

# MAINE STATE LEGISLATURE

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## PART 6

## FIRE PROTECTION AND PREVENTION

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## CHAPTER 311

## PERSONNEL AND EQUIPMENT

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**§ 2301. Election of fire wards**

Each town, at its annual meeting, may elect as many fire wards as it deems necessary. Each person so chosen shall be notified within 3 days, and shall enter his acceptance or refusal of the office with the town clerk within 3 days after such notice on penalty of \$10, unless excused by the town. If excused, the town shall elect another in his place.

R.S.1954, c. 97, § 1.

**§ 2302. Powers and duties of fire wards and officers at fires**

When a fire breaks out in any town, the fire wards shall immediately attend at the place, and when there, any 3 of them

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may direct any building to be pulled down or demolished if they judge it necessary to prevent the spread of the fire. In their absence the major part of the municipal or any 2 civil or military officers present, in the order in which they are named, have the same power.

During the continuance of any fire, said fire wards or other officers in charge may require assistance in extinguishing the fire and removing merchandise and furniture, appoint guards to secure the same and to aid in pulling down or demolishing buildings and suppressing disorder and tumult, and generally may direct all operations to prevent further destruction or damage. Any person refusing to obey their orders forfeits \$10.

R.S.1954, c. 97, § 2.

**§ 2303. Management of apparatus; employment of firemen**

Any town, corporation or individuals, providing fire engines, hose, ladders or other apparatus or equipment used for the extinguishment of fires, or the preservation of life or property from destruction at fires, may by ordinances or bylaws prescribe rules and regulations for the care and management thereof, for the employment and compensation of men, not exceeding 60 to each engine, whether enginemen or other persons, and for the appointment of officers to govern them when on duty and to take charge of such apparatus or equipment and may prescribe their style, rank, powers and duties.

R.S.1954, c. 97, § 3.

**§ 2304. Powers and duties of engineers and officers; towns responsible**

The engineers or other officers chosen by any town under any ordinance or bylaw shall, in addition to the powers thereby conferred, exercise all the powers and duties of fire wards as prescribed in chapters 311 to 321, unless restricted by the ordinance or bylaw under which they are chosen. Such towns are responsible for the acts of their said officers as for the acts or orders of fire wards in similar cases. Such firemen and enginemen, so employed, have all the powers and privileges and are subject to all the duties and liabilities of enginemen as prescribed in chapters 311 to 321.

R.S.1954, c. 97, § 4.

**§ 2305. Enginemen; tenure; duties**

Enginemen chosen under chapters 311 to 321 shall: Continue in office during the pleasure of the municipal officers; meet annually to elect such officers as are deemed necessary to give efficiency to their operations; establish such rules and regulations respecting their duty, as are approved by said municipal officers and not repugnant to law; and affix penalties to be recovered by their clerk of not more than \$6 for any one offense.

R.S.1954, c. 97, § 5.

**§ 2306. Duty of engine companies**

Companies of enginemen shall meet once every month, and oftener if necessary, to examine the state of their engines and the appendages thereof. By night or by day without delay, under the direction of the fire wards, they shall use their best endeavors to extinguish all fires in the town or in its immediate vicinity.

R.S.1954, c. 97, § 6.

**§ 2307. Discharge of negligent enginemen; replacements**

On proof of negligence, the municipal officers may discharge any engineman or member of the company organized under special laws and appoint some other person in his stead. They may select from the enginemen any number for each engine in their town, who shall, under the direction of the fire wards, attend fires therein with axes, fire hooks, fire sails and ladders, and perform such further duty as said officers from time to time prescribe.

R.S.1954, c. 97, § 7.

**§ 2308. Powers of officers appointed under special laws**

The chief engineer, engineers, fire wards and other officers appointed for particular localities under special laws have the same power as fire wards to pull down or demolish buildings in order to prevent the spreading of fires and to do other things for the extinguishment thereof. The town to which they belong is liable to pay such compensation for damages consequent upon their acts as other towns are for similar damages. The members of the fire department in such localities shall enjoy all the privileges and be liable to all the duties of other firemen, but

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nothing herein shall be construed to control the manner of their election.

R.S.1954, c. 97, § 8.

**§ 2309. Compensation for demolished buildings**

If the pulling down or demolishing of any building, except that in which the fire originated, is the means of stopping the fire, or if the fire is stopped before it comes to the same, then the owner of such building is entitled to recover a reasonable compensation therefor from the town in a civil action.

R.S.1954, c. 97, § 9; 1961, c. 317, § 286.

**§ 2310. Liability of driver of fire apparatus**

In the event a fire department vehicle going to or from a call, or going to or from any call or duty assigned to it, is involved in a collision with any other vehicle, object or person, and there is any liability on the part of the operator of the said fire department vehicle, responsibility of payment for any damage or loss occasioned by such liability shall be on the municipality owning or using the fire department vehicle.

1963, c. 324; c. 414, § 3-F.

**§ 2311. Insurance for firemen**

Any county may expend county funds to be accounted for as other moneys of the county for the purchase of accident and disability insurance on a county-wide basis, protecting all persons, whether voluntary or full time, and whether paid or unpaid, while acting as firemen for any fire department within the county, whether such fire department be a municipal or an independent department.

1963, c. 90.