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| **Use of Fire Department Facilities and Equipment** | Related Policies: | |
| *This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.* | | |
| Applicable KY Statutes: | | |
| OSHA: | | |
| NFPA Standard: | | |
| Date Implemented: | | Review Date: |

1. **Purpose:** To ensure that department facilities and equipment are maintained and available to be used by the fire department to address the emergency needs of the community.
2. **Policy:** Fire department equipment is to be used for the benefit of the citizens of the community. All personnel have a duty to conserve public resources, property, and funds against misuse and abuse. Personnel are prohibited from using public property for personal uses, or loaning fire department property to others to be used for personal purposes. The fire department encourages its personnel to avoid even the appearance of impropriety so as to not violate the public trust.
3. **Definitions**

**De minimus personal use**: A personal use that is brief or infrequent, does not interfere with the performance of official duties, and for which there is no cost to the department.

**Personal use/personal purposes**: Use of fire department property for private benefit or personal gain.

1. **Procedure**
2. Fire department property shall only be used by fire department personnel for fire department related activities. These activities include, but are not be limited to, emergency incidents, training, public meetings, open houses, demonstrations, parades, and public education.
3. Fire department personnel are prohibited from using fire department facilities, apparatus, or equipment for personal use or personal financial gain. This provision does not prohibit the use of fire department facilities, apparatus or equipment to benefit others as part of the member’s official duties. Nothing is this policy shall be construed so as to prohibit personnel from rendering aid, assistance, or help to members of the public consistent with the mission of the fire department.
4. Fire Department personnel are prohibited from allowing others to use fire department facilities, apparatus, or equipment for personal purposes, or loaning fire department equipment to others to be used for personal purposes.
5. De minimus personal use of fire department property by personnel shall be permitted so long as it does not impair the operational readiness of personnel, apparatus, or equipment. For example, the use of a fire department wrench to tighten a bolt on a member’s personal automobile would be a permissible de minimus use. On the other hand, borrowing a set of wrenches from a piece of apparatus to take home to work on one’s automobile would be a violation.
6. The following uses of fire department property are strictly prohibited and even a de minimus use may result in severe disciplinary action, up to and including termination for a first offense:
7. Any use for the purpose of conducting an outside business, whether or not for profit;
8. Any use for the purpose of conducting outside group activities, unless authorized by the fire chief;
9. Any use for the purpose of assisting the campaign of any candidate for election to any office, or to oppose or promote (lobbying) a ballot proposition;
10. Any use for commercial purposes such as advertising or selling;
11. Illegal activities or inappropriate, immoral or unethical activities i.e. gambling, sexual misconduct, pornography, etc.
12. Any use of consumable resources (fuel, oil, spare parts, postage, envelopes, etc.). Note: De minimus use of fuel and oil associated with the operation of apparatus and vehicles shall not be considered to be a violation, but the addition or any use of fire department owned/purchased fuel or oil in a personally owned vehicle without approval from the fire chief is prohibited.

**Editor’s Note:** The following are specific items that a fire department may choose to include in their policy.

* Fire Department apparatus shall not be used to fill swimming pools or water wells, even as part of a training exercise.
* Fire Department air compressors shall not be used to fill breathing apparatus (SCBA or SCUBA) for the public.
* Fire Department equipment and apparatus including the Fire/Rescue boat shall not be used to provide a service in the community that is commercially available.

**Editor’s Note:** Some fire department may choose to allow the fire chief to authorize the use of fire department property for personal purposes, as opposed to having an outright ban. In such a case the following provisions should be adopted.

* Fire Department equipment may be loaned to members and/or members of the public provided permission has been granted in writing by the fire chief.
* Fire Department property shall not be removed from department facilities unless the person presents the written authorization from the fire chief to the company officer responsible for the property.
* Equipment or items that are to be loaned shall be logged in the station logbook by the company officer on duty and shall include the item(s) and name of the person/member using the item(s).
* When the item is returned, it is the responsibility of the person returning the property to notify the on-duty Company Officer that the item(s) are being returned and log the items back in the station logbook.
* Any person, civilian or member, approved to borrow an item or equipment shall be responsible for the repair and/or replacement cost for any damage or loss.