

Texas Fire Chiefs Association
DOCUMENT SUBMISSION FORM

Candidate Department: Irving Fire Department

Best Practice Standard: 1.07 Authority of Agency Director

Proofs of Compliance Submitted:

1. Ordinance Creating Irving Fire Department

Submitted By: Scott Johnson, Program Manager

Date:

Evaluator's Review

Evaluator:

Date Accepted:

Sec. 17-1. - Creation of fire department; personnel.

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There is hereby created a fire department of the City of Irving, at the head of which shall be the chief of the fire departments who shall not be a member of the classified service nor be under civil service protection, and other employees as the city council may provide.

(Ord. No. 4394, § 1, 4-26-84; Ord. No. 5816, § 1, 6-21-90)

Sec. 17-2. - Duties of fire chief.

The chief of the fire department shall:

(a)

Carry out the functions of the fire department related to public safety and enforcement of the fire code, ordinances, state and federal laws; organize the fire department in conformity with the laws of the State of Texas and ordinances of the city; and promulgate directives, orders, rules, regulations and procedures for the operation of the department and administration of discipline within the department;

(b)

Be responsible for the stationing and transfer of all firefighters and other officers and employees constituting the fire force, under such policies and regulations as may be established by the city manager, to whom he shall be immediately responsible, or according to ordinances of the city.

(Ord. No. 4394, § 1, 4-26-84)

Sec. 17-3. - Appointment, removal, control and supervision of fire chief.

The chief of the fire department shall be appointed by the chief executive and confirmed by the city council, the chief shall be under the control and supervision of the city manager and the city council may terminate or discipline the chief upon the recommendation of the city manager or upon its own motion.

(Ord. No. 4394, § 1, 4-26-84; Ord. No. 6008, § 1, 8-29-91)

State law reference— Firefighter training and certification, V.T.C.A., Government Code ch. 419.

Sec. 17-3.1. - Fire department to be divided into two classes; classification of positions within classes and organizational elements.

(a)

The fire department of the City of Irving shall be divided into two (2) classes based on the similarity in duties and responsibilities within each respective class. The first class shall be known as "emergency activities" and the second to be known as "fire prevention."

Personnel of the fire and rescue operations division and the special services division shall constitute the emergency activities class. Every member of these divisions shall satisfactorily complete the training and certification requirements as established by the Texas Commission on Fire Protection Personnel Standards and Education for a Firefighter. Personnel of the fire prevention division shall constitute the fire prevention class. Every member of the fire prevention division shall satisfactorily complete the training and certification requirements as established by the Texas Commission on Fire Protection Personnel Standards and Education for a Fire Inspector.

The chief may make assignments to any fire department activity as manpower availability and the needs of the fire department arise.

The emergency ambulance activity shall be operated in the emergency activities class and shall be staffed by those holding positions in the fire equipment operator classification who have been assigned to emergency ambulance activity by the chief, save and except functional supervision of the emergency ambulance activity shall be provided by a fire captain assigned that duty by the chief.

The training officer position shall be a part of the emergency activities class and the training officer shall be a battalion chief assigned the duty of training officer by the chief.

Every member of the class of emergency activities shall be subject to assignment at the discretion of the chief of the fire department but at all times shall have firefighting as one of his or her primary duties.

(b)

All uniformed personnel of the fire department with the exception of the chief of the fire department shall be divided into classifications within the two (2) above classes. All promotional examinations within the emergency activities class shall be open to a civil service employee who has held a continuous position for two (2) years or more at the next lower pay grade classification in the class for which the promotional examinations being offered. All promotional examinations within the fire prevention class shall be open to a civil service employee who has two (2) years or more at the next lower pay grade classification in the fire prevention class for which the promotional examination is being offered.

If a civil service employee in the emergency activities class wishes to test for other than an entry level position in the fire prevention class as a prerequisite to being eligible to take the test, the employee shall on the date of the examination, be certified by the Texas Commission on Fire Protection Personnel Standards and Education as a Fire Inspector. If a civil service employee in the fire prevention class wishes to test for other than an entry-level position in the emergency activities class, as a prerequisite for being eligible to take the test, the employee shall on the date of the examination, be certified by the Texas Commission on Fire Protection Personnel Standards and Education as a firefighter.

Firefighter is the entry-level position classification for the emergency activities class. Fire Prevention Specialist is the entry-level position classification for the fire prevention class.

All of the duties performed within each classification are necessary to the mission of the fire department and are of equal status. The chief, in his or her discretion, may assign each member those duties or responsibilities within the classification of the member as the chief deems necessary to accomplish the mission of the fire department.

The chief may, in his or her discretion, vary or change assignments or reassign members as the chief may deem necessary to accomplish the goals of providing efficient service and ensuring the continuity of the service. Because continuity can be assured by changing assignments and by providing training in different areas, no member has the right to continue to perform any particular duties within his or her classification. The chief may make such temporary assignments and/or out-of-class assignments as he or she may deem necessary to accomplish the mission of the fire department.

The current classification title Fire Inspector I is changed to Fire Prevention Specialist. The position of Fire Inspector I is abolished as the position becomes vacant. The base pay of each classification shall be set forth in the annual budget or other separate ordinance, and the number of positions authorized for each classification shall be set in a separate ordinance relating to the schedule of classified personnel. The only classification titles in each class of the fire department are as set out below:

Emergency activities class classifications:

Assistant Fire Chief
Fire Battalion Chief
Fire Captain
Fire Lieutenant
Fire Equipment Operator
Firefighter

Fire prevention class classifications:

Fire Marshal
Assistant Fire Marshal
Fire Prevention Specialist

(Ord. No. 4394, § 1, 4-26-84; Ord. No. 5101, § 1, 12-4-86; Ord. No. 5918, §§ 2, 3, 1-31-91; Ord. No. 6432, § 1, 6-9-94; Ord. No. 6867, §§ 1, 3, 9-5-96)

Editor's note—

The fire department schedule of civil service personnel, as amended from time to time, is on file in the office of the deputy city clerk.

Sec. 17-3.2. - Appointment of members of fire department.

The uniformed personnel of the fire department, other than the chief of the fire department and assistant fire chief, shall be certified from the list of eligibles prepared by the civil service commission, in accordance with such rules and regulations as may be prescribed by the civil service commission. The chief of the fire department is authorized to appoint the assistant fire chief without reference to a civil service eligibility list in accordance with the Firemen's and Policemen's Civil Service Law, Article 1269m of Vernon's Annotated Revised Civil Statutes of the State of Texas. An assistant fire chief so appointed may be removed from such classification by the chief of the fire department.

(Ord. No. 4394, § 1, 4-26-84)

Sec. 17-3.3. - Standards for fire department personnel.

- a. All civil service personnel of the fire department shall be required to satisfactorily complete, within the prescribed time, the minimum requirements for basic certification as established by the State of Texas.
- b. No person shall be certified as a firefighter or fire inspector who has not satisfied the basic requirements established by the State of Texas for fire department personnel and such rules and regulations as may be established by the civil service commission.
- c. All civil service personnel of the fire department shall be bound by the most current directives, orders, rules, regulations and procedures for the operation of the fire department as promulgated or as may hereafter be amended by the chief of the fire department, and failure to abide thereby shall subject the violating personnel to such disciplinary action as may be determined by the chief of the fire department within the limits of applicable state law or city ordinance.

(Ord. No. 4394, § 1, 4-26-84)

Sec. 17-3.4. - Assistant chiefs: Sick leave.

Each assistant chief of the fire department shall be entitled to accumulate and be paid for sick leave as are uniformed members of the fire department who are under civil service protection. The assistant chiefs may elect to be paid for accumulated sick leave either at the time of becoming chief of the department or leaving the employ of the department. The dollar amount of accumulated sick leave shall be calculated using the compensation received by the assistant chief just before being promoted to chief of the department.

(Ord. No. 5816, § 3, 6-21-90)

Sec. 17-3.5. - Vacation leave.

All vacation leave accrued by members of the fire department shall be utilized according to a schedule approved by the chief. Vacation leave not utilized during one (1) year may be accumulated to the next year provided that the maximum accumulation shall not exceed twice the annual rate accrual of vacation leave, and provided that vacation leave will not be scheduled in such a way as to cause vacation leave to be lost.

FOOTNOTE(S):

⁽⁴⁵⁾ **Editor's note**— Ord. No. 4394, § 1, adopted Apr. 26, 1984, repealed former Art. I, comprising §§ 17-1—17-3.1, as derived from Ord. No. 463, Ord. No. 2276, adopted Mar. 23, 1972, and Ord. No. 2734, adopted Feb. 6, 1975. Ord. No. 4394 then enacted a new Art. I, §§ 17-1—17-3.3, entitled "Fire Department." The editor has retained the former article title "In General" to preserve Code format. [\(Back\)](#)

⁽⁴⁵⁾ **State Law reference**— Authority to provide for fire department, V.T.C.A., Government Code § 342.011. [\(Back\)](#)

⁽⁴⁵⁾ **Charter reference**— Fire prevention, art. III, § 22. [\(Back\)](#)

⁽⁴⁵⁾ **Cross reference**— Airport fire prevention code adopted, § 3-32; ambulances, Ch. 5; authority of fire department officials in enforcing motor vehicle and traffic regulations, § 21-5; fire extinguishers on vehicles, § 21-38; designation of fire lanes, § 21-40 et seq.; following fire apparatus, § 21-65; vehicles crossing fire hose, § 21-66; parking near fire hydrants, etc., § 21-120; reward by city for information as to arson, § 24-1; firefighters' pension, § 27A-2; firemen's civil service, § 27A-11 et seq.; refuse, garbage and weeds generally, Ch. 33; hotel/motel fire alarms, Ch. 51. [\(Back\)](#)