

ORDINANCE NO. 12

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF A VOLUNTEER FIRE DEPARTMENT, IN AND FOR THE VILLAGE OF CARLTON, CARLTON COUNTY, MINN* ESOTA FIXING CERTAIN CONDITIONS AND LIMITATIONS AND CERTAIN RULES AND REGULATIONS GOVERNING THE SAME.

The Village Council of the Village of Carlton do ordain as follows:

- Sec. 1. There shall be created and organized in the Village of Carlton, Carlton County, Minnesota, a Volunteer Fire Department which shall be called and known as "Carlton Fire Department".
- Sec. 2 The object and purpose of said fire department shall be the extinguishment of fires and the protection of life and property, and for such objects and purposes said department shall have jurisdiction over and throughout the entire corporate limits of said Village of Carlton.
- Sec. 3 For the objects and purposes stated in Section 2 of this act said department when actually engaged in the performance of its duties, shall have jurisdiction and control over all fire apparatus owned by said Village, including Engine, Pumps, pipes, mains, hose, hose carts, hydrants, hook and ladder outfits, buckets and buildings and all other apparatus, but which jurisdiction and control is subject to the authority of the Village Council of said Village.
- Sec. 4 All hose Companies hook and ladder companies, fire engine companies and all other companies organized to protect property and life from fire in said Village, shall belong to and be a part of this department, subject to the provisions of this ordinance and the constitution and bylaws of the said department.
- Sec. 5 No person, persons, firm, company or corporation shall in any manner have any control over or interfere with or take or use or have for any object or purpose any of the said fire apparatus above mentioned, except the officers and members of said department and persons specially authorized by said Village Council, and no officer or member of said department or person in the employ of said Village Council shall loan or allow any of said fire apparatus to go out of his possession except by order of said Village Council.
- Sec. 6 Said Fire department shall be created and organized as follows.: Any or all of the male citizens and residents of said Village not to exceed the number of thirty five for each company as hereinafter stated, and each person to be between the ages of eighteen and fifty years of good health, may volunteer their services and become members of this fire department and shall organize by adopting a constitution and by laws which constitution and by laws shall clearly and explicitly state the objects and purposes of said Department, its duties and powers the manner of performing such duties and exercising such powers the officers and their duties and powers and term of office, the manner of the election of such officers, and all things necessary to the carrying into effect the object and purposes of said department. Said constitution and bylaws shall in no manner conflict with this ordinance or the laws of the State of Minnesota. Before said constitution and by laws or either of them shall become effective, they shall be approved by said Village Council. All said persons so volunteering their services and organizing themselves into such fire department shall subscribe their names to such constitution or in lieu thereof shall subscribe their names to a roll of membership to be provided and kept for such purpose.
- Sec. 7 All officers of said department shall be elected from among the active members thereof in such manner as said department shall by its constitution and bylaws determine, but all such officers must be approved by said Village Council before entering upon the duties of their respective offices.

- Sec. 8 The Officers of said department shall consist of One Chief Engineer and one 1st Assistant Chief Engineer and one 2nd Assistant Engineer, one Secretary, one Treasurer and one Fire Warden.
- Sec. 9 Said Chief Engineer in addition to such powers, as may be given him by said department, shall in case of fire or when said department is engaged in the extinguishment of fire and saving of property and life, be at the head of said department, and in full control thereof, subject only to the authority of said Village Council and when said department shall be engaged in the extinguishing of fires or in saving property or life, each and every member thereof including all other officers shall be subject to the orders of said Chief Engineer.
- Sec. 10 In case of fire, or when said department is engaged in the extinguishment of fires or the saving of life and property, said Chief Engineer is hereby authorized and given full authority to call upon any and all of the male citizens of said Village to assist in such extinguishment of fire or saving of life and property and when such citizens and residents are so engaged they shall be subject to the orders of said Chief Engineer. In case of the absence or disability of the Chief Engineer, the first assistant Chief Engineer shall take his place and exercise his authority, and in case of the absence or disability of both of said officers, the second assistant Chief Engineer shall have control of said department and in case of the absence or disability of all three of said Officers, the person provided by the constitution and by laws of said department shall take control.
- Sec. 11 The first and second assistant chief Engineers, Secretary and Treasurer shall each receive such powers and perform such duties as said department shall determine, except as such duties are prescribed in this ordinance by law.
- Sec. 12 In addition to all duties and powers as shall be given to said fire warden by such department in the constitution and bylaws he shall keep careful watch and inspection over all buildings of every kind and character in said Village to see that the said buildings are reasonably safe from fire, and to see that such buildings are maintained and conducted in such manner, so as to be reasonably safe from fire. Said Fire Warden is hereby given all the power and authority conferred upon the Village Marshal of said Village, by virtue of section 8 and 9 of ordinance number 13 of said Village, and it is hereby made the duty of said Fire Warden to see that all the buildings mentioned in said ordinance number 13 are maintained as in said ordinance required. And it is hereby made the duty of said Fire Warden to carefully examine and inspect all buildings and structures of every kind and character as in said ordinance number 13 stated, at least twice (2 times) between the first day of October each year and the first day of May of the following years, said examination and inspection to be made for the purpose of seeing that all such buildings are in a safe condition from danger by fire. The particular time of such examination and inspection shall be determined by said Fire Warden but such time shall be during the hours of daylight and shall be during reasonable time.
The Village Council of such Village shall allow said Fire Warden such compensation for the reasonable time actually occupied in said examination and inspection as it shall determine and fix.
- Sec. 13 Each hose company, hook and ladder company, fire engineer company or other company belonging to and a part of this department may adopt such rules, by laws, and constitution as it shall see fit, provided however that the same do not conflict with the said constitution and by laws of said department or this ordinance or the laws of the State of Minnesota.

- Sec. 14 No hose company, hook and ladder company, fire engine company, or other company belonging to and being a part of this department shall consist of more than thirty five (35) members, all of which members shall be residents and citizens of said Village of Carlton.
- Sec. 15 After the organization of said department new members may be admitted therein in such manner and according to such terms as said department shall by its constitution and by laws determine.
- Sec. 16 Said department and each and every member thereof, is at all times under the control and subject to the orders of said Village Council, and said Council hereby reserves the power to suspend or remove any member of said department including any or all officers, whenever it shall deem it necessary and to the welfare of said Village so to do.
- Sec. 17 All actual bona-fide members of said fire department shall be exempt from serving as Jurors in any and all of the municipal and justice courts of said Village and shall be exempt from highway work and poll tax during the continuance of such membership, provided however that said exemptions are each personal privileges to be claimed by such member and may be waived by him and when so waived the same shall be no cause for disqualification.
- Sec. 18 All money received from the State of Minnesota or from the Treasurer of State by virtue of chapter thirty four (34) of the general statutes of said State of Minnesota, or by virtue of chapter 187 laws of 1885 of the State of Minnesota, and all amendments thereto or by virtue of any other law based upon or because of said department shall be by the Treasurer of said Village paid over to the Treasurer of said department upon the written order of the Village recorder of said Village, and said Village Council shall cause all money received by said Village as above stated to be delivered and paid to said department to be used and expended by said department according to law.
- Sec. 19 Said money received from the said State of Minnesota shall be kept separate and apart by said department in a special fund for the special purposes and objects mentioned in said laws, and shall be used by said department for no other purpose whatever.
- Sec. 20 The manner of performing the duties and purposes of said department viz; -The extinguishment of fires, and saving of life and property is hereby left wholly with said department to provide by its said constitution and by laws, but said department shall at all times perform such service in the best possible manner and to the satisfaction of said Council.
- Sec. 21 Old ordinance number 11 entitled " An Ordinance relating to Fire Company" is hereby repealed.
- Sec. 22 This act shall be in force from and after its passage and publication.

Attest: M. T. Wilander
Village Recorder

A. A. Paine
President of said Village

Passed June 4, 1896