



**TOWN OF CLAYTON FIRE DISTRICT
TOWN OF CLAYTON, NEW YORK**

RULES AND REGULATIONS

Version 3

**Town of Clayton Fire District
Clayton, New York**

**RULES AND REGULATIONS
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**TOWN OF CLAYTON FIRE DISTRICT
RULES AND REGULATIONS**

ARTICLE I. PURPOSE

- A. The Board of Commissioners may adopt rules and regulations by authority of Section 176 of the Town Law for the governing of the Clayton Volunteer Fire Department, Inc. and the Depauville Volunteer Fire Department, Inc. which shall be described as the fire company or fire companies, but collectively as the "Fire Department" in the Fire District and prescribing the duties of the members thereof, enforce discipline, and provide for public drills, parades, inspections and reviews of the Fire Department.

- B. These rules and regulations are established as minimum requirements, and the Fire Department may not create review or grievance boards which excuses deficiencies or delinquency on the part of active members in complying with these requirements without the expressed approval of the Board of Fire Commissioners of the composition of such review or grievance boards.

ARTICLE II. MEMBERSHIP

- A. Up to 45% of the active membership in the Fire Department may reside outside of the Town of Clayton Fire District response area. NY Tow Law 176-B

- B. Up to 45% of the Restricted Member status may reside outside of the Town of Clayton Fire District response area. Restricted Members must also be between the ages of sixteen and eighteen. (Not having attained their eighteenth birthday.) NYS Town Law 176-B

- C. Members shall only belong to one **Volunteer** Fire Department at a time. The Fire Department may allow Associate Members. Associate Members are members of another Volunteer Fire Department but are not members of the Town of Clayton Fire Department. With approval from their Fire Chief, the District Fire Chief, and following Town of Clayton Fire District Approval and completion of the Resolution Authorizing Volunteer Firefighter Service Pursuant to General Municipal Law 209-i (1-a). These members may assist the Town of Clayton Fire Department in the same capacity as an active member.

- D. Membership applications, upon acceptance by the members of the respective fire company of the Fire Department, shall be forwarded to the Fire District Secretary. The membership of any person shall then become effective when approved by the

Board of Commissioners subject to a physical examination, below. Membership shall be deemed to have been approved pursuant to Section 176-b of the Town Law in the event that no action is taken by the Board of Commissioners, either approving or disapproving, within forty days after service of written notice of election to membership shall have been made by the Fire Department Secretary upon the Fire District Secretary, either personally or by mail.

- E. A person shall be eligible for Associate Membership upon written approval from both their Fire Department Fire Chief and the Town of Clayton Fire Department District Chief. The District Chief must submit in writing a request for the applicant to be added to the Affiliate Membership Roster. NYS GMU 209-I
- F. A person shall not be eligible to apply for membership for a period of at least one (1) year following their resignation or removal from membership from the Fire Department.
- G. The number of active members in the Fire Department shall not exceed 125 active members.
- H. The number of Restricted Members in the Fire Department shall not exceed 20 Restricted Members.
- I. The number of Associate Members in the Fire Department shall not exceed 10 Affiliate Members.
- J. An active member shall be defined as is a member who is qualified under these rules and regulations to participate in firefighting, rescue and fire police activities and is subject to call for whatever duties may be assigned and under these rules and regulations.
- K. MEDICAL EXAMINATIONS:
 - 1. Applicants who have been tentatively accepted as members by the Board of Fire Commissioners shall be required to take and pass a physical examination for structural firefighters with special attention to OSHA 1910.134 Respiratory Protection).
 - 2. The physical examination shall be performed by the physician or health service designated by the Board of Fire Commissioners. The physical examination report will be held in confidence between the Fire District Physician or health service and the applicant, and the report will be retained in the physician's or health service's files. A certification of physical fitness to perform the duties of a volunteer firefighter will be furnished to the Board of Fire Commissioners.

- a. The cost of all physical examinations will be paid from funds provided in the Fire District annual budget.
3. All active members shall be required annually to take and pass a physical examination.
4. Any member granted a leave of absence for any medical reason shall be required to produce a release from their treating physician, clearing them for return to duty, including any restrictions therefor.
5. It is the duty and obligation of each member of the individual Fire Departments to immediately report to the District Fire Chief any injury sustained either as a Volunteer Firefighter or as a result of regular employment, or otherwise. If the injury results in a claim being presented for compensation payments, or prevents the Volunteer Firefighter from continuing his/her employment, or his/her activities as a Volunteer Firefighter then the Chief shall relieve the Volunteer Firefighter from active Volunteer Firefighter duties, The Chief is then responsible to inform the District Secretary of such action taken. The Volunteer Firefighter shall not perform active Volunteer Firefighter duties until the District Fire Chief receives written notification from a physician that the Volunteer Firefighter is capable of performing the duties of an active Volunteer Firefighter. After receiving written notification the District Fire Chief will contact the District Secretary of the Fire Chief's course of action.
6. In the event that any member shall be required to take additional follow-up physical examinations when prescribed by the Board of Fire Commissioners, the cost of all such additional physical examinations will be paid from funds provided in the Fire District annual budget.
7. Any change in a member's physical condition affecting their ability to perform the essential functions of a volunteer firefighter shall be reported to the Fire the Chief, who, in turn will immediately notify the Fire District Secretary in writing of the reported change. The Board of Commissioners will use their discretion as to whether a physical examination will be required, due to the change in the member's physical condition.
8. Members may not have their required entry or annual medical examinations to be performed by anyone other than the Fire District's physician or health service.
9. Any member failing to obtain a medical examination shall be subject to suspension or other discipline.

ARTICLE III. ELECTION OF CHIEFS AND OTHER OFFICERS

- A. Chief officers and firematic officers hold their offices pursuant to the authority of Town Law 176(11-a), 176(11-b) and as otherwise provided by law and upon appointment by the Board of Fire Commissioners.
- B. The active members of the fire companies of the Fire Department of the Fire District shall meet at a time and place designated by the Board of Fire Commissioners on the first Thursday of December of each year and nominate persons for the offices of District Fire Chief, Deputy District Fire Chief and two (2) Assistant Chiefs, and two (2) captains
- C. One (1) Assistant Chief will be from the Clayton Fire Company and One (1) Assistant Chief will be form the Depauville Fire Company. If no candidate comes forward from the respective fire company for the position of Assistant Chief nominations will be opened to the entirety of the membership.
- D. One (1) Captain will be from the Clayton Fire Company and One (1) Captain will be from the Depauville Fire Company. If no candidate comes forward from the respective fire company for the position of Captain nominations will be opened to the entirety of the membership.
- E. Each nominee shall be an active member of the one of the fire companies of the Fire Department
- F. All nominations shall be made by ballot. The Secretary of the Fire Department shall promptly notify the Fire District Secretary in writing of such nominations.
- G. Town of Clayton Fire District Commissioners can not be a Commissioner and hold the position of District Chief, Deputy District Chief or Assistant Chief.
- H. The Board of Fire Commissioners at its Organizational Meeting next succeeding the making of such nominations shall consider the same and shall appoint such persons to the offices to which they have been respectively nominated or, if a nomination is not approved, the Board of Fire Commissioners shall call another meeting of the members of the Fire Department at which time a new nomination shall be made to take the place of any nomination not approved, which procedure shall continue until a full set of officers is approved
- I. Any such person shall assume the duties of their office as soon as they have been

appointed thereto by the Board of Fire Commissioners and shall serve until his or her successor is appointed.

J. Voting Requirements

- Must be active for at least 1 year
- Must be in good standing with the Town of Clayton Fire District
- Attended 8 firematic drills and participated in 2 firematic work details
- Attended at least 5% of total calls
- Completed yearly physical

ARTICLE IV. DUTIES OF CHIEF OFFICERS

A. DUTIES:

1. The District Fire Chief shall, under the direction of the Board of Commissioners, have exclusive control of the members of the Fire Department or any company thereof at all alarms of fire, first aid or emergency, inspections, reviews, in quarters, and other occasions when the Fire Department or any company thereof is on duty or parade; the District Fire Chief shall have supervision of all apparatus and of all Fire District equipment used for the prevention and extinguishment of fire, first aid and rescue equipment, and of all officers and employees of the Fire Department.
2. The District Fire Chief shall see that the rules and regulations of the Board of Commissioners are observed and adhered to and that the orders of the Board of Commissioners are duly executed.
3. The District Fire Chief shall, whenever required by the Board of Commissioners, report to said Board, the condition of the property of the Town of Clayton Fire District and such information as may be required of the District Fire Chief.
4. The District Fire Chief shall hold the members, officers and employees of the Fire Department or any company thereof strictly to account for neglect of duty and may suspend them for improper conduct, subject to the actions of the Board of Commissioners at its next regular meeting.
5. In case of the disability or absence of the District Fire Chief, the Deputy District Fire Chief, where one is so designated, and in case of the disability or absence of both the Chief and the Deputy District Fire Chief, the ranking fire company Assistant Chief in descending order, shall perform the duties and exercise the power of the District Fire Chief, with the exception of the authority to suspend.

6. When the Fire Department is on duty, no member of the Board of Commissioners shall interfere with the duties of the District Fire Chief, the Deputy District Fire Chief where one is so designated, the Assistant Chiefs, or the Officer-in-Charge.
7. The District Fire Chief is required to attend the monthly meetings of the Board of Fire Commissioners. The District Fire Chief may delegate a subordinate to represent the District Fire Chief in the District Fire Chief's absence.

B. APPARATUS AND EQUIPMENT:

1. Fire shall not leave the Town of Clayton Fire District without the permission of the Board of Fire Commissioners except for fire or EMS service in response to mutual aid requests, drills, or other details authorized by the District Fire Chief.
2. When fire apparatus and equipment leave the Town of Clayton Fire District it is the responsibility of the District Fire Chief to provide sufficient fire or EMS apparatus and personnel in the Town of Clayton Fire District to insure adequate protection at all times.
3. A perpetual inventory of all Fire District equipment shall be maintained by the District Fire Chief under the guidance and supervision of the Fire District Inventory Chairperson. If none is appointed by the Board of Fire Commissioners, the District Fire Chief shall be responsible for keeping and maintaining the inventory.

- C. All injuries, no matter how slight received by a volunteer firefighter in the performance of the firefighter's duties shall be reported immediately to the District Fire Chief and also to the Board of Commissioners. The report shall be in writing and shall include a copy of the insurance report forms stating all the facts pertaining to same, including cause, diagnosis and treatment. If no medical attention is sought by the firefighter, the incident must be recorded on a response sheet by the officer in charge.

ARTICLE V. DUTIES OF ALL ACTIVE MEMBERS OF THE FIRE DISTRICT

- A. At all alarms of fire and emergencies, complete authorized protective equipment shall be worn. This may include helmets, full turnout gear, air packs, reflective vests, etc., depending on the nature of the incident. (Authorized equipment refers to equipment issued by the Town of Clayton Fire District only.)
- B. All members riding fire apparatus must wear full protective equipment with the exception of the driver. The District Fire Chief or Officer-in-Charge may waive wearing of the protective equipment using proper judgment.
- C. Professional conduct and discipline must be adhered to at all alarms of fire, EMS calls, emergencies, drills, parades, inspections, reviews, in quarters and other occasions when the Fire Department is on duty.
- D. Drivers of non-emergency vehicles, including personally owned vehicles, must obey the Vehicle and Traffic Laws when responding to, and returning from, all alarms of fire, EMS or other emergency.
- E. All active members shall be responsible for all Fire District property in their care, custody and control. Any wanton or willful destruction or damage of the property may be grounds for removal by the Board of Commissioners. District property shall be returned promptly to the Chief when active membership ceases.
- F. Only active members are authorized to ride Fire District apparatus while on duty unless otherwise authorized by the Board of Commissioners. The District Fire Chief may authorize nonmembers to ride on Fire District apparatus in non-emergency activities.
- G. No person shall be permitted to ride or stand on the side or rear of any apparatus at any time while said vehicular apparatus is in motion. Each firefighter shall wear a seat belt while the vehicle is in motion.
- H. Active members shall wear full dress and other classifications of uniform only when required or authorized to do so. The District Fire Chief shall issue written authorizations for wearing uniforms, including the wearing of Class A, Class B and stationhouse uniforms. The District Fire Chief, in consultation with and the

approval of the Board of Fire Commissioners, shall issue uniform guidelines which shall include the composition of each uniform class. Members shall obtain uniforms and uniform parts only upon express written authority of the District Fire Chief.

- I. All members shall, at all fires, EMS calls or other emergencies, park in a manner so as not to interfere with operations of the Fire Department.
- J. Parking is prohibited in front of all overhead doors and sidewalk areas at all times by Personally Owned Vehicles (POV) at the fire station unless authorized by the Board of Commissioners.

ARTICLE VI. RESTRICTED MEMBERS UNDER AGE 18

- A. All Restricted Members (those under age 18) shall obey the Rules and Regulations pertaining to Restricted Members.
- B. All rules and regulations pertaining to active members must be observed by all Restricted Members under age 18.
- C. Curfew time for all Restricted Members under age 18 shall be 10:00 p.m. unless attending a supervised function of the Fire District or the Fire Department. This may be waived by the District Fire Chief with the concurrence of the Board of Commissioners.

ARTICLE VII. DRIVERS OF EMERGENCY VEHICLES

- A. Operating an emergency vehicle in the Town of Clayton Fire District is a privilege extended by the Fire District to qualified members. The following are the minimum requirements for approval by the Fire District to drive and operate emergency vehicles and apparatus.
- B. To become an apparatus operator, a member must:
 - 1. Be at least 18 years old, have at least one-year active fire service with the Town of Clayton Fire District, and have and maintain a valid New York State Driver's License

2. Meet the requirements set forth in the Town of Clayton Fire District Driver Training SOP.
 3. Be tested and approved by the District Fire Chief or the District Fire Chief's designee.
- C. Upon receiving a request from a member to become an apparatus operator, the District Fire Chief or the District Fire Chief's designee shall obtain an abstract of the member's driving record from the New York State Department of Motor Vehicles. Information from this abstract will be used to determine whether or not the member is recommended for driver training.
- D. Thereafter and upon conviction of any violation of the vehicle and traffic law, the privilege to operate apparatus shall be reviewed by the District Fire Chief. Upon consideration of such conviction, the District Fire Chief may: permit the continued privilege of operating apparatus by the member; require additional or remedial training; restrict or terminate the privileges of a member as an apparatus operator for a period of time; or combine one or more of the foregoing.
- E. All approved apparatus operator trainees ("operator trainees") shall complete an Emergency Vehicle Operator's Course (EVOC) offered by the New York State Office of Fire Prevention and Control, or the equivalent as determined by the Board of Fire Commissioners, prior to any operational training on any Fire District apparatus. Currently approved operators shall complete an EVOC course within 12 months of approval of these Rules and Regulations.
- F. All operator trainees shall successfully complete a formal orientation course to each piece of Fire District apparatus which course will include a driving skill portion and an operational portion (e.g. pumping on the pumper, etc.)
- G. Upon successful completion of such orientation course, the District Fire Chief or the District Fire Chief's designee shall review the knowledge, skills and abilities of the operator-trainee and, if competent, may recommend to the Board of Fire Commissioners that such person be approved as an apparatus operator for that piece of apparatus. If unacceptable, the District Fire Chief may, in the District Fire Chief's discretion, require additional training and education or may terminate the training program for that member for a period of time.

- H. Any member who responds to the scene (where permitted) or to the fire station in a personally owned vehicle shall have and maintain a valid New York State Driver's License and shall obey all vehicle and traffic laws.
- I. Any response in a personally owned vehicle and/or use of a blue light (upon issuance by the District Fire Chief) is a privilege extended by the Fire District. All drivers shall be subject to the requirements of Paragraph D under this Article as it pertains to operation of a personally owned vehicle.
- J. An officer will ride in the cab of the Fire District vehicle whenever possible in any vehicle responding to or from the scene of any alarm of fire, EMS call or emergency. Should it be necessary for an officer to drive an emergency vehicle, said officer shall turn vehicle over to an authorized driver as soon as one is available.
- K. A written report of any accident involving personal injury or property damage while driving an emergency vehicle must be submitted by the driver of the vehicle immediately after such accident to the District Fire Chief. The report shall be forwarded immediately to the Fire District Secretary. The local police agency having jurisdiction shall be called to the scene of any accident involving Fire District vehicle(s).
- L. The Board of Fire Commissioners shall be notified immediately in the event of a member's driver's license being revoked or suspended.

ARTICLE VIII. LEAVE OF ABSENCE

A. MEDICAL LEAVE:

- 1. Any active Member, who because of illness or injury, cannot maintain the requirements of an active member, may request in writing a leave of absence from the District Fire Chief. The District Fire Chief shall immediately notify the Board of Fire Commissioners, in writing, of any leave of absence granted.
- 2. The District Fire Chief shall be notified of an active member's request to be restored to active duty. This request shall be accompanied by Town of Clayton Fire District Firefighter Medical Clearance Form. The District Fire Chief shall notify the Board of Fire Commissioners of a member's return to active duty status. The Board of Fire Commissioners may require the

member to be examined by the Fire District physician or designated health care provider prior to return to active duties.

B. MILITARY LEAVE:

1. Any Member of the military, who due to military obligations, cannot maintain the requirements of an active member, may request in writing a leave of absence from the District Fire Chief. The District Fire Chief shall immediately notify the Board of Fire Commissioners, in writing, of any leave of absence granted.
2. The District Fire Chief shall be notified of an active member's request to be restored to active duty. The District Fire Chief shall notify the Board of Fire Commissioners of a member's return to active duty status.

ARTICLE IX. DISCIPLINE

A. PURPOSE:

1. The Board of Fire Commissioners shall preside over all matters outlined in this Article, provided however, the Board of Commissioners may, in its sole discretion, appoint a hearing officer for any Formal Hearing hereunder.
2. The purpose in this Article shall be to ensure that all members are dealt with in a fair and equitable manner, while ensuring that the Fire District maintains the highest level of discipline in order to effectively and safely perform its functions and not cause discredit to the Fire District.
3. Any member who disobeys any Rule and Regulation, a Policy of the Board of Fire Commissioners, or written standard operating procedure or other directive of the Board of Fire Commissioners or District Fire Chief, or any member who acts in a manner which jeopardizes the safety of other members of the Fire District, or otherwise acts in a manner which constitutes misconduct may be subject to formal disciplinary action as outlined in this Article.
4. Formal disciplinary procedures should be regarded as a drastic step reserved for serious situations or those potentially so. It is usually in the best interest of the Fire District to first make every effort to obtain a

satisfactory solution to the matter informally.

5. The process of informal resolution for the handling of minor offenses shall be:
 - a. A written warning by the District Fire Chief of the Fire Department may be given for a first offense. The written warning will be placed in the member's personnel file maintained by the Fire District Secretary.
 - b. A written reprimand may be issued to a member by the District Fire Chief of the Fire Department for each subsequent offense for which the member has previously received a written warning within the prior three years. A corrective interview shall take place within 10 days between the member and the District Fire Chief and a written summary of the interview will be placed in the member's personnel file together with the reprimand.
 - c. Following receipt of a written reprimand and corrective interview, the next offense may result in suspension or dismissal at the discretion of the Board of Fire Commissioners.
 - d. This informal procedure shall be discretionary and is intended for minor offenses. However, nothing shall require this procedure should the offense warrant formal proceedings, as determined in the discretion of the Board of Fire Commissioners or District Fire Chief.
6. A member has the right that allegations against them shall not be made except by charges brought on reasonable ground. If a member is thus accused, they have the right to be informed of the charge and given time to prepare their defense, to appear and defend themselves.

B. FORMAL DISCIPLINARY PROCEDURES:

1. If formal disciplinary action is initiated, the disciplinary action shall proceed in accordance with this Section.
2. The District Fire Chief of the Fire Department shall be empowered to temporarily suspend a member until the next regular meeting of the Board of Fire Commissioners. Any suspension under this paragraph shall be confirmed in writing to the member by the District Fire Chief, within 72 hours with a copy to the Secretary of the Fire District.
3. Members accused under this Article shall be given the opportunity to meet with the Board of Fire Commissioners at an Informal Meeting to discuss the matter at hand.
4. If, after the Informal Meeting, the Board of Fire Commissioners determines that no further action is required, the matter will be dismissed.
5. If, after the Informal Meeting, the Board of Fire Commissioners determines that formal disciplinary action should be taken, the accused member shall be notified in writing by either personal delivery or certified mail, of the charges. The written charges shall include the nature of the charges, the date, time and location of a Formal Hearing to be held by the Board of Fire Commissioners, or a hearing officer appointed by the Board for that purpose, at which time the charge(s) will be discussed with the accused member.
6. The accused member shall receive written notice of the Formal Hearing with the Board of Fire Commissioners with not less than 10 days nor more than 30 days written notice. Other members with knowledge of the incident shall be extended a written direction to attend by the Board of Fire Commissioners including members required by the accused member; failure of a member to attend the Formal Hearing after a written request by the Board of Fire Commissioners shall be subject to discipline under this Article.

7. The conduct of the Formal Hearing shall be as follows:
 - a. The charges shall be formally read to the accused member.
 - b. Witnesses shall be called to support the charges. The accused member may cross-examine the witnesses.
 - c. The accused may call witnesses to rebut the charges; the witnesses may be cross-examined by the Board.
 - d. Either the Board of Fire Commissioners or the accused may record the proceedings of the Formal Hearing by stenographic record only, at their own expense.
 - e. The Board of Fire Commissioners shall issue its written determination within 30 days of the Formal Hearing to the accused member, by either personal delivery or certified mail.
 - f. In the event that the board of Fire Commissioners appoints a hearing officer, the hearing officer for the purpose of such hearing, shall be vested with all the powers of the Board of Fire Commissioners, and shall make a record of such hearing, which shall be referred to the Board of Fire Commissioners for review within ninety days from the close of such hearing along with his or her recommendations. The Board of Fire Commissioners may, within 30 days of the receipt of such hearing officer recommendations may adopt, modify or reject such recommendations in whole or in part, as the Board of Fire Commissioners may in its sole discretion determine.

8. The resolution of the charges after Formal Hearing shall be one of the following:
 - a. The charges shall be dropped with no further action.
 - b. The charges are resolved with a formal written, reprimand and retained on record in the member's personnel file, with no further action against, or recourse by the member involved.

- c. The charges are resolved with formal suspension for a length of time fixed by the Board of Fire Commissioners, not to exceed one year from the date of the date of the Board approving such formal suspension. The Board of Fire Commissioners may also establish, in its discretion conditions governing the member's return following any suspension.
 - d. The charges are resolved with expulsion of the member, subject to the provisions of Section D of this Article.
- 9. If, after receipt of written charges from the Board of Fire Commissioners under Paragraph 5 of this Section, the accused member informs the Secretary of the Fire District in writing that the member has no objections to the charges, or if the accused member fails to attend the Formal Hearing, the Board of Fire Commissioners shall make a determination for resolution which shall be agreed by a majority vote of the Board of Fire Commissioners.
- 10. Within 10 days of the receipt by the member of the written determination made under Paragraph 7(e) of this Section, the affected member may file a written Appeal with the Fire District Secretary. The written Appeal shall state the specific ground(s) for the appeal. The Appeal shall then be considered at the next regular meeting of the Board of Fire Commissioners, as the first order of business. At that time, the charge(s) and determination of the Board of Fire Commissioners will be presented by the Secretary of the Fire District, together with the written Appeal of the affected member. A two-thirds vote of the Board of Fire Commissioners present shall be required to overturn a prior determination by the Board of Fire Commissioners.
- 11. In the event that the determination of the Board of Fire Commissioners is overturned, the charges shall be dismissed in their entirety and no further action taken. No Appeal shall be permitted for any determination made under Paragraph 9 of this Section.

C. MEMBERS UNDER SUSPENSION:

- 1. Any member suspended under this Article shall perform no duties as members, shall not be entitled to attend meetings or vote during the period of suspension, and shall observe any other restrictions which may be

imposed by the Board of Fire Commissioners. Suspended members shall not have their duty requirements prorated according to the length of their suspension.

2. A member's suspension (other than imposed under Paragraph 2 of Section B of this Article) shall commence upon the receipt of written notice from the Board of Fire Commissioners on the terms and length of time of suspension. Such written notice of suspension shall be delivered personally or by certified mail.

D. EXPELLED MEMBERS:

1. Any person expelled from this Fire District shall not be eligible to reapply for membership.
2. Removal of a member shall be effective upon receipt of written notice from the Board of Fire Commissioners. Such notice shall be delivered personally or by certified mail.

E. MAILINGS:

1. Any mailing done under this Article or these Rules and Regulations required to be done by certified mail, return receipt requested, and shall be posted to the address of the member maintained by the District Secretary.
2. Any other mailing done under this Article or these Rules and Regulations may be done by First Class Mail and shall be posted to the address of the member maintained by the District Secretary.
3. Any mailing to such address shall be presumptively received by the member.
4. When any notice or mailing is mailed under this Article or these Rules and Regulations, the notice or mailing shall be presumed to have been made upon mailing.
5. Refusal or failure by a member to accept a certified mailing or any other mailing may constitute misconduct under these Rules and Regulations and subject such member to disciplinary action under these Rules and

Regulations.

ARTICLE X. INSPECTIONS, PARADES AND REVIEWS

- A. Annual inspection by the Board of Fire Commissioners of the quarters, all Fire District apparatus and equipment and all personnel in designated uniforms, will be conducted at the time and place designated by the Board of Commissioners.
- B. The District Fire Chief, under the direction of the Board of Fire Commissioners, shall inspect all assigned equipment of all personnel at the time and place designated by the Board of Fire Commissioners.
- C. Participation in parades or reviews must be approved by the Board of Fire Commissioners prior to such events.

ARTICLE XI. QUALIFICATIONS FOR LINE OFFICERS AND CHIEFS

Training requirements shall have a 2-year phase in process from the effective policy date.

- A. LIEUTENANTS:
 - 1. Must have at least One (1) year of continuous service. Must be a member in good standing and not subject to any disciplinary matter under Article IX for One (1) year immediately prior to becoming a Lieutenant.
 - 2. Required Training
 - a. Firefighter 1 or equivalent
 - b. Firefighter 2*
 - c. Haz-Mat First Responder, Operations Level
 - d. Emergency Vehicle Operation Course (EVOC)
 - e. Pump Operator
 - f. Accident Victim Extrication (or equivalent ex. VROL)
 - g. S.C.B.A. Qualified
 - h. Current CPR/AED/basic first aid card
 - i. ICS 100,200,700 and 800
 - j. Truck Company Operations*

- k. Fire Officer 1*
- l. Fire Officer 2*
- m. Building Construction Course

Training with a (*) is Highly Recommended

B. CAPTAINS:

1. Must have at least Two (2) years of continues service. Must be a member in good standing and not subject to any disciplinary matter under Article IX for Two (2) years immediately prior to becoming a Captain.
2. Must have served at least One (1) year in the office of Lieutenant
3. Required Training
 - a. Firefighter 1 or equivalent
 - b. Firefighter 2*
 - c. Haz-Mat First Responder, Operations Level
 - d. Emergency Vehicle Operation Course (EVOC)
 - e. Pump Operator
 - f. Accident Victim Extrication (or equivalent ex. VROL)
 - g. S.C.B.A. Qualified
 - h. Current CPR/AED/basic first aid card
 - i. ICS 100, 200, 700 and 800
 - j. Truck Company Operations*
 - k. Rural Water Operations*
 - l. Fire Officer 1*
 - m. Fire Officer 2*
 - n. Building Construction Course

Training with a (*) is Highly Recommended

C. ASSISTANT CHIEF:

1. Must have at least Three (3) years of continues service. Must be a member in good standing and not subject to any disciplinary matter under Article IX for Three (3) years immediately prior to becoming Assistant

Chief.

2. Must have served at least One (1) year in the office of Captain prior to holding the office of Assistant Chief.

3. Required Training
 - a. Firefighter 1 or equivalent
 - b. Firefighter 2*
 - c. Haz-Mat First Responder, Operations Level
 - d. Emergency Vehicle Operation Course (EVOC)
 - e. Pump Operator
 - f. Accident Victim Extrication (or equivalent ex. VROL)
 - g. S.C.B.A. Qualified
 - h. Current CPR/AED/basic first aid card
 - i. ICS 100, 200, 700 and 800
 - j. Truck Company Operations*
 - k. Fire Officer 1*
 - l. Fire Officer 2*
 - m. Building Construction Course

Training with a (*) is Highly Recommended

D. DEPUTY DISTRICT CHIEF:

1. Must have at least Four (4) years of continues service. Must be a member in good standing and not subject to any disciplinary matter under Article IX for Four (4) years immediately prior to becoming Deputy District Chief

2. Must have served at least One (1) year in the office of Assistant Chief prior to holding the office of Deputy District Chief.

3. Required Training
 - a. Firefighter 1 or equivalent
 - b. Firefighter 2
 - c. Haz-Mat First Responder, Operations Level
 - d. Emergency Vehicle Operation Course (EVOC)
 - e. Pump Operator
 - f. Accident Victim Extrication (or equivalent ex. VROL)

- g. S.C.B.A. Qualified
- h. Current CPR/AED/basic first aid card
- i. ICS 100, 200, 700 and 800
- j. Truck Company Operations*
- k. Fire Officer 1
- l. Fire Officer 2*
- m. Building Construction Course

Training with a (*) is Highly Recommended

E. DISTRICT FIRE CHIEF:

1. Must have at least Five (5) years of continuous service. Must be a member in good standing and not subject to any disciplinary matter under Article IX for Five (5) years immediately prior to becoming District Fire Chief
2. Must have served at least Two (2) years in the office of Deputy District Chief within the Five (5) year period immediately prior to holding the office of District Fire Chief.
3. A District Fire Chief who has served in the capacity for a period of Five (5) consecutive years may not serve as a Line Officer for at least Five (5) years after holding the office of District Fire Chief.
4. Required Training
 - a. Firefighter 1 or equivalent
 - b. Firefighting Essentials and Initial Fire Attack
 - c. Firefighter 2
 - d. Haz-Mat First Responder, Operations Level
 - e. Emergency Vehicle Operation Course (EVOC)
 - f. Pump Operator
 - g. Accident Victim Extrication (or equivalent ex. VROL)
 - h. S.C.B.A. Qualified
 - i. Current CPR/AED/basic first aid card
 - j. ICS 100, 200, 700 and 800

- k. Truck Company Operations*
- l. Fire Officer 1
- m. Fire Officer 2*
- n. Building Construction Course

Training with a (*) is Highly Recommended

ARTICLE XII. MINIMUM TRAINING

- A. All persons whose applications for membership in the Fire Department have been approved by the Board of Fire Commissioners must pass the required training courses within the prescribed time limits, to the satisfaction of the Chief of the Fire Department and the Board of Fire Commissioners. Failure to pass the required training courses will be grounds for dismissal from the Fire Department by action of the Board of Commissioners.
 - B. Required training courses for all members, when taught by qualified instructors, will be as follows:
 - 1. IFO (or equivalent as determined by the Board of Fire Commissioners) for interior firefighters (those qualified to wear SCBA and work in IDLH atmospheres).
 - 2. BEFO (or equivalent as determined by the Board of Fire Commissioners) for exterior firefighters (those not qualified to wear SCBA or work in IDLH atmospheres).
 - 3. ICS 100 and 700.
- These courses must be completed within two years of approval by the Board of Fire Commissioners of membership.
- C. Credit for the required training courses may be attained at training sessions conducted by other than the Fire Department within the prescribed time limit, upon the prior approval of the Chief and the Board of Fire Commissioners.
 - D. All other active members will be required to maintain at least a valid first aid card

from a course approved by the Board of Fire Commissioners and CPR certification.

- E. Required training courses for Fire Police only will be as follows:
 - 1. NYS Fire Police course.
 - 2. ICS 100 and 700
 - 3. Basic Exterior Firefighting Operations or Scene Support Operations course is strongly recommended.

ARTICLE XIII. TRAINING

- A. It is the policy of the Fire District that it is necessary and in the public interest that the fire commissioners, fire officers and members and employees of the Fire District attend training and education which will promote public safety, including life safety, incident stabilization and property protection.
- B. The Fire District further encourages Fire District personnel to take advantage of all training opportunities available, whether within the Fire District, in the local and regional area as well as at the state and national levels. The following policy will be used as a guideline by the Fire District in authorizing personnel to attend various training schools and courses.
- C. Training opportunities given at the local level (within Jefferson County) without cost may be authorized by the Fire Chief upon recommendation by the Training Officer.
- D. Training opportunities at the local level where costs or fees are involved must be authorized by the Fire Chief and approved by the Board of Fire Commissioners prior to attendance. Local level means training within Jefferson County.
- E. Training opportunities at the regional level must be authorized by the Fire Chief and approved by the Board of Fire Commissioners prior to attendance. Regional level means training outside Jefferson County and its surrounding counties where overnight accommodations are not necessary, including the New York State Fire Academy at Montour Falls.

- F. Training opportunities at the state level must be authorized by the Fire Chief and approved by the Board of Fire Commissioners prior to attendance. State level means training schools such as the NYS State Preparedness Training Center at Oriskany where overnight accommodations are necessary.
- G. Attendance at schools at the national level will be evaluated on an individual basis for those requesting to attend, but will normally be restricted to officers and members of the Board of Fire Commissioners. Training opportunities at the national level must be authorized by the Fire Chief and approved by resolution of the Board of Fire Commissioners prior to attendance.
- H. For all out-of-state training and schools, the training or school must be determined by resolution of the Board of Fire Commissioners that such training or school is:
- necessary;
 - in the public interest;
 - not available within a reasonable distance in New York; and
 - not available within a reasonable time period in New York

All requests by all attendees for out-of-state training shall include a written justification to the Board of Fire Commissioners addressing each of these items. Failure to include such justification shall be the basis for refusal to allow such training or school.

- I. All schools or training requiring fees or tuition will be paid by the Fire District. In the event that an authorized person fails to attend such school or training without at least 48 hours prior written notice to the Fire Chief, the person will be assessed the fees for such school or training. Verifiable illness or emergency (as determined by the Board of Fire Commissioners in its sole discretion) shall relieve the person of this obligation.
- J. Copies of all certificates of attendance/graduation must be presented to the Fire Chief by each attendee within 5 days after return. Documentation relating to travel

expenses shall be submitted by each attendee to the Fire Chief on a Fire District Travel Form within 5 days of the completion of the travel.

- K. Final authority for attendance with any training or school lies with the Board of Fire Commissioners.

ARTICLE XIV. DRILLS AND CALL ATTENDANCE

- A. All members shall annually demonstrate competency with all skills required of them to function safely as members. The Fire Chief shall assure that such annual refresher training is completed and of sufficient content and duration to maintain each member's competencies, including maintaining all documentation related to the same.
- B. All active members yearly shall attend eight (8) firematic drills and must participate in two (2) firematic work details as prescribed by the Chief.
- C. All active members yearly shall attend at least 5% of all calls of the Fire District annually.
- D. The Fire Chief will provide and authorize necessary drills for drivers/operators. All qualified driver/operator must attend one driver/operator refresher drill annually which shall be considered a firematic drill.
- E. Failure to satisfactorily complete the required annual competency of skills, together with drill, call attendance and work detail requirements for the year ending December 31st will result in suspension of the member by the Fire Chief. The suspended member shall be informed by the Fire Chief in writing no later than January 10th that their appearance is required before the Board of Fire Commissioners at their next regular meeting to explain the member's failure to complete the required annual competency of skills, together with drill and work detail requirements for the year ending December 31st. The Fire Chief will also inform the suspended member that they may not participate in any fire company, department or district activity until the Board of Fire Commissioners renders a decision in the matter up to and including dismissal.

ARTICLE XV. POLICIES, RULES AND REGULATIONS

- A. The Board of Fire Commissioners may, from time to time, adopt policies and addition Rules and Regulations for the operation of the Fire District. Such policies, when adopted by the Board of Fire Commissioners, shall be distributed to all members and shall be incorporated into and have the same effect as though fully set forth in these Rules and Regulations.

ARTICLE XVI. MODIFICATION OF THESE RULES

- A. Any of the rules and regulations of the Town of Clayton Fire District contained herein may be waived, modified or supplemented at any time by the Board of Fire Commissioners in their discretion and upon due cause.