

Introduced 2/5/18
Public Hearing 2/20/18
Council Action 3/5/18
Executive Action 3/12/18
Effective Date 5/12/18

County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 2

Bill No. 10-2018

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the process for establishing work schedules for career personnel in the Department of Fire and Rescue Services; updating references to the Chief of the Department of Fire and Rescue Services; removing certain duplicative job qualifications from the Code that are contained in the Classification Plan; updating the name of the Volunteer Firefighter's Association; making certain technical corrections; authorizing certain agreements; and generally relating to the Department of Fire and Rescue Services.

Introduced and read first time February 5, 2018. Ordered posted and hearing scheduled.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on February 20, 2018.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on March 5, 2018 and Passed , Passed with amendments _____, Failed _____.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8th day of March 2018 at 4 a.m./p.m.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Approved Vetoed by the County Executive March 12, 2018

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 1. By amending the following:

4
5 *Section 1.113 "Work hours for employees"*

6 *Subsection (b)*

7
8 *Section 17.100 "Department of Fire and Rescue Services"*

9
10 *Section 17.101 "Fire and Rescue Services Board"*

11
12 *Section 17.103 "Payments to volunteer fire corporations"*

13 *Subsections (a) and (g)*
14
15

16 **Title 1. Human Resources.**

17 **Subtitle 1. Human Resources Administration.**

18 **Part II. Merit System.**
19

20 **Section 1.113. Work hours for employees.**

21 (b) *Work Schedules for Fire and Rescue Services employees.* The Chief of Fire and Rescue
22 Services [[and the Chief of Each Volunteer Fire Department]] shall establish the work schedule
23 of the career firefighter personnel [[assigned to those stations being operated by a Volunteer Fire
24 Department]] and shall provide adequate supervision[[, either voluntary or career,]] for career
25 personnel when they are on duty.
26

27 **Title 17. Public Protection Services.**

28 **Subtitle 1. Fire and Rescue Services.**
29

30 **Section 17.100. Department of Fire and Rescue Services.**

31 (a) *General Provisions.* General provisions applicable to this department are set forth in subtitle
32 2, "Administrative Departments and Offices," of title 6, "County Executive and the Executive
33 Branch," of the Howard County Code.

1 (b) *Head.* The Director of Fire and Rescue Services shall head the Department of Fire and Rescue
2 Services. The Director of Fire and Rescue Services shall also be known as the Fire
3 [[Administrator]] CHIEF.

4 (c) *Qualifications of Director of Fire and Rescue Services.* The Director of Fire and Rescue
5 Services shall have [[comprehensive knowledge of fire prevention and suppression, rescue
6 services, emergency medical services and communications. The Director shall have had at
7 least ten years' experience in fire prevention, fire suppression or rescue services, including at
8 least five years of managerial experience in fire or public safety service. The Director too shall
9 be appointed solely on the basis of qualifications for the duties and responsibilities of office.
10 The Director shall be appointed in accordance with the procedure set forth in subsection
11 17.101(f)(2) of this subtitle]] THE MINIMUM QUALIFICATIONS, EXPERIENCE, AND EDUCATION AS
12 ESTABLISHED BY THE CLASSIFICATION PLAN OF HOWARD COUNTY.

13 (d) *Duties and Responsibilities:*

14 (1) The Department of Fire and Rescue Services shall be responsible for the administration
15 of the affairs of the County in:

- 16 (i) Fire suppression and prevention.
- 17 (ii) Fire training.
- 18 (iii) Arson investigation.
- 19 (iv) Rescue services.
- 20 (v) Emergency medical services.
- 21 (vi) Community risk reduction.
- 22 (vii) Fire and safety public education.
- 23 (viii) Plans review for fire safety.
- 24 (ix) Fire Code development and enforcement.
- 25 (x) Hazardous materials mitigation.

26 [[(2) [Repealed by C.B. 117, 1989.]]]

27 ([[3]])2) *Other duties and responsibilities.* The Department of Fire and Rescue Services shall
28 perform such other functions as may be prescribed by directive of the County Executive
29 or by law.
30
31

1 **Section 17.101. Fire and Rescue Services Board.**

2 (a) *General Provisions.* General provisions applicable to this board are set forth in subtitle 3,
3 "Boards and Commissions," of title 6, "County Executive and the Executive Branch," of the
4 Howard County Code.

5 (b) *Number of Members.* The Fire and Rescue Services Board shall have seven members, all
6 residents of Howard County.

7 (c) *Selection of Members.* Six of the members shall be appointed by the County Executive and
8 confirmed by the County Council from [[name(s)]] NAMES submitted by the Howard County
9 Volunteer [[Fireman's]] FIREFIGHTER'S Association, which shall determine the qualifications
10 of those six members. One member shall [[be a resident of Howard County,]] SERVE AS A
11 CITIZEN ADVISORY MEMBER AND SHALL BE appointed by the County Executive and confirmed
12 by the County Council.

13 (d) *Terms.* The Howard County Volunteer [[Fireman's]] FIREFIGHTER'S Association shall
14 determine the initial terms of six members which it submits for appointment to the Fire and
15 Rescue Services Board so that the terms of the members first appointed pursuant to this section
16 shall serve staggered terms of one, two, three, four and five years. The members appointed by
17 the County Executive shall serve a term of five years.

18 (e) *Executive Secretary.* The Director of Fire and Rescue Services or the Director's designee shall
19 serve as Executive Secretary of the Fire and Rescue Services Board and shall attend all
20 meetings of the Board.

21 (f) *Duties and Responsibilities.* The Fire and Rescue Services Board shall carry out all duties and
22 responsibilities assigned to it by law, including the following:

23 (1) *Advice and consultation.* The Fire and Rescue Services Board shall advise and consult
24 with the County Executive, the Director of Fire and Rescue Services, and other County
25 Officials and employees on matters concerning the administration of:

26 (i) Fire suppression and prevention.

27 (ii) Rescue services.

28 (iii) Fire training.

29 (iv) Arson investigation.

30 (v) Fire communications activities.

31 (vi) Emergency medical services.

1 (2) *Nominee for Director of Fire and Rescue Services.* When there is a vacancy in the position
2 of Director of Fire and Rescue Services, the County Executive shall provide to the Fire
3 and Rescue Services Board for review and comment, the names and a copy of their
4 resumes of the County Executive's top three choices to fill the vacancy. The Board shall
5 provide comments to the County Executive within 15 business days after receiving the
6 names. A new Director of Fire and Rescue Services may not be appointed until the 15
7 days has passed.

8 (3) *Other matters.* At the directive of the County Executive, FIRE CHIEF, or by resolution of
9 the County Council, the Fire and Rescue Services Board shall review and make
10 recommendations on any matter related to fire or rescue services.
11

12 **Section 17.103. Payments to volunteer fire corporations.**

13 (a) The County recognizes six volunteer fire corporations in the County, as follows:

14 (1) The Elkridge Volunteer Fire Department, Inc.

15 (2) The Ellicott City Volunteer Firemen's Association, Inc.

16 (3) The West Friendship Volunteer [[Firemen's Association]] FIRE DEPARTMENT, Inc.

17 (4) The Lisbon Volunteer Fire Company, Inc.

18 (5) The Fifth District Volunteer Fire Department, Inc.

19 (6) The Savage Volunteer Fire Company, Inc.

20 (g) The County recognizes the Howard County Volunteer [[Firemen's]] FIREFIGHTER'S
21 Association, Inc. as the organization empowered to represent ANY OR ALL OF THE VOLUNTEER
22 FIRE CORPORATIONS, LISTED IN SUBSECTION (A) OF THIS SECTION. THE HOWARD COUNTY
23 VOLUNTEER FIREFIGHTER'S ASSOCIATION, INC. [[and]] MAY enter into legally binding
24 agreements on behalf of any or all of the volunteer fire corporations listed in subsection (a)
25 [[above]] OF THIS SECTION, as so designated by any or all of these VOLUNTEER fire
26 corporations. [[The provisions of this subsection shall be effective until May 1, 1998.]] THE
27 COUNTY, AT TIMES, MAY ENTER INTO MEMORANDUMS OF UNDERSTANDING AND AGREEMENTS
28 DIRECTLY WITH A VOLUNTEER FIRE CORPORATION.
29

30 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland that
31 *this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on March 12, 2018.



Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council