

Ordinance for the Organization of  
the Superior Township Volunteer Fire Department

Be it ordained by the Township Board of the Township of Superior, Chippewa County, Michigan, that a department to be hereafter known as the SUPERIOR TOWNSHIP VOLUNTEER FIRE DEPARTMENT, the object of which shall be the prevention of fire and the protection of life and property within the limits of the Township of Superior is hereby created as follows:

Section 1. Officers

Article 1 The Department shall consist of a Chief, two Assistant Chiefs, one of whom shall be designated as Training Officer, and other officers as the Chief and Township Board may deem necessary for the effective operation of the Department.

Article 2. The Chief shall be elected by members of the Department and serve for a period of two years. Such election shall be by secret ballot and held within the first fifteen (15) days of April. Such election shall meet with the concurrence of the Superior Township Board. The chief shall be technically qualified by training and experience and shall have ability to command men and hold their respect and confidence. He shall be removed, during his tenure, only for just cause and after a hearing before the Township Board and the Superior Township Volunteer Fire Department. The Superior Township Board shall make the final determination for removal.

Article 3. The Chief shall be held accountable to the Township Board only, and shall make written and verbal reports thereto as the Township Board may require. All other Department and Company officer shall be accountable to the Chief only.

Article 4. The Assistant Chiefs and all other Department and Company officers shall be elected in the same manner as that of Chief, as defined in Article 2 above. Such officers shall be accountable only to the Chief, and subject to removal by him.

Article 5. In case of a vacancy in the position of Chief, one shall be elected, as designated in Article 2, within ten (10) days of the vacancy and shall serve the remaining term of office.

Ordinance No. 2

Section 2. Duties of the Chief - continued.

ARTICLE 3. The Chief shall at least once a month be responsible for the conduct of suitable drills or instruction in the operation and handling of equipment, first aid, and rescue work, salvage, a study of buildings in the Township, Fire prevention, water supplies, and all other matters generally considered essential to good firemanship and safety of life and property from fire.

ARTICLE 4. The Chief is hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin, and circumstances of fires.

ARTICLE 5. The Chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.

ARTICLE 6. The Chief shall report annually to the Township Board the condition of the apparatus and equipment; the number of fires during the year, their location and cause, the date of same and loss occasioned thereby; the number and purpose of all other runs made; and the number of members responding to each fire or other run, and any changes in membership.

ARTICLE 7. The Chief shall make a complete annual report to the Township Board and the Fire Marshal Division, Michigan State Police, within one month after the close of the fiscal year, such report to include the information specified in Article 7, together with comparative data for previous years and recommendations for improving the effectiveness of the Department.

Section 3. Membership

ARTICLE 1. The membership of the Department shall consist of such persons as may be appointed by the Chief and shall be able-bodied citizens residing within the Township. Determination of whether candidates for appointment are able-bodied shall be made in a manner prescribed by the Chief and approved by the Township Board.

ARTICLE 2. Any member of the Department may be suspended or discharged from the Department by the Chief at any time he may deem such action necessary for the good of the Department. On written request of such member to the Township Board he shall be given a Department hearing on the charges brought by the Chief.

Section 4. Equipment

ARTICLE 1. The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire.

ARTICLE 2. Recommendations of apparatus and equipment needed shall be made by the Chief, and after approval by the Township Board, shall be purchased in such manner as may be designated by the Township Board.

Ordinance No. 2

Section 4. Equipment - Continued.

ARTICLE 3. All equipment of the Department shall be safely and conveniently housed in such places as may be designated by the Township Board. Such places shall be heated during the winter season.

ARTICLE 4. Suitable arrangement or equipment shall be provided for citizens to turn in an alarm, and for notifying all members of the Department so that they may promptly respond.

ARTICLE 5. No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority take away or conceal any article used in anyway by the Department.

ARTICLE 6. No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless accompanied by, or having the special permission of, an officer or authorized member of the Department.

ARTICLE 7. The Chief of the Superior Township Volunteer Fire Department is hereby authorized to enter into agreements or contracts, with nearby incorporated communities or governing bodies of other organizations, subject to the approval of the Township Board, to provide the members of such communities or organizations with fire protection or to establish a mutual aid system.

ARTICLE 8. No apparatus shall be hired out or permitted to leave the Township except in response to a call for aid at a fire in a neighboring community without the consent of the Chief. The officer in charge of the Department shall have power to assign equipment for response to calls for outside aid in accordance with Article 7, and in other cases only when the absence of such equipment will not jeopardize protection of this Township.

Section 5. General

ARTICLE 1. Each member of the Department shall be issued a badge, or similar markings as may be determined by the Chief, designating his membership of the Department.

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ARTICLE 5. No person shall park any vehicle or otherwise cause any obstruction to be placed within Twenty (20) feet of the entrance to any fire station or other place where fire apparatus is stored, or within Ten (10) feet of any fire hydrant or cistern.

ARTICLE 6. No unauthorized person with any vehicle shall follow within Six Hundred (600) feet of any apparatus belonging to the Department, nor park any vehicle within three hundred (300) feet of a fire.

ARTICLE 7. No person shall maliciously turn in or cause to be turned in a false alarm.

Section 6. Enforcement

ARTICLE 1. Any person violating the provisions of ~~Section II, Article~~ Section IV, Articles 5 and 6; and Section V, Articles 2, 4, 5, 6, and 7 shall, upon conviction in District Court, pay a fine of not less than Ten (10) dollars or more than One Hundred (100) dollars for each offense.

Section 7. Special

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

This Ordinance shall be given immediate effect upon adoption after proper and legal qualifications have been met.

Dated this 13<sup>th</sup> day of May 1975.

\_\_\_\_\_  
Harold Passmore, Supervisor

\_\_\_\_\_  
Mary Ann Charles, Clerk

LAW OFFICES OF  
FENLON AND ASKWITH  
537 Court Street  
SAULT STE. MARIE, MICH. 49783

Telephone: (900) Melrose 2-6885

JAMES J. FENLON  
RICHARD T. ASKWITH

January 7, 1975

Cedarville Office  
49719  
Telephone: (906) 484-2611

Mr. Harold Passmore, Supervisor  
Superior Township  
Brimley, Michigan 49715

Dear Harold:

As requested I have reviewed the proposed ordinance Number 2 for the organization of the "Superior Township Volunteer Fire Department", and in my opinion it is within the general powers of the Township to enact and particularly as authorized by Act 33 of the Public Acts of 1951 as amended subject to the following:

My understanding is that it is intended that articles 5 and 6 of Section 2 will be deleted.

I would recommend as well that article 2 of Section 6 also be deleted. The effect of this provision, in my view, is to cloak the ordinary member of the Department with the powers ordinarily vested in a peace officer for which I find no authority in the law. Enforcement of the ordinance and the prosecution for violations should remain with those officials charged with this duty.

Very truly yours,



James J. Fenlon

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*minutes Reg May 13/75  
Ord # 2*

SUPERIOR TOWNSHIP  
BRIMLEY, MICHIGAN 49715

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 2 duly adopted by the Township Board of the Township of Superior, County of Chippewa, Michigan, at a regular meeting held on May 13, 1975 at which all members were present except \_\_\_\_\_, and that public notice of said meeting was given pursuant to Act No. 261, Public Acts of Michigan, 1968, including in the case of a special or rescheduled meeting notice by publication or posting at least twelve hours prior to the time set for the meeting.

I further certify that member \_\_\_\_\_ moved adoption of said Ordinance and the member \_\_\_\_\_ supported said motion.

I further certify that the following members voted for adoption of said Ordinance Harold W. Passmore, Mary A. Charles, Juanita Wilson, Gordon Newland, and that the following member voted against adoption of said Ordinance none.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and Township Clerk.

The above Ordinance was published in the Evening News, Sault Ste. Marie, MI. on \_\_\_\_\_, and a copy filed with the County Clerk on

February 21, 1980.

Mary Link  
Township Clerk

Audith M. Almarke  
County Clerk      Date 2/21/80

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ARTICLE 2. The Chief shall be elected by members of the Department and serve for a period of two years. Such election shall be by secret ballot and held within the first fifteen (15) days of April. Such election shall meet with the concurrence of the Superior Township Board. The chief shall be technically qualified by training and experience and shall have ability to command men and hold their respect and confidence. He shall be removed, during his tenure, only for just cause and after a hearing before the Township Board and the Superior Township Volunteer Fire Department. The Superior Township Board shall make the final determination for removal.

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## Section 2. Duties of the Chief

ARTICLE 1. The Chief shall formulate a written set of rules and regulations to govern the Department, and shall be responsible to the Township Board for the personnel, morale and general efficiency of the Department.

ARTICLE 2. The Chief shall determine the number and kind of companies of which the Department is to be composed and shall determine the response of such companies to alarms.

ARTICLE 3. The Chief shall at least once a month be responsible for the conduct of suitable drills or instruction in the operation and handling of equipment, first aid, and rescue work, salvage, a study of buildings in the Township, fire prevention, water supplies, and all other matters generally considered essential to good firemanship and safety of life and property from fire.

ARTICLE 4. The Chief is hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin, and circumstances of fires.

ARTICLE 5. The Chief is hereby empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found.

ARTICLE 6. Any person so served with a notice to abate any fire hazard or hazards, shall comply therewith and promptly notify the Chief.

ARTICLE 7. The Chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.

ARTICLE 8. The Chief shall report annually to the Township Board the condition of the apparatus and equipment; the number of fires during the year, their location and cause, the date of same and loss occasioned thereby; the number and purpose of all other runs made; and the number of members responding to each fire or other run, and any changes in membership.

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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1975.

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Harold Passmore, Supervisor

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Mary Ann Charles, Clerk