

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 632

AN ORDINANCE, providing for the establishment and operation of the Volunteer Fireman's Relief and Pension System within the City of Redmond; the membership of the board of trustees as provided by RCW Chapter 41.24; and repealing Ordinance No. 110.

WHEREAS, the City of Redmond has recently contracted with King County Fire Protection District #34 to provide Fire Prevention, Protection and Emergency Medical Care for their area and it becomes necessary to revise the provisions relating to the Volunteer Firemen's Relief and Pension System as previously established by Ordinance No. 110, passed May 5, 1948.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. Definitions. As used in this ordinance:

"Fire department" means the fire department of the City of Redmond and the fire prevention, protection and emergency medical care services rendered for King County Fire Protection District No. 34 under the contractual agreement between the City and the District.

"Fireman" includes any fireman who is a member of the fire department but shall not include full time, paid fire fighters who are members of the Washington law enforcement officers' and firefighters' retirement system, with respect to periods of service rendered in such capacity.

"Performance of duty" shall be construed to mean and include any work in and about company quarters or any fire station or any other place under the direction or general orders of the chief of other officer having authority to order such member to perform such work; responding to, working at, or returning from an alarm of fire; drill; or any work performed of an emergency nature in accordance with the rules and regulations of the fire department.

Section 2. Enrollment of volunteer firemen -- Death disability, retirement benefits. Every fireman who is included under the relief and compensation provisions of RCW Chapter 41.24 is hereby enrolled for the purpose of providing protection for all such firemen and their families from death or disability arising in the performance of their duties as firemen. Any fireman may enroll under the pension provisions of RCW Chapter 41.24 for the purpose of enabling any fireman, so electing, to avail himself of the retirement provisions of such chapter. The collection and payment of fees as provided by RCW Chapter 41.24 shall be made and continued by the city for all enrolled firemen as long as they shall continue to be members of the fire department.

Section 3. Board of trustees. In accordance with provisions of RCW Chapter 41.24, there is hereby created and established a board of trustees for the administration of the act insofar as the same is applicable to the city. The board shall consist of the mayor, comptroller, one councilman to be elected by the council, the chief of the fire department, and one member of the fire department to be elected by the members of the fire department for a term of one year and annually thereafter.

The mayor shall be chairman of the board of trustees and the comptroller shall be secretary and treasurer of the board of trustees. The secretary shall keep a public record of all proceedings, of all

receipts and disbursements made by the board of trustees and shall make an annual report of its expenses and disbursements with a full list of the beneficiaries of said fund in the city, such record to be placed on file with the city clerk.

Section 4. Duties of the board of trustees. The board of trustees shall provide for enrollment of all members of its fire department under the death and disability provisions hereof; receive all applications for enrollment under the retirement provisions hereof; provide for disbursements of relief and compensation; determine the eligibility of firefighters for pensions; and pass on all claims and direct payment thereof from the volunteer firemen's relief and pension fund to those entitled thereto. Vouchers shall be issued to the person entitled thereto by the board. The board shall send to the State board, after each meeting a voucher for each person entitled to payment from the funds, stating the amount of such payment and for what granted, which voucher shall be certified and signed by the chairman and secretary of the board.

Section 5. Meetings of board. The board of trustees shall meet on the call of its chairman on a regular monthly meeting day when there is business to come before it. The chairman shall be required to call a meeting on any regular meeting day at the request of any member of the fund or his beneficiary claiming any relief, compensation or pension therefrom.

Section 6. Quorum -- Vote on allowance of claims. A majority of the board of trustees shall constitute a quorum, and no business shall be transacted when a majority is not present, and no claim shall be allowed where a majority of the board has not voted favorably thereon.

Section 7. Compelling attendance of witnesses--Oaths--Rules and regulations. The board of trustees, in addition to other powers herein granted, shall have power to compel the attendance of witnesses to testify before it on all matters connected with the operation of this chapter, and its chairman or any member of said board may administer oaths to such witnesses; to make all necessary rules and regulations for its guidance in conformity with the provisions of this chapter: Provided, however, That no compensation or emoluments shall be paid to any member of said board of trustees for any duties performed under this chapter as such trustees.

Section 8. Hearing of application for benefits -- Appeal to state board. The board of trustees shall initially hear and decide all applications for relief or compensation and pensions under this chapter, subject to review by, or appeal by the proper person to, the state board where decision on such review or appeal shall be final and conclusive.

Section 9. Guardian may be appointed. The board of trustees shall have the power and authority to ask for the appointment of a guardian whenever and wherever the claim of a fireman or his beneficiary would, in the opinion of the board, be best served thereby. The board shall have full power to make and direct the payments herein provided for to any person entitled thereto without the necessity of any guardianship or administration proceedings, when, in its judgment, it shall determine it to be for the best interests of the beneficiary.

Section 10. Employment of examining physician. The board shall make provisions for the employment of a regularly licensed practicing physician for the examination of members of fire departments making application for membership. Such appointed physician shall visit and examine all sick and injured firemen, perform such services and operations and render all medical aid and care necessary for the recovery of firemen on account of sickness or disability received while in the performance of duties. Such appointed physician shall be paid his fees from said fund but not in excess of the schedule of fees for like

services approved by the director of labor and industries under RCW Title 51. No physician or surgeon, not approved by the board, shall receive or be entitled to any compensation from said fund as the private or attending physician of any fireman. No person shall have any right of action against the board of trustees of said fund for the negligence of any physician or surgeon employed by it. Any physician employed by the board to attend upon any fireman shall report his findings in writing to said board.

Section 11. Disability payments. Any fireman who becomes physically or mentally disabled or sick, in consequence or as a result of the performance of his duties, shall be entitled to payments as established and set forth in RCW 41.24.150 and as amended.

Section 12. Death benefits. Whenever a fireman dies as the result of injuries received, or sickness contracted in consequence or as the result of the performance of his duties, a death benefit or payment shall be made as established and set forth in RCW 41.24.160 and as amended.

Section 13. Retirement pensions. Retirement pensions shall be allowed and paid for enrolled firemen who meet eligibility requirements as established and set forth in RCW 41.24.170 and as amended.

Section 14. Lump sum payments. Lump sum payments shall be authorized and directed by the board of trustees in those cases as established and set forth in RCW 41.24.180 and as amended.

Section 15. Hospital and medical expenses. Hospital and medical expenses shall be allowed as provided in RCW 41.24.220 and as amended.

Section 16. Funeral and burial expenses. Funeral and burial expenses shall be allowed and paid as provided in RCW 41.24.230 and as amended.

Section 17. Benefits not transferable or subject to legal process. The right of any person to any future payment under the provisions of this ordinance shall not be transferable or assignable at law or in equity, and none of the moneys paid or payable or the rights existing under this ordinance, shall be subject to execution, levy attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law. Nothing in this ordinance or RCW Chapter 41.24 shall be construed to deprive any fireman, eligible to receive a pension hereunder, from receiving a pension under any other act to which he may become eligible by reason of services other than or in addition to his services as a fireman under this ordinance and RCW Chapter 41.24.

Section 18. Payments to State Treasurer. On or before the first day March every year, the city shall pay such amount as shall be due from it, as established and set forth in RCW 41.24.030 and 41.24.031 and as amended, for the purpose of providing protection for all its firefighters and their families from death or disability arising in performance of their duties as firefighters.

Section 19. Payments by firefighters. Whenever any firefighter desires to enroll in and take advantage of the pension provisions of RCW 41.24, the firefighter shall pay annually on or before the first day of February to the board the sum required of them as established and set forth in RCW 41.24.030. The city shall then add to the amount provided by the firefighter the sum required of the city by RCW 41.24.030.

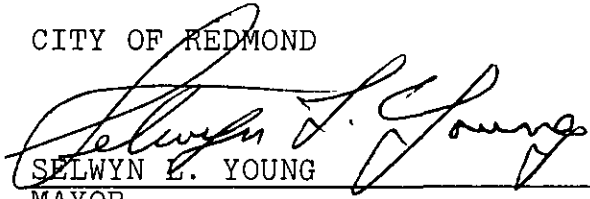
Section 20. Membership in the fire department. The membership of the Redmond volunteer fire department shall be limited to a maximum of ten firefighters for each one thousand population or fraction thereof; provided that in no case shall the volunteer membership be less than fifteen firefighters.

Section 21. Repeal. Ordinance No. 110, passed May 5, 1948, is hereby repealed.


Section 22. Effective date. This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof, and APPROVED by the Mayor this 18 day of December, 1973.


CITY OF REDMOND


SELWYN E. YOUNG
MAYOR

ATTEST:


ELEANOR J. HAYDEN
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

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