

DETROIT CHARTER REVISION COMMISSION

PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: EPS 13

ISSUE CATEGORY: Enforcement & Public Safety

SOURCE: Daniel F. McNamara, President

RELATED CHARTER SECTIONS: §7-802 (Departmental Divisions)

Detroit Fire Fighters Assn, Letter dated

November 1, 2010

RELEVANT ORDINANCE SECTION: Part III,

RELEVANT LAW(S):

Ch. 19.

ISSUE/PROPOSAL STATEMENT: Revise 7-802 by allowing Mayor (not Fire Commissioner) to appoint and fire the Fire Chief, and two Deputy Fire Chiefs from the Board of Fire Chiefs of the fire fighting division and remove Fire Commissioner's ability to hire and fire the Fire Marshal.

Sec. 7-802. Departmental divisions

~~Subject to the approval of (T)he mayor, the commissioner shall appoint a chief of the fire department from the board of fire chiefs of the fire fighting division. The chief serves at the pleasure of the fire commissioner.~~ **Mayor.** The chief shall serve as the director of operations for the fire fighting division.

Two deputy fire chiefs shall be appointed by the fire commissioner **Mayor** from the ranks of the assistant chiefs and serve at the pleasure of the fire commissioner. **board of fire chiefs of the fire fighting division.**

~~A fire marshal shall be appointed by and serve at the pleasure of the fire commissioner~~

RATIONALE: None originally provided. Requested November 3, 2010 and the following was provided on November 15, 2010: "Deputy Chiefs are integral parts of the internal chain of command , just below the Chief of Fire Operations. One oversees the west side of the city, the other the east side along with their other defined job specifications. They, along with the Chief of Fire Operations, serve as duty officers that are called out for unusual situations or major conflagrations in Detroit. They have come through the ranks and have decades of service in the fire department. They have specific and involved duties that involve the day to day 24 hour operation of the fire department that call for, at times, immediate and crucial decision making. The DFFA's proposal would make no change other than the Mayor, rather than the fire commissioner, appoints the Deputy Chiefs off the Board of Chiefs.

"The fire marshal's appointment is defined in the Collective Bargaining Unit between the city of Detroit and the Detroit Fire Fighters Association. This position is very clearly spelled out as a seniority promotion, not appointment. It is the intent to make both the charter and the CBA be in agreement with the controlling language." *–Daniel McNamara, President, Detroit Fire Fighters Assn.*

ANALYSIS: Under the current charter the Fire Commissioner appoints the Chief of the Fire Department from the Board of Fire Chiefs of the fire fighting division, subject to mayoral approval. Two deputy Chiefs are appointed by the Fire Commissioner

from the ranks of the assistant chiefs and serve as the Commissioner's pleasure. In addition, the Fire Marshall is appointed by and serves at the Commissioner's pleasure.

DISPOSITION/COMMISSION ACTION:

NOTES: