

*Town of East Hampton, CT  
Thursday, August 16, 2012*

## **Chapter 49. FIRE DEPARTMENT**

**[HISTORY: Adopted by the Town Council of the Town of East Hampton 7-26-1994.  
Amendments noted where applicable.]**

### **Article I. Establishment**

#### **§ 49-1. Authority; purpose.**

Pursuant to § 7-301 of the General Statutes of Connecticut there is hereby established a Town Fire Department, which shall have all of the powers and duties of a Town fire department as prescribed by statute, Town Charter, or otherwise, which is established for the purpose of protection from fire or other disaster, persons and property within the limits of the Town of East Hampton, or as otherwise hereinafter provided.

### **Article II. Board of Fire Commissioners**

#### **§ 49-2. Powers and duties.**

- A. The management, discipline, and control thereof shall be vested in a Board of Fire Commissioners, which shall have powers as this chapter and statute provides. The Board of Fire Commissioners shall be subject to the purchasing requirements as outlined by the Town Charter for acquisition of all supplies and equipment necessary for its operation, and shall have the statutory power to enter into agreements with any volunteer fire company or companies within the Town for the protection thereof from fire on such conditions as to the financial assistance and the observance of the regulations as such Board of Fire Commissioners shall prescribe, subject, however, to the provision of this chapter.
- B. Said Board of Fire Commissioners shall promote proper cooperation and coordinate activities among the several divisions of the department and/or companies or other municipal agencies, boards, or commissions, public or private, whose aims are to provide protection from fire or other disaster for persons or property within East Hampton.
- C. Subject to statute and Town Charter and the terms of this chapter, the Board of Fire Commissioners has the power and authority to make agreements with the State of Connecticut; other towns, municipalities, fire districts, government bodies representing them to promote mutual fire protection and provide maximum fire and other disaster protection for East Hampton. When authorized by the Town Council, expenses incurred in carrying out the foregoing shall be paid as a municipal expense by the Town of East Hampton.

#### **§ 49-3. Membership; terms.**

- A. The Board of Fire Commissioners shall consist of five electors of the Town of East Hampton, not more than three of whom shall be members of the same political party, and shall be appointed by the Town Council for staggered terms of three years.
- B. Effective August 1, 1994, all future appointments shall be for three-year terms; members appointed prior to August 1, 1994, shall continue to serve out their original five-year terms.

No active or senior member of any volunteer fire company under the direction and control of the Board of Fire Commissioners shall be appointed to the Board; however, this shall not prohibit the appointment of any retired member.

**§ 49-4. Compensation.**

The members of the Board of Fire Commissioners shall receive no compensation for their services as such, but shall be reimbursed for their necessary expenses incurred in the performance of their duties when authorized by the Town Council.

**§ 49-5. Officers.**

The Board of Fire Commissioners shall appoint from their membership a Chairman and a Secretary, who shall perform such duties and have such authority, and shall serve for such terms as may be prescribed in bylaws duly adopted by the Board of Fire Commissioners.

**§ 49-6. Meetings.**

- A. The Board of Fire Commissioners shall hold an annual meeting on the second Monday of August of each year, at which time all annual reports are to be submitted to it, in writing, from the officers and the committee chairman, as hereinafter provided.
- B. Regular meetings shall be held at the times and dates set by the Board of Fire Commissioners, and special meetings may be called at any time by the Chairman or by any three members thereof, provided written notice of the time and place for such meeting shall be given to all members of the Board at least 24 hours prior to such special meeting. Three members thereof shall constitute a quorum at any regular or special meetings, and the vote of three members thereof shall be necessary for any action taken by the Board.
- C. The order of business at all regular meetings shall be as follows:
  - (1) Call to order.
  - (2) Approval of minutes.
  - (3) Approval of bills/budget report.
  - (4) Fire Marshal's report.
  - (5) Communications.
  - (6) Unfinished business.
  - (7) New business.
  - (8) Adjournment.

**§ 49-7. Recordkeeping.**

The Board of Fire Commissioners shall keep proper and accurate records of its doings, which records shall be subject to the inspection of the Town Council at any reasonable time.

**§ 49-8. Purchase and maintenance of equipment.**

Subject to the approval of the Town Council and within the budget provided therefor, the Board of Fire Commissioners, in conformance with the Town Charter, shall acquire, maintain, repair and replace all equipment, apparatus and trucks used for the purpose enumerated in this chapter. They shall provide housing and storage space for the same, and may contract, under such terms and conditions deemed advisable, for the use of needed housing and storage space when unavailable within buildings owned by the Town of East Hampton.

**§ 49-9. Use of equipment outside Town.**

A. The Board of Fire Commissioners may permit fire apparatus, equipment and trucks to be taken and used without the municipal limits of East Hampton for the following purposes:

- (1) For ceremonies and parades.
- (2) For tests, demonstrations or repairs.
- (3) Pursuant to the terms of agreements made with other towns, etc., as provided in this chapter.
- (4) For serious emergencies in any town or city.

B. Determination of "serious emergencies" may be conferred upon the Chief of the Fire Department. In all cases, the use of the fire equipment, apparatus, and equipment shall be governed by the regulations established by the Board of Fire Commissioners.

**§ 49-10. Annual report.**

During the first week of September of each year, or at such other times as the Town Council may direct, the Board of Fire Commissioners shall submit a report of its doings to the Town Council for publication in the Annual Town Report. At such time as directed, the Board shall submit to the Town Manager an estimate of expenses for each fire company for the coming fiscal year.

**§ 49-11. Conduct and discipline of Department members.**

The Board of Fire Commissioners shall be responsible for the discipline and proper conduct of the officers and members of the Department as set forth in the Department bylaws. The Board shall have the power to expel any member for cause, or as provided in the Department regulations, and may remove from office, for cause, any officer of the Department.

**Article III. Governance of Department****§ 49-12. Bylaws.**

- A. Except as provided therein and by statute or Town Charter, the Fire Department shall be governed by bylaws adopted by the members of the Fire Department. Upon adoption, the bylaws, or any amendment thereto, shall be submitted to the Board of Fire Commissioners. Such bylaws, or amendments, automatically shall become effective within 30 days following submission to the Board of Fire Commissioners unless rejected by vote of all Commissioners. In the event of partial rejection, the portion not so rejected shall become effective as provided herein.
- B. Such bylaws shall specify, in addition to other matters, the method and qualifications necessary for gaining membership to the Department; the method and qualifications necessary for the election of officers; and the responsibilities, duties, standards of conduct, and disciplinary action to which officers and members shall be subjected.