

Chapter 6

**FIRE DEPARTMENT\***

Art. I. In General, §§ 6-1—6-27  
Art. II. Fire Chief, §§ 6-28—6-38

**ARTICLE I. IN GENERAL**

**Sec. 6-1. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

*Chief:* The chief of the fire department or the acting chief.

*Firemen:* Men assigned to duty as firemen and those actually performing such duty during their prescribed probationary period.

*Other employees:* Employees regularly listed on the payroll of the fire department and approved by the chief as regular employees.

*Sickness:* The term "sickness" shall be construed to exclude illness or physical disorders due to excesses of any kind or wilful misconduct.

(Code 1965, § 6-1)

**Sec. 6-2. Composition.**

The fire department shall consist of a fire chief and the following assistants:

- (a) Six (6) deputy chiefs.
- (b) Seventeen (17) captains.

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**\*Editor's note**—For the General Laws relating to firemen's pensions accepted by the city see Table of General Laws Accepted by City (c. 32, § 80 et seq., generally).

**Cross references**—Administration, Ch. 2; employee classification and compensation plan, benefits, etc., § 2-126; fire prevention code, Ch. 7.

**State law reference**—False alarms of fire, G.L. c. 269, § 13.

- (c) Thirty-one (31) lieutenants.
- (d) Firefighters: As many as the mayor and city council shall determine from time to time are necessary.
- (e) One assistant superintendent of fire alarm.
- (f) Two (2) signal maintainers.
- (g) One electrician.
- (h) Ten (10) fire alarm operators.
- (i) One firefighter master mechanic.
- (j) Two (2) fire apparatus repairmen.
- (k) Other such administration personnel as the fire chief deems necessary.

(Code 1965, § 6-9; Ord. No. D424, 5-14-98; Ord. No. E005, 3-14-00)

**Sec. 6-3. Appointment of members and division into companies.**

The mayor may appoint, subject to confirmation by the city council, as many persons to be members of the fire department as the needs of the department may require, upon recommendation of the fire chief. Such persons shall be divided into suitable companies by the fire chief.

(Code 1965, § 6-10)

**Sec. 6-4. Residency requirements.**

All members of the fire department shall be residents of the city. When any officer or member of the fire department ceases to be a legal resident of the city, he shall resign from the department and failure so to resign shall be sufficient cause for his removal.

(Code 1965, §§ 6-10, 6-14)

**Sec. 6-5. Duties of officer in charge of station.**

The duties of the officer in command of each fire station shall be as follows:

- (a) To preserve order and discipline therein at all times, and require and enforce compliance with all city ordinances,

the rules and regulations of the fire department and the orders of the fire chief or the acting fire chief.

- (b) To forthwith report in writing to the fire chief or the acting fire chief the name of any member who shall be guilty of any neglect of duty or disobedience of orders.
- (c) To keep a record of all property of the city entrusted to his care. Such record shall at all times be subject to the inspection of the fire chief.
- (d) To make or cause to be made to the fire chief, true and accurate returns of all members, with their ages and residences and also the condition of the apparatus entrusted to his care, whenever called upon by him to do so.

(Code 1965, § 6-11)

**Sec. 6-6. Command in absence of fire chief.**

In case of the absence of the fire chief, the ranking officer, during such absence, shall have and exercise all the power and authority of the fire chief, and shall perform the duties of his office. The officer in command of the company which first arrives at the fire shall be the officer in command until the arrival of the first officer of superior rank.

(Code 1965, § 6-12)

**Sec. 6-7. Agreement to be signed by officers and members.**

Every officer and member of the fire department shall sign the following agreement, which shall be deposited with the fire chief:

“I, \_\_\_\_\_, having been appointed a member of the Brockton fire department, hereby agree to abide by the ordinances of the city, the rules, regulations and orders of the mayor and of the fire chief.”

Any officer or member who shall neglect or refuse to sign the same shall not be entitled to any compensation whatsoever, and unless he shall so sign within ten (10) days from his appointment, he shall be deemed to have declined the appointment.

(Code 1965, § 6-13)

**Sec. 6-8. Members and apparatus leaving city.**

No fire company shall leave the city with its apparatus, in case of fire in neighboring cities or towns and no apparatus shall be taken from the city, except by order of the head of the fire department, who is hereby authorized and empowered to aid other cities and towns in extinguishing fires therein. All members of the fire department while extending such aid shall have the same immunities and privileges as if performing similar duties in the city.

(Code 1965, § 6-15)

**State law reference**—Fire apparatus leaving city, G.L. c. 33 App. § 13-11(b), c. 48, § 59A.

**Sec. 6-9. Reporting injuries and sickness.**

It shall be the duty of all firemen and regular employees of the fire department to cause a report to be made to the company officer who shall forward a written report to the chief, of all injuries, both minor and major, and of all sickness arising from the duties of their employment. Such reports shall be made immediately after the injury is sustained. Cases of sickness shall be reported within seven (7) days after the occurrence of the cause of the same.

(Code 1965, § 6-17)

**Sec. 6-10. Sick or disability compensation.**

All regular members of the fire department and all regular employees thereof shall continue to receive their regular compensation during the period of their disability arising from injuries suffered in the performance of their duties going to a fire, working at a fire, returning from the same or while performing the duties of their employment in obedience to orders from superior officers or as required by the regulations of the fire department. Such compensation shall also continue during the period of illness arising from duty at a fire; provided, that such sickness is reported agreeably to the provisions of section 6-9 and in addition thereto that a report in writing of such sickness is filed with the fire chief by the city physician; provided further, that the claim for such compensation is approved by the fire chief.

(Code 1965, § 6-18)

**Sec. 6-11. Gambling and use of spirituous liquors.**

No gambling shall be allowed in any building occupied by any company in the fire department, nor shall any spirituous liquors be used therein.

(Code 1965, § 6-16)

**Secs. 6-12—6-27. Reserved.**

**ARTICLE II. FIRE CHIEF****Sec. 6-28. Devotion to service of city.**

The fire chief shall devote his whole time to the service of the city.

(Code 1965, § 6-21)

**Sec. 6-29. Powers and duties generally.**

The fire chief shall be responsible for the discipline, good order and proper conduct of the officers and men constituting the fire department, and for the good condition of all buildings and all apparatus, equipment, furniture and other property used by and connected with or appertaining to the fire department. The fire chief shall have the superintendence and control of the buildings used by the fire department.

(Code 1965, § 6-22)

*Cross reference*—Power of chief to order disconnection of electrical wires, § 18-6.

**Sec. 6-30. Rules and regulations.**

The fire chief shall, from time to time, make such rules and regulations for the government of the fire department as he may deem expedient, the same being subject to the approval of the mayor and city council.

(Code 1965, § 6-23)

**Sec. 6-31. Control of members of department; powers, etc., of fire wards of towns.**

The fire chief shall have the sole and absolute control and command of all the other engineers and of all members of the fire department. All powers, rights and privileges as to the control of bystanders and spectators at fires, which by the laws of the

commonwealth are vested in fire wards of towns, are hereby fully vested in the fire chief.

(Code 1965, § 6-24)

State law reference—Fire wards, G.L. c. 48, §§ 1—7.

**Sec. 6-32. Keeping rolls of companies and accurate account of property belonging to department.**

The fire chief shall keep accurate rolls of the members of the fire department and other employees, specifying the name, age, weight, height, occupation and residence at the time of their appointment and date of the admission and discharge of each member of the department, and keep an accurate account of all property belonging to the fire department.

(Code 1965, § 6-25)

**Sec. 6-33. Annual report to city council.**

The fire chief shall annually make to the city council a detailed report in writing of the condition of the fire department, also of all losses and accidents by fire that may happen within the city and the causes thereof, so far as the same can be ascertained.

(Code 1965, § 6-26)

**Sec. 6-34. Report of violations relative to the use or construction of buildings.**

It shall be the duty of the fire chief to report in writing to the mayor, chief of police or inspector of buildings, all violations that come to his knowledge of the provisions of these Revised Ordinances and any other city ordinances that regulate the use or construction of buildings.

(Code 1965, § 6-27)

**Sec. 6-35. Examination and care of apparatus, equipment and buildings.**

The fire chief shall examine into the condition of all apparatus, equipment and buildings belonging to the fire department as often as the circumstances may render it expedient, and shall cause the same to be kept in repair.

(Code 1965, § 6-28)

**Sec. 6-36. Traffic and fire signals.**

The fire chief shall be the superintendent of the traffic and fire signal systems and shall have the care and management of all rooms, apparatus and machinery connected with same. The chief shall also be responsible for the maintenance of same.

(Code 1965, § 6-2)

**Sec. 6-37. Preparation of payroll.**

The fire chief shall prepare the payroll of all persons employed in the fire department, and on his approval and that of the city auditor, the same shall be paid.

(Code 1965, § 6-30)

**Sec. 6-38. Presentation of bills for approval.**

Each month the fire chief shall present all bills against the fire department to the city auditor.

(Code 1965, § 6-31)

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