

CHAPTER V.

FIRE DEPARTMENT.

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SECTION.

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Section 1. That all the powers and duties hereafter vested in or imposed upon the fire department, or any officer or member thereof, shall be exercised and performed under the supervision and control of the fire committee.

Sec. 2. The fire committee shall consist of three aldermen and the mayor, who shall have a general supervision of the working of the department.

Sec. 3. The officers of the fire department of the city of Raleigh shall consist of a chief, an assistant chief, with one foreman and one assistant foreman to each company. The chief of the fire department shall be secretary of the department. The chief and assistant chief shall be elected by the board of aldermen in such manner and at such time as the other city officers are elected, and shall hold office for two years, and until their successors are duly elected and qualified. The chief and assistant chief shall be paid a salary, the amount of the same to be fixed before their election, and shall not be changed during their term of office. They shall not be regular or honorary members of any fire company in the city while holding said office. In the absence of the chief from the city, or being prevented from attending to his duties from sickness, the assistant chief shall do and perform all the duties of the chief. The assistant chief shall not be absent from the city during the absence of the chief.

Sec. 4. The number of members allowed to each company shall not exceed twenty-five. The number of companies shall not be increased without the approval of the board of aldermen. All members of the fire department must live within the corporate limits of the city, and no one shall be eligible to membership, who is less than eighteen nor more than forty-five years old, except such as are now members. Any company failing to comply with the rules and regulations of the department shall be immediately put out of commission, and ignorance of the rules and regulations will not be deemed a sufficient excuse.

Sec. 5. The foreman of the company arriving first at the fire, shall command the fire department until the arrival of the chief or assistant chief, who shall immediately take control, and their orders shall be obeyed promptly, and for any

wilful violation of the command of the officer in charge of the department the party offending shall be dismissed from the fire department by the fire committee. The chief shall have control of the engine-houses, engines, apparatus, horses, and all other property of the fire department. He shall inspect the same once in every week and see that everything is kept in a condition for efficient service. He shall have power to make all rules and regulations necessary for the government and discipline of the department, to suspend or fine any employee of the department for good cause, subject to approval, in case of appeal, of the fire committee. He shall have an annual inspection of the apparatus of the whole department, and make a report of same to the fire committee. During fires and inspections he shall control all fire-plugs, maintain order among the firemen, and do all things proper for the efficient operation of the department. He shall report annually to the mayor the names, ages, residences and occupation of the firemen, the number and localities of the fires which have occurred during the year, the causes thereof, if they can be ascertained, the names of the owners of the property destroyed or injured, the amount of such destruction or injury, and such other matters touching its operations and organization as he shall think proper. He shall examine all fire-alarm boxes at least once in two weeks, or oftener if necessary, and shall have all repairs immediately attended to. He shall examine all fire-hydrants at least once in three months, and shall make a report of same to the mayor. He shall also keep a record of all accounts of the fire department, showing where all material was used, and submit the same to the committee whenever called upon to do so. He shall give bond in the sum of \$500, subject to be increased by the board of aldermen, for the faithful discharge of his duties.

Sec. 6. That if any person interfere with a fireman in the discharge of his duty, or get on or off of the apparatus going to or from a fire without authority from the chief or assistant chief, or loiter about the engine-houses, or if any

person meddle with the engines, hose or apparatus, he shall be fined ten dollars or imprisoned thirty days.

Sec. 7. That if any person shall knowingly give, or cause to be given, any false alarm of fire by means of the fire-alarm telegraph, or otherwise, he shall be guilty of a misdemeanor, and upon conviction shall be fined one hundred dollars, or imprisoned thirty days: *Provided*, that this section shall not apply to the testing of the fire-alarm telegraph or apparatus of the department by a proper officer thereof.

Sec. 8. That authority is hereby given to the mayor to offer a reward of fifty dollars, or less, for the apprehension and conviction of any person or persons who shall knowingly give or cause to be given any false alarm of fire by means of the fire-alarm telegraph or otherwise.

Sec. 9. That if any person interfere with the fire-alarm telegraph, or injure any of the poles, wires, boxes or other apparatus such person shall be fined twenty-five dollars or imprisoned thirty days.

Sec. 10. That in event of an alarm of fire the apparatus of the fire department shall have the right of way in and upon the streets, lanes, alleys, squares and railroad crossings in going to any fire, or being upon such streets, lanes, alleys, squares or railroad crossings. Any person who shall obstruct or wilfully fail or refuse to make way for any of such apparatus, shall be fined ten dollars or imprisoned for thirty days.

Sec. 11. That it shall not be lawful for any person whomsoever to ride or drive a vehicle through the streets, lanes, alleys or squares in which the fire department is assembled for the purpose of extinguishing a fire, and should any person attempt to ride or drive a vehicle through the streets, lanes, alleys or squares in which the fire department is assembled as aforesaid such person shall be fined ten dollars or imprisoned thirty days.

Sec. 12. That if any wagon, cart, street car or other vehicle be wilfully driven over the hose belonging to the fire department or used in sprinkling streets or flushing sewers

and gutters, the driver or owner or owners of such vehicle shall be fined for such offence fifteen dollars or imprisoned for thirty days.

Sec. 13. That it shall not be lawful for any one to congregate in the streets, lanes, alleys or squares next to the fire so as to interfere with the department; any person violating this section shall be fined ten dollars or imprisoned for thirty days.

Sec. 14. That no engine, reel or other apparatus of the fire department shall leave the city except with the consent of the mayor and chief of fire department upon urgent call in cases of fire in neighboring towns or cities, and no apparatus or property of the fire department shall be used for other than fire purposes. In case of fire outside of and near the city limits only one hose company shall respond, except in cases where property within the city limits is in danger, and in such cases the chief of fire department shall designate what apparatus shall respond.

Sec. 15. That the chief and assistant chief and foreman and assistant foreman of each company be, and they are hereby, vested with all the powers of a police officer of the city to make arrests within the city, during the existence of any fire, for violations of the preceding sections.

Sec. 16. That during the continuance of any fire the chief and assistant chief of the fire department, the committee on fire department, each of the foremen and the mayor shall have power to call on any and all persons to assist in extinguishing the same, or in pulling down or blowing up any building, or in removing any building, or in removing any goods, wares, merchandise and furniture from any building on fire or in danger to some place of safety, or to assist in making arrests. Any person failing to obey any order given for the purposes aforesaid shall be fined ten dollars: *Provided*, however, that no building shall be blown up, pulled down or in any way destroyed, except by the order of the mayor, together with two aldermen of the city selected by him.

Sec. 17. That in case of fire it shall be the duty of the chief of police to attend and take charge of the police department; in case of the removal or exposure of property he shall detail a sufficient number of citizens, not members of the fire department, who shall constitute an auxiliary police force, whose duty it shall be, under the direction of the chief of police, to guard all exposed property and detain all suspicious and disorderly persons, and to do whatever may be lawfully done to protect the rights of the citizens and preserve the public peace.

Sec. 18. Any person who shall wilfully break, deface or in any manner injure any fire hydrants, or who shall in any manner obstruct the free use of the same for fire purposes shall, upon conviction, be fined ten dollars.

Sec. 19. No person, association or company shall be allowed to erect, maintain or operate telegraph, telephone or electric wires in the city of Raleigh in such manner as to interfere with the wires of the fire-alarm and police telegraph, and any injury that may occur to the wires of the fire-alarm or police telegraph from or on account of the wires erected, maintained or operated by any such person, firm or corporation shall be promptly paid for or repaired by such person, firm or corporation. Any person, firm or corporation who shall erect, maintain or operate any telegraph, telephone or electric wires in the city shall place and keep in their power-station or main office suitable electro-mechanical gongs, which shall be connected with the fire-alarm and police telegraph service, and when such person, firm or corporation be notified by means of signals through said gongs to cut off the current from their said wires during the existence of any fire they shall immediately cut off the current and shall not again turn on the same until proper notice is given through said gongs by the proper officer of the fire-alarm and telegraph department. Any person, firm or corporation violating the provisions of this section, or failing to comply with the same, shall be fined five dollars for each offence.