

AS AMENDED ON SEPTEMBER 11, 2017
ORDINANCE NO. 2442

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 2.16.020 FIRE DEPARTMENT - ORGANIZATION, SUBSECTIONS A, B, F, G, H AND I OF THE SALISBURY CITY CODE BY ADDING THE POSITIONS OF DEPUTY FIRE CHIEF OF ADMINISTRATIVE SERVICES AND FIRE MARSHALL TO THE DEPARTMENT, AND BY DELETING THE REFERENCES TO VOLUNTEER COMPANY NO. 1.

WHEREAS, the Mayor and Council of the City of Salisbury desire to re-organize the departmental structure of the City of Salisbury; and

WHEREAS, the Department of Building, Permits and Inspections is being eliminated as part of the reorganization structure for the City of Salisbury; and

WHEREAS, the position of Fire Marshall will now be part of the Fire Department; and

WHEREAS, the position of Deputy fire chief of administrative services is being added as a newly created position; and

WHEREAS, the Salisbury City Council has concluded that it is in the best interest of the City to amend the City Code to accomplish the reorganization plan, which will not result in increased costs under the City's current budget and will allow the Departments to operate in a more efficient manner;

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter 2.16 of the City of Salisbury Municipal Code be amended as follows:

Chapter 2.16 – Fire Department.

2.16.020 – Organization.

- A. The fire department shall consist of:
1. The fire chief;
 2. Career officers and employees;
 3. Such volunteer fire companies and volunteer firefighters as are recognized by the city from time to time, which as of the date of adoption of this legislation are:
Salisbury Fire Department, Inc. (Stations #16)
[[Salisbury Fire Department Inc., Company No. 1 (Stations #1)]]
Salisbury Fire Company, No. 2, Inc. (Station #2)
- B. The fire department shall have a sufficient number of career and volunteer supervisory personnel to effectively and efficiently manage fire department personnel and operations, including:
1. Fire chief (career);
 2. *Deputy fire chief of administrative services (career);*

- [[2.]]3. Deputy fire chief of operations (career);
- [[3.]]4. Deputy fire chief of volunteer services (volunteer);
- [[4.]]5. Assistant fire chief (career and volunteer);
- 6. *Fire marshal (career);*
- [[5.]]7. Fire captain (career and volunteer);
- [[6.]]8. Fire lieutenant (career and volunteer).

F. Duties and Responsibilities of the Fire Chief. The fire chief shall have general command, control and supervision of all emergency services. Without limiting the scope of the foregoing sentence, the fire chief shall:

- 1. Ensure the efficient and effective response of adequate resources to incidents requiring emergency services in order to prevent the loss of life, destruction of property and damage to the environment;
- 2. Control, maintain and operate all physical facilities, apparatus, equipment and personal property used by the fire department;
- 3. Maintain accurate records for all aspects of the operation of the fire department;
- 4. Provide periodic reports regarding the operation of the fire department to the mayor, city council and executive officer;
- 5. Ensure that no fire department resources are used for the personal gain of individuals, or public or private corporations or other entities;
- 6. Maintain communications with senior staff members to ensure that the fire chief is promptly notified of any department related matters that require his active presence or action thereon;
- 7. Appoint or remove career and volunteer fire line officers;
- 8. Direct the use or transfer of fire department vehicles, equipment or personal property within or outside of the Salisbury fire district;
- 9. Prepare a proposed budget and administer the fire department budget as adopted by the city;
- 10. Approve the operational use of all fire-fighting and emergency medical services apparatus, vehicles, tools and equipment;
- 11. Attend or appoint a designee to attend the meetings of each volunteer fire company;
- 12. Serve as liaison with Wicomico County and volunteer fire departments on operational issues;
- 13. Be considered to be on duty at all times;
- 14. Promulgate rules and regulations governing the operation of the fire department and its provision of emergency services.
- 15. *Serve as the authority having jurisdiction over the City Fire Prevention Code. This authority may be delegated by the Chief to the Fire Marshal.*

G. Duties and Responsibilities of the Deputy Fire Chiefs (*Career and Volunteer*).

- 1. The deputy fire chief **[[career]]** of *administrative services*, or second in command after the fire chief, when on duty in the absence of the fire chief, shall assume all of the duties and responsibilities of the fire chief and for the time being shall possess all of the authority under the existing laws and regulations as have been laid down for the guidance and direction of the fire chief. The deputy fire

chief shall assist the fire chief in the day-to-day operations of the fire department, and shall be subject to the direction and control of the fire chief.

2. *The deputy fire chief of operations or third in command after the fire chief and deputy fire chief of administrative services, when on duty in the absence of the fire chief and deputy fire chief of administrative services, shall assume all of the duties and responsibilities of the fire chief and for the time being shall possess all of the authority under the existing laws and regulations as have been laid down for the guidance and direction of the fire chief and deputy fire chief of administrative services. The deputy fire chief of operations shall assist the fire chief in the day to day operations of the fire department, and shall be subject to the direction and control of the fire chief. The deputy fire chief of operations shall have primary responsibility for managing the coordination of activities, personnel, resources and operations of the fire department.*

3. *The deputy fire chief of volunteer services or fourth in command after the fire chief and deputy fire chief of administrative services and deputy chief of operations, when on duty in the absence of the fire chief and deputy fire chief of administrative services deputy chief of operations, shall assume all of the duties and responsibilities of the fire chief and for the time being shall possess all of the authority under the existing laws and regulations as have been laid down for the guidance and direction of the fire chief and deputy fire chief of administrative services and deputy chief of operations. The deputy fire chief of volunteer services shall assist the fire chief and other deputy fire chiefs in the day to day operations of the fire department, and shall be subject to the direction and control of the fire chief. The deputy fire chief (volunteer) shall have primary responsibility for managing the volunteer component of the fire department.*

H. *Duties and Responsibilities of the Fire Marshal. The Fire Marshal shall be a uniformed firefighter. The Fire Marshal conducts plan reviews, and performs pre-occupancy inspections to enforce the City of Salisbury Fire Prevention Code (Section 8.11). The Fire Marshal, under the authority of the Fire Chief, is the City of Salisbury's primary and key point of contact for expertise and guidance on any and all fire prevention issues or concerns. ~~The Director of the Department of Infrastructure and Development shall have oversight of the fire plan review function of the Fire Marshal.~~ The City Fire Marshal shall report the results of the fire plan reviews and pre-occupancy functions to the Director of the Department of Infrastructure and Development.*

I. Duties and Responsibilities of Other Fire Department Officers (Career and Volunteer).

1. In the absence of the fire chief, *the deputy fire chief of administrative services, deputy fire chief **[[career]]** of operations and the deputy fire chief of **[[volunteer]]** services*, the duties and responsibilities of the fire chief for the time being shall be exercised by the assistant chiefs (*career*) in order of seniority, as defined by regulation promulgated by the fire chief.
2. Each officer shall assist and be subject to the direction and control of the fire chief, *the deputy fire chief of administrative services, deputy fire chief*

~~[[career]]~~ of operations and the deputy fire chief of ~~[[volunteer[D]]]~~ services, to enable each of such chiefs to successfully discharge their duties.


EXPLANATION:

* *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*
Deleted material from the existing Code is indicated by bold double bracketed **[[]]** language.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.


THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 11th day of September, 2017 and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 9th day of October, 2017.

ATTEST:


Kimberly R. Nichols, City Clerk


John R. Heath, City Council President

Approved by me, this 10th day of OCTOBER, 2017.


Jacob R. Day, Mayor



To: City Council
From: Julia Glanz, City Administrator
Subject: Reorganization- Charter and Code Changes
Date: August 2, 2017

During the FY18 Budget Process, the Mayor and I proposed a plan to reorganize the departments within our City government in order to more appropriately align them with the City's goals and objectives.

Substantial changes that constitute this reorganization include: a one-stop-shop for all development projects, the consolidation of our code enforcement officers by relocating them all to one department, a reworking and division of the legacy structure of our Public Works department, a new focus on GIS in all City departments, an independent Procurement department, and the revocation of a previous arrangement that placed Parking under Procurement's purview. This reorganization will be evident in the functionality of our City government and will have a minimal impact on the FY18 Budget.

To further explain this reorganization, all proposed City Code and Charter changes are attached for your review, as well as the ordinance necessary to accept those changes.