

## Ordinance No 74

An Ordinance Regulating the  
Fire Department of the City of Albany

Be it Ordained by the Common  
Council of the City of Albany:

Section 1. That the Fire Department of  
the City of Albany shall consist of a  
Chief Engineer, one Assistant Engi-  
neer, a President, a Secretary a  
Treasurer, a Board of Delegates and  
such Companies as now compose the  
same, or as may hereafter be admitted  
thereto in accordance with the provisions  
of this Ordinance

Sec 2 There shall be an Election annually  
on the second Monday of June for Chief  
Engineer and one Assistant Engineer;  
said Election to be called by the President  
of the Department by giving Ten days  
notice thereof in one of the newspapers  
of the City. The Board of Delegates shall  
appoint to conduct said Election three  
judges from the different Companies,  
who shall subscribe to an oath or  
affirmation to faithfully discharge  
their duties; said Election shall be  
at such place as the Board of Delegates  
may appoint, and the polls for such  
an Election shall be opened at 1 O'clock  
P.M. and closed at 4 O'clock P.M.  
The voting shall be by ballot and immedi-  
ately upon the closing of the polls, the  
votes shall be publicly counted, and the  
returns of said Election duly certified

shall be forwarded to the Secretary of the Department within twenty-four hours thereafter, and to be by them transmitted to the Board of Delegates who shall convene within ten days thereafter, and declare the result.

The person having the highest number of votes for Chief Engineer shall be declared elected for the term of one year, and until his successor is elected and qualified. The person having the highest number of votes for Assistant Engineer shall be declared Assistant Engineer for the term of one year and until his successor shall be elected and qualified.

Section 3. Contested elections for Chief and Assistant Engineer shall be decided by a majority of the Board of Delegates, and a tie vote occurs for either of said offices the Board shall determine who shall be entitled to the office.

Section 4. The Chief and Assistant Engineers before entering upon the duties of their several offices shall subscribe to an oath or affirmation faithfully to perform the duties of their respective offices, and thereupon they shall be entitled to certificates of office signed by the President and Secretary of the Department. The persons elected under the provisions of this ~~article~~ ordinance shall <sup>enter</sup> upon the duties of their several offices on the first day of July of each year.

Section 5. Whenever a vacancy occurs in the office of Chief Engineer, the President

of the Department shall order an Election to fill such vacancy for the unexpired term of said Officer, and whenever a vacancy occurs in the office of Assistant Engineer such a vacancy shall be filled by the Board of Delegates.

Sec 6 The Chief Engineer shall receive an Annual Salary of \$2000, which shall be paid quarterly out of the Treasury the same with other claims against the City.

Sec 7 Each Steam Engine Company shall be allowed for ordinary Expenses of Company and Apparatus the sum of \$1000 per quarter, Each hand Engine Company shall be allowed \$300 per quarter, Each hook and ladder Company shall be allowed \$150 per quarter each independent hose Company shall be allowed \$150 per quarter and the Board of Delegates shall be allowed \$500 per quarter.

Sec 8 The City Recorder is hereby authorized and directed to draw upon the Treasurer at the end of each quarter in accordance with the provisions of Section 7.

Sec 9 No person shall be allowed to vote at any Election unless he shall have been a Member of the Department thirty days next preceding the Election, and no person shall be eligible to office in the Department without possessing the qualification of a voter.

Sec 10 Each and every Company shall at its regular meeting in May elect three of its members to the Board

of Delegates, which Board shall consist of three representatives from each fire Company, who, before entering upon the duties of their Office shall take and subscribe to an oath or affirmation (to be administered by some person duly authorized by law to administer oaths) to well and truly perform the duties of Delegates as prescribed in the laws governing the Department. They shall assemble on the second Monday of May of each Year at seven and one-half o'clock P.M. in the room of the Board and then and there organize by the election of President, Secretary and Treasurer, whose terms of office shall be one Year or until their successors are elected and qualified.

All officers shall be elected from among the members of the Board

Sec 11 The Board of Delegates shall make laws for the government of the Fire Department, and all laws made by them shall be binding on every Company, Officer or Member of the Department. Any Member who shall violate any of the provisions of this Ordinance, or who shall refuse to obey the lawful orders of the Chief or Assistant Engineer shall upon complaint be tried by the Board, and if found guilty be censured, suspended removed from office or expelled from the Department as a majority of the Board in its judgment may direct. They shall examine the returns and declare the result of all Engineers Elections and give them their Certificates of Office

They shall fix the time of holding their meetings and all their proceedings shall be public.

Sec 12. Each fire Company shall be composed of not less than thirty nor more than seventy members; each hose Company shall be composed of not less than fifteen nor more than twenty five members; and each hook and ladder Company shall be composed of not less than twenty nor more than fifty members, all of whom must be duly registered members of the Department.

Sec 13. At their Annual Meeting, each Company shall elect a Foreman, two Assistant Foreman, a President Secretary, Financial Secretary and Treasurer who shall hold their offices for one year and until their successors are elected and qualified; and all vacancies occurring in such offices shall be filled in such manner as the Companies shall have previously prescribed.

Sec 14. Each Company shall have power to make rules for their own government, not inconsistent with the ordinances of the City or the rules of the Department.

Sec 15. Whenever the roll of members of any Company shall have been reduced below its minimum of members, it shall be the duty of the foreman of such Company to notify the Board of Delegates of the fact. At the first regular meeting of the Board of Delegates after such notice be given, the Board of Delegates shall inquire into the condition of such Company, and shall declare whether

Such Company shall be disbanded or continued in the Fire Department.

Sec 16 A Company desiring admission into the Department must make application to the Board of Delegates accompanying such application with a copy of their Constitution signed by at least the number of persons required to constitute a Company, who shall be residents of the City and the names of their officers and should the Board, by a vote of a majority of its members decide to recommend the admission of such Company the Secretary of the Department shall forward to the Common Council a certificate of such recommendation, together with a petition of the Company, the Constitution of the same, the names of the officers and men. If such recommendation shall receive the approval of the Common Council, the Company shall be declared admitted into the Department and shall be furnished by the City with apparatus and a house for receiving the same; and no petition for admission of any Company shall be entertained by the Common Council until it shall have received the recommendation of the Board of Delegates.

Sec 17 The Common Council shall order all work and supplies for the Department, and locate all cisterns and fire Company houses hereafter to be built. All proposals for the same shall be opened by the Chief Engineer in presence of a majority of the Com

Committee on Fire and Water, and by them, without unreasonable delay be awarded to the lowest ~~lowest~~ responsible bidder or bidders. All work done for and supplies furnished said Department shall be under the supervision of the Chief Engineer and a Majority of the Fire and Water Committee, and they shall certify all bills for such work and supplies.

Sec. 18. The Chief Engineer shall report to the Common Council the number, location and condition of Cisterns and fire apparatus, and the state of the Company houses, and all property of the City in keeping of said Department; also, all accidents by fire which may have taken place, with the causes thereof, and a description of the property destroyed or injured with the names of the owners of the same, and also the estimated loss thereof. He shall also report the expenses incurred by the City in maintaining each Company, and all other expenditures for the Department during his term of office; also such other information and recommendation as he may deem proper. He shall furthermore inquire into the causes of all fires and see that all persons criminally connected therewith are diligently prosecuted by the proper authorities.

Sec. 19. That hereafter, when any person elected to the office of Chief Engineer or Assistant Engineer of the Fire Department of the City of Albany shall fail or refuse to qualify and enter upon the duties of his office as required

by Section four of this Ordinance  
within one month from the time mentioned  
in said Section, then said office of  
Chief Engineer or Assistant Engineer,  
as the case may be shall be deemed vacant  
and shall be so declared by the Board of  
Delegates and such vacancy shall be  
filled as presented in Section five of  
this Ordinance.

Sec 20 This Ordinance shall take effect  
and be in force from and after  
its passage.

Sec 21 All Ordinances heretofore existing  
relating to the Fire Department are  
hereby repealed.

Passed by the Common Council  
February 12th 1878 and on said  
day Approved Jason Wheeler

Attest

J. M. Baldwin  
City Recorder

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