

ORDINANCE**GILFORD, NEW HAMPSHIRE****A BY-LAW ESTABLISHING A TOWN FIRE DEPARTMENT****Section 1. PURPOSE**

The Fire Department of the Town of Gilford shall consist of a Board of Fire Engineers, a Fire Chief, permanent firemen and volunteer firemen. The Board of Fire Engineers shall consist of three Fire Engineers elected at the annual Town Meeting. The Board shall have at all times the control of all fire apparatus designed for the extinguishment of fire in the Town and provided at the public expense, and of such emergency medical, rescue, and ambulance equipment as vote at the annual Town Meeting may from time to time determine. The Board shall also appoint and control all Fire Department personnel.

Section 2. PROCEDURES

At each annual Town Meeting, according to the provisions for the election of Town Officers, there shall be elected one Fire Engineer to serve for a period of three years. Whenever a vacancy shall occur among the Fire Engineers, the remaining members of the Board shall fill the vacancy appointment of a Fire Engineer to serve until the next annual Town Meeting. The voters at the Town Meeting shall then elect a person to fill the remaining balance, if any, of the unexpired term.

Section 3.

The Chief Engineer shall be appointed by the elected members of the Board of Fire Engineers, to serve for an indefinite period of time, depending on his good conduct and efficiency. He shall have the technical qualifications and the duties prescribed by statute. He may be removed by the elected members of the Board of Fire Engineers but only for just cause and after a hearing with reasonable notice in writing of the charges against him.

Section 4.

There shall be the necessary number of permanent paid firemen to afford the town coverage on a 24 hour per day basis. A permanent fireman shall serve during good behavior so long as he is competent to discharge the duty of his position.

Section 5.

There shall be a sufficient number of volunteer firemen as deemed necessary by the Board of Fire Engineers. A volunteer fireman shall remain a member of the Fire Department until he shall resign, move from town, die, or be removed for just cause.

Section 6.

No Town Official shall be disqualified to serve a member of the Fire Department by virtue of the office he holds.

Section 7.

It shall be the duty of the Board of Engineers to appoint the succeeding Fire Chief when a vacancy occurs as specified in Section 3 or a vacancy occurs as a result of death or resignation.

It shall be the duty of the Board of Engineers to appoint the permanent firemen and to remove same for just cause after a fair hearing.

It shall be the duty of the Board of Engineers to approve the membership of Volunteer Firemen and to remove same for just cause after a fair hearing.

It shall be the duty of the Board of Engineers to submit an itemized estimate of the money necessary to be raised and appropriated for the purposes relating to the Fire Department for the year ensuing when requested by the Budget Committee for consideration at the annual Town Meeting.

It shall be the duty of the Board of Engineers to supervise the expenditures of the Fire Department as approved by the Selectmen. They shall keep an accurate record of same and shall submit to the Town such bills for payment.

The Board of Engineers shall have general supervision and control over the operation of the Fire Department and shall have full power to make all rules for the Government of the Department, and to enforce said rules. The Chief and assistants shall have all powers possessed by firewards in the extinguishment of fires. The Board of Engineers shall consult the Fire chief on all matters covered under this section.

Section 8.

Any by-law, or part thereof, inconsistent with the provisions of this by-law is hereby repealed.

Section 9.

The invalidity or unconstitutionality of any part of this by-law shall not effect any other part thereof.

Section 10.

This by-law shall take effect upon its passage.

Adopted at the Adjourned Town Meeting, March 11, 1964

Amended at the Adjourned Town Meeting, March 13, 1968

Amended at the Adjourned Town Meeting, March 16, 1979