

AN ORDINANCE REPEALING SECTION 8-18 OF THE NORWICH CODE OF ORDINANCES AND REPLACING IT WITH AN AMENDED SECTION 8-18.

WHEREAS, the providing of fire protection is a public function that falls within the state’s police power and Connecticut has delegated this function to local municipalities through Gen. Stat. Section 7-148(c)(4)(B) which statute provides that any municipality shall have the power to:

“[p]rovide for fire protection, organize, maintain and regulate the persons providing fire protection, provide the necessary apparatus for extinguishing fires and do all other things necessary or desirable for the protection of the municipality from fire” . . . ;and

WHEREAS, the City of Norwich is responsible for the protection of life and property from fire and for the enforcement of all laws, ordinances and regulations relating to fire protection and fire safety within the City of Norwich; and

WHEREAS the Charter of the City of Norwich, in Chapter 10, Section 4, provides that there shall be a fire department consisting of the fire chief and such other officers and employees of such ranks and grades as maybe prescribed by ordinance, which fire department shall be responsible for the protection of life and property within the city from fire and for the enforcement of all laws, ordinances and regulations relating to fire prevention and fire safety; and

WHEREAS, the City of Norwich also relies upon five (5) volunteer fire companies located within different sections of the City of Norwich for the provision of fire protection and, the Charter, at Chapter X section 6, provides:

“Nothing in this charter shall be construed to affect the organization, status or property of any volunteer fire company now established or which may hereafter be established in the city. Whenever paid and volunteer companies are acting together, they shall be under the command of the fire chief.”; and

WHEREAS, the fire department and the five (5) volunteer companies are collectively described herein as the “Fire Service”, and all utilize and rely upon apparatus and equipment provided by the City of Norwich in connection with their fire protection, fire control, and fire prevention responsibilities; and

WHEREAS, the City of Norwich commissioned an analysis of the Fire/EMS services in Norwich by McGrath Consulting Group, Inc., which prepared a detailed report of its analysis and made a number of recommendations relative to supporting, improving, and updating the provision of fire protection, fire control, fire prevention, and other fire related services in the City of Norwich, including the delivery of the most efficient and cost effective services to all of Norwich, the council agreeing with its recommendation that such services be provided with a focus on “**WHAT IS BEST FOR THE INDIVIDUAL NEEDING THE SERVICE**”; and

WHEREAS, the city of Norwich is in the process of updating its communication and dispatch services to, among other things, improve communications among the components of the fire service; and

WHEREAS, the McGrath Report recommends standardization of fire apparatus and equipment; and

WHEREAS, this Ordinance is intended to amend and supplement Ordinance 8-17 of the Norwich Code of Ordinances with a goal of providing the best, most efficient and cost-effective service for all of Norwich, acknowledging that the primary focus of the Fire Service of the City of Norwich should be and remain the “WHAT IS BEST FOR THE INDIVIDUAL NEEDING THE SERVICE.”

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that section 8-18 be repealed in its entirety and the following substituted therefor.

Sec. 8-18 Centralized purchasing protocol and common apparatus and equipment specification, procurement and replacement procedure

(a) This section is intended to supplement the purchasing requirements of the city of Norwich established in Article II of Chapter VII of the Code of Ordinances but is not intended to repeal, limit or overturn any of the requirements therein established with respect to city purchases.

(b) Definitions.

(1) “FIRE DEPARTMENT” shall mean the fire department established pursuant to section 4 of Chapter X of the Charter of the city of Norwich.

(2) “VOLUNTEER FIRE COMPANY” shall mean any volunteer fire company now established or which may hereafter be established within the city of Norwich.

(3) “FIRE SERVICE” shall mean the fire department and the five (5) volunteer fire companies described collectively, to include any volunteer company which may hereafter be established within the city of Norwich.

(4) “APPARATUS” shall mean the three (3) main types of apparatus used in the Norwich fire service based on function. The three (3) main types of apparatus presently used are engines, aerial devices, and rescue.

(5) “ENGINE” shall mean pumper truck, the primary function of which is fire attack with an onboard pump, water tank, tools and hose, but which may include subcategories such as an engine-tanker having a tank capacity of 1,000 gallons or more as well as tankers which are large capacity water delivery vehicles without hose or tools for firefighting.

(6) “AERIAL DEVICE” shall mean a ladder truck which may have a mounted ladder which may or may not have a platform or bucket to operate from on the end of the mounted ladder. A ladder truck may also carry portable ladders. The terms “truck”, “tower”, and “ladder” are presently used to describe certain aerial devices used in the city of Norwich.

(7) “RESCUE” shall mean a vehicle that carries specialized rescue equipment.

(8) “SPECIALIZED VEHICLES OR EQUIPMENT” shall mean other vehicles or marine units used by the fire service including a hose tender, off-road utility vehicle, dive boat, off-road vehicles, Marine-1 and small marine units.

- (c) The city of Norwich will establish a centralized purchasing protocol to create common apparatus specifications and procurement procedures relative to the acquisition of apparatus, specialized vehicles or equipment, utilized by the fire service, including personal protection equipment.

The city manager, with the assistance of the fire chief, a chief of one of the volunteer fire companies selected by the chiefs of the volunteer fire companies for this purpose, or by the city manager if the selection is not made within sixty (60) days of the adoption of this ordinance, the fleet maintenance supervisor and the purchasing agent to (1) establish common base-standards and specifications for all apparatus including engines, aerial devices, rescue and specialized vehicles or equipment including personal protection equipment and all forms of equipment utilized by the fire service.

This committee shall recommend to the city manager a centralized purchasing protocol within one hundred eighty (180) days of its formation, and a common apparatus specification and procurement procedures within a timeline directed by the city manager. The city manager shall then prepare a final proposed protocol and recommended common based standards and present the same to the public safety committee of the city council for review.

- (d) Whenever the chief of the fire department determines that the piece of apparatus needs to be replaced or a piece of apparatus needs to be acquired, he shall convey this information to the city manager.

The city manager shall then convene a specification team to consist of the fire chief of the fire department or his designee, the chief of the volunteer fire company who has made the request or his designee, or the chief of the volunteer fire company appointed to the specifications committee when the request is initiated by the fire chief of the fire department, the fleet maintenance superintendent, and the purchasing agent. The specification team shall review the request and develop a set of specifications applicable to the apparatus if a common specification has not been previously established.

The city manager shall recommend the specification so adopted to the city council in connection with a resolution authorizing the issuance of a request for proposals. The same information shall also be transmitted to the city council at the time it is considering a resolution approving of a bond and/or setting a referendum upon the proposed bid award.

Any fire company may request a deviation from a common apparatus specification or for an upgrade from a common grade standard specification, but any cost above the cost of the specifications approved by the committee and the city manager, to the extent the deviation or the upgrade increases the cost of the city of Norwich to acquire the same, may not be paid for by city funds but may be paid for by funds of the requesting fire company. Understanding that there may be a need for a deviation from the common apparatus specifications under certain conditions the specification committee may approve such a deviation with the total cost to be paid by city funds.

- (e) When common based standards and/or specifications have been established, the bulk purchase of items and equipment to be utilized by the fire service, including personal protective equipment, shall be required whenever available and recommended by the city purchasing agent.

(f) The Fire Study prepared by McGrath Consulting Group Inc. has recommended that various pieces of apparatus be removed from service or retired. The city manager shall appoint an apparatus reduction ad hoc committee to consist of the fire chief, the chiefs of the volunteer companies, and the fleet maintenance superintendent to select six (6) pieces of apparatus to be removed from service or retired without replacement.

The committee is to make its recommendation to the council identifying the six (6) pieces of apparatus to be removed from service or retired and the basis for the recommendation on or before April 1, 2023 and the interim to issue monthly progress reports to the public safety committee of the city council.

After April 1, 2023 any new apparatus to be acquired and paid for by the city of Norwich must replace a piece of apparatus then in use that is recommended to be decommissioned.

(g) Recognizing that the apparatus and equipment provided to and utilized by the fire service is provided by the city of Norwich all members of the fire service shall be expected to avoid discriminatory practices in connection with their involvement with the fire service discriminating practices as are established by the city of Norwich or the State of Connecticut.

President Pro Tem Joseph A. DeLucia
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