

**PROPOSED ORDINANCE AMENDMENTS TO
CLARIFY FIRE AND EMS DEPARTMENT RESPONSIBILITIES**

ADMINISTRATIVE DRAFT
FEBRUARY 26, 2026

PREPARED FOR A SPECIAL TOWN MEETING TO BE HELD ON
March 12, 2026

The Town of Gouldsboro Volunteer Fire Department Ordinance is proposed to be amended by adding the words shown in underline and removing the words shown in strikethrough, as follows:

Town of Gouldsboro
VOLUNTEER FIRE AND EMS DEPARTMENT ORDINANCE

Adopted: March 2, 1982

Amended: June 14, 2011; ~~_____~~ March 12, 2026

1. **Authority; Establishment:** This Ordinance is adopted pursuant to Article VIII, Part Second, of the Maine Constitution; 30-A M.R.S.A. § 3001 et seq.; 30-A M.R.S.A. Ch. 153; and any other enabling statutes. Pursuant to 30-A, Chapter 153, the Town of Gouldsboro (the “Town”) hereby establishes a municipal fire department known as the Gouldsboro Volunteer Fire Department and an emergency medical services department known as the Gouldsboro Emergency Medical Services (EMS) Department. The EMS Department may be referred to herein and elsewhere as Schoodic EMS.
2. **Purpose:** The Volunteer Fire Department shall provide fire protection and emergency medical services, as defined in 30-A M.R.S.A. § 3151(1-A), for the inhabitants of Gouldsboro. The EMS Department shall provide emergency medical services, including medical transport services, for the inhabitants of Gouldsboro.
3. **Organization:**
 - a. **Fire Department:** The Volunteer Fire Department shall be organized and shall function under its own set of by laws that are not in conflict with state law as a municipal fire department of the Town in accordance with the requirements of this Ordinance and applicable state law. The Select Board of the Town may establish, by regulation, administrative areas of the Town for firefighting and fire protection purposes (“fire protection zones”), to be served by the Fire Department, in accordance with 30-A M.R.S.A. § 3152(2).
 - b. **EMS Department:** The EMS Department shall be organized and shall function as a municipal department of the Town in accordance with the requirements of this Ordinance and applicable state law.
4. **Fire Chief Department:**
 - a. **Fire Chief—Appointment, Term, and Compensation:** The A Fire Chief, Deputy Fire Chief and Deputy Medical Chief shall be appointed by the Town Manager and confirmed by the Board of Selectmen municipal officers for a term of one year beginning July 1 of each year. The Fire Chief shall serve as a municipal official of the Town serving under the supervision of the Town Manager. The compensation for the Fire Chief, Deputy Fire Chief, and Deputy Medical Chief shall be determined by the legislative body Town Manager, at of the tTown meetings subject to annual appropriation by the legislative body of the Town.
 - b. **Fire Chief—Powers and Duties:** The Fire Chief shall serve as the department head of the Fire Department. The Fire Chief shall have the powers and duties as stated set forth in 30-A M.R.S.A. § 3153(2)-(3). The Fire Chief shall also serve as fire inspector, in accordance with 25 M.R.S.A. § 2391. The Fire Chief shall assume any other responsibilities as may be required by the Town Manager or as may be imposed by state law or local ordinance.

c. Deputy Fire Chief: A Deputy Fire Chief may be appointed by the Town Manager and confirmed by the Select Board for a term of one year. The Deputy Fire Chief shall serve as the Fire Chief and shall have the same powers and duties as the Fire Chief in the event of temporary incapacity or unavailability of the Fire Chief, and shall assume any other responsibilities as may be required by the Town Manager or as may be imposed by state law or local ordinance.

d. Vacancies: When there is a vacancy, as set forth in 30-A M.R.S.A. § 2602(1), in the municipal office of the Fire Chief or Deputy Fire Chief, the Town Manager shall appoint and the Select Board shall confirm within 30 days an acting Fire Chief or Deputy Fire Chief for the remainder of the term.

e. Fire Chief May Serve as EMS Director: The Fire Chief may serve as the EMS Director, at the discretion of the Town Manager. In such case, the Fire Chief shall be appointed, confirmed, and compensated as set forth in Section 4.a, and shall have the powers and duties set forth in Section 4.b and Section 6.b.

f. ~~5.~~ Firefighters and Emergency Medical: ~~Volunteer~~ Firefighters and EMS are active members of the ~~Volunteer~~ Fire Department are municipal firefighters, as that term is defined in 30-A M.R.S.A. § 3151(2), serving under the direct supervision and control of the Fire Chief. Firefighters ~~and shall~~ may receive compensation, including injury and death benefits, as approved by policy of the ~~Board of Selectmen~~ Board and includes injury and death benefits. ~~Volunteer~~ The duties and powers of firefighters are to extinguish all fires to which they are called, protect lives and property endangered by fires, and carry out all lawful orders of other related activities as directed by the Fire Chief. A firefighter may use a reasonable degree of nondeadly force when the firefighter reasonably believes that such force is necessary to carry out the duties under this section. All firefighters shall attend training sessions as scheduled by the Fire Chief.

~~6. Liability:~~

a. ~~Municipal:~~ The Town is liable for vehicular accidents and demolished buildings as stated in 30 M.R.S.A., Chapter 28, Section 3775.

b. ~~Volunteer Fire Department, Firefighters and Emergency Medical Volunteers:~~ All Any volunteer firefighters (and emergency medical volunteers), under the direction and control of the Fire Chief and while actually engaged in firefighting (or medical) operations, shall be considered agents of the Ttown and shall have the same privileges and immunities as the Ttown employees performing a governmental function.

6. EMS Department:

a. EMS Director—Employment and Compensation: In the event that the Fire Chief does not serve as EMS Director pursuant to Section 4.e, an EMS Director shall be hired by the Town Manager. The EMS Director shall serve as a municipal employee of the Town serving under the supervision of the Town Manager. The compensation for the EMS Director shall be determined by the Town Manager, subject to annual appropriation by the legislative body of the Town.

b. EMS Director—Powers and Duties: The EMS Director shall serve as the department head of the EMS Department. The EMS Director is responsible for the oversight of all EMS personnel, equipment, and emergency medical services operations. The EMS Director shall assume any other responsibilities as may be required by the Town Manager or as may be imposed by state law or local ordinance.

c. EMS Personnel: EMS personnel are employees of the Town serving under the direct supervision and control of the EMS Director. EMS personnel shall maintain all certifications, licenses, and trainings required by state law and the EMS Director.

7. Fire and Emergency Medical Aid to Other Towns: The ~~Select Board of the Town of Gouldsboro~~ shall ~~may~~ enter into one or more interlocal agreements to ~~maintain an active mutual firefighting and emergency medical services and EMS assistance agreement with Hancock County,~~ and ~~Steuben~~ any adjoining or nearby municipality in accordance with 30-A M.R.S.A. § 3156.

8. Legal: The effective date of this Ordinance is immediately upon its adoption by the legislative body of the Town. This Ordinance may be amended by the legislative body of the Town in accordance with applicable state law. The parts of this Ordinance are severable. If any portion of this Ordinance is declared unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, the remainder shall remain in full force and effect.