of fires within the City limits as required by 13 AAC 52.030 (b-4).
- f. The Fire Chief shall see that ~~the~~ complete records are kept of all apparatus, equipment, personnel, training, fires, preplans, and other department activities.

g. Reports.

1. ~~Current records and comparative data for previous years and recommendations for improving the effectiveness of the Fire Department shall be included in an annual report to the City Council on March 1.~~ **The Fire Chief shall make periodic reports to the City Council, as scheduled by the Council, providing updates on the volunteer roster, participation in drills, frequency and type of call-outs, the status of equipment, grant and training opportunities, the budget, and other items considered pertinent by the Fire Chief.**
2. ~~Incident reports will be filed with the State Fire Marshal as requested and scheduled by the State Fire Marshal within the first ten (10) days of the month following the month in which the incident occurred. If an incident report is made by computer disc, the report must be submitted quarterly with reports due on January 10, April 10, July 10, and October 10 for the previous quarter.~~

**h. The Fire Chief shall arrange for the services of a medical director and shall coordinate with the medical director to provide for safety, effectiveness, and legal compliance in responses to medical emergencies.**

**i. The Fire Chief shall prepare, submit, and administer the fire department budget.**

**j. The Fire Chief is authorized in accordance with City policy and procedures to develop and submit applications for grant funding to support the fire department and is responsible to recommend to the City Council capital investments and purchases for the effective operation of the department.**

**k. The Fire Chief is responsible to safeguard and maintain all property of the fire department.**

**l. The Fire Chief shall develop, maintain, and enforce a comprehensive set of operating procedures or guidelines governing the discipline, training, and operation of the fire department. The Fire Chief shall have the authority to carry out the enforcement of these rules and regulations and is authorized to suspend or remove from service any officer or member.**

**m. The Fire Chief is responsible for the enforcement within the City of Gustavus of State of Alaska laws as authorized under AS 18.70.090 Enforcement Authority, and AS 18.70.075 Authority of Fire Department Officers; Penalty.**

**n. The Fire Chief shall perform duties incident to the office and such other reasonable duties as the City Council and/or Mayor may assign.**

**Section 6.02.040 Provisions for Support of the Volunteer Fire Department**

~~a. Members of the Volunteer Fire Department may organize into a voluntary association with the election of their own officers and bylaws. The functions and duties of the volunteer association shall not interfere with those of regular division officers who are charged with the responsibility for all service activities of the division. The volunteer association shall in no way limit the power of the Fire Chief.~~

~~b.~~

**a. Insurance and Workman's Compensation.** The City of Gustavus will maintain liability insurance and workman's compensation covering the volunteers on all responses and training. Compensation shall be based on the guidelines set forth in 13 AAC 52.040, Workers Compensation for Volunteer Firefighters.

~~e. From time to time, in such amounts as the City Council deems advisable, payments may be made to the volunteer association for the purposes of giving that association funds with which to reimburse members for damaged clothing and other expenses incurred in the line of duty.~~

~~d.~~

**b.** Private vehicles of volunteers.

1. Each member of the department driving a private vehicle may be issued a suitable insignia to be attached to the vehicle designating him or her as a member of the department.
2. Personal vehicles of department members may be equipped with a flashing blue light requesting right of way over all

other traffic when responding to an alarm, but shall observe all traffic laws.

**Section 6.02.050 Equipment**

- a. The Fire Chief shall be responsible to the City Council for recommending such apparatus or other fire fighting equipment as may be required to maintain Fire Department efficiency, and for providing suitable equipment for reporting fires or emergencies, and for notifying all members of the department to assure prompt response to such incidents.
- b. All property used by the Fire Department is and remains the property of the City of Gustavus, and all expenses of the Fire Department shall be paid ~~by check upon approval by the City Council~~ **according to current purchase order policy and/or ordinance.**
- c. The Fire Chief or the Fire Chief's representative shall have the power to assign equipment for the response to calls for outside aid where mutual aid agreements are in force and in other cases only when the absence of such equipment will not jeopardize protection of the City of Gustavus.

Section 4. Effective Date This ordinance becomes effective upon adoption by the Gustavus City Council.

**Date of Introduction and Publication:** April 14, 2011

**Date of Public Hearing & Adoption:** May 12, 2011

**Passed and Approved by the Gustavus City Council this 12 day of May, 2011.**

  
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Jim Mackovjak, Mayor

  
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Attest: Kapryce Manchester, CMC  
City Clerk