

DETROIT CHARTER REVISION COMMISSION
PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: EPS 47

ISSUE CATEGORY: Enforcement & Public Safety

SOURCE: Mayor Bing Administration
Letter, dated December 20, 2010

RELATED CHARTER SECTIONS: Art. 7 (Executive Branch: Programs, Services
and Activities), Ch. 8 (Fire)

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Clarify appoint authority for manager is the Department. Allow Fire Commissioner to appoint a Superintendent of EMS and Assistant Superintendent. Make changes to persons/entities Fire Marshall required to report written findings to. Eliminate section allowing establishment of an Advisory Commission. Remove section on promotions.

ARTICLE 7. THE EXECUTIVE BRANCH: PROGRAMS, SERVICES, AND ACTIVITIES

CHAPTER 8. FIRE

Sec. 7-801. Department.

The Fire Department is headed by the Fire Commissioner.

The Mayor shall appoint a Fire Commissioner, and the may appoint a Deputy Fire Commissioner shall be appointed by and , who serve at the pleasure of the Mayor. The Fire Commissioner may appoint necessary Second Deputy Fire Commissioners.

Sec. 7-802. Departmental divisions.

~~Subject to the approval of the mayor, The Fire Commissioner shall appoint a Chief of the Fire Department from the board of fire chiefs of the fire fighting division. The chief who~~ serves at the pleasure of the Fire Commissioner. The Chief shall serve as the Director of Operations for the Fire Fighting Division.

~~Two (2) The Fire Commissioner may appoint necessary Deputy Fire Chiefs shall be appointed by the fire commissioner~~ from the ranks of the Assistant Chiefs ~~and~~ The Deputy Fire Chiefs shall serve at the pleasure of the Fire Commissioner.

A Fire Marshal shall be appointed by and serve at the pleasure of the Fire Commissioner.

The Fire Commissioner shall appoint a Superintendent of the Emergency Medical Services Division, and may appoint an Assistant Superintendent of the Emergency Medical Services Division, who serve at the pleasure of the Fire Commissioner.

Sec. 7-804. Fire Marshal.

The Fire Marshal shall inquire into the origin of all fires resulting in property loss and shall make a written report concerning every such fire to the Fire Commissioner, the Chief of Police commissioner, the Wayne County prosecuting attorney Prosecutor, the Detroit Board of Underwriters and any person legitimately interested in the matter with a legal interest in the property.

The Fire Marshal shall also make such inspection of buildings and other places as is necessary for enforcement of the Detroit Fire Prevention ordinances of the city Code.

~~Sec. 7-805. Advisory commission.~~

~~A four (4) member advisory commission may be appointed by the mayor to advise the mayor and the fire commissioner on matters relating to the fire department.~~

~~Sec. 7-806. Promotions.~~

~~1. The fire commissioner shall make all promotions to non-supervisory positions within the classified service of the department. The employee having served the longest period in any position shall be advanced to fill any vacancy in the next highest position, if that person has, in the judgment of the fire commissioner, the qualifications for the higher position. Qualifications shall be reasonable and noncompetitive.~~

~~2. Promotions within the classified service of the department to the supervisory positions of sergeant and above shall be determined by qualifications based on length of service in the next lower position and reasonable and objective evaluation of such factors as ability, skill, experience, knowledge and training.~~

RATIONALE: *"The changes in Article 7, Chapter 8, of the 1997 Detroit City Charter clarify appointment authority for the managers in the Fire Department. In addition, provisions that are not the proper subject matter for a city charter, but, instead, are controlled by collective bargaining agreements, have been deleted."*-Mayor Bing Administration, Letter, dated December 20, 2010.

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: See "Charter History of Fire Department", dated July 19, 2010.