

ORDINANCE 6-2, 2023

AN ORDINANCE PROVIDING FOR THE ORGANIZATION AND FUNDING OF THE JAMESTOWN VOLUNTEER FIRE DEPARTMENT AND THE JAMESTOWN EMERGENCY MEDICAL SERVICE

WHEREAS, the town is authorized to provide for public health and safety, fire suppression, and emergency response and services in accordance with C.R.S §31.15,401, §31-15-601, §24-33.5-702 (et.seq.), and

WHEREAS, the Town has had in existence, and supported a volunteer fire department; and an emergency medical Service; and,

WHEREAS, the Board of Trustees wishes to update and provide for the funding and administration of the Jamestown Volunteer Fire Department (JVFD) and the Emergency Medical Services (EMS); and

WHEREAS, it is desirable to provide for and maintain a current ordinance providing for organization, funding and administration of an efficient fire department and emergency medical team in order to provide for public safety;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:

Section 1. Purpose: The purpose of this ordinance is to protect the health, safety and welfare of the citizens of Jamestown through the provision of an efficient and well organized municipal safety service.

Section 2. Fire Department Established: The Jamestown Volunteer Fire Department was established by ordinance on the 14th day of September, 1992. The Fire Department shall respond to fire, and other emergencies within and without the boundaries of the Town that threaten the health and welfare of the community or individuals. The Fire Department may also enter into reciprocal agreements with external agencies which would require response to emergencies outside of town limits.

Section 3. Duties of the Town Board in Support of the Fire Department: The Town Board shall exercise and execute the following duties and privileges in association with the administrative requirements of the JVFD as well as any required by law or common practice as appropriate for a Board administering a fire department or fire district.

- a. Provide for a budget and approve reasonable expenditures as provided for in Section 6 of this ordinance.
- b. Approve all funded capital purchases over \$3,000.
- c. Provide for and support ballot issues reflecting reasonable requests for additional funding for operating cost or capital improvements.
- d. Approve requests for any grants that would require matching funds, or labor in kind valued at \$3,000 or more, and administer awarded grant programs requiring over that amount in matching funds or in kind labor.
- e. Approve reasonable interagency or mutual aid agreements presented by the JVFD.
- f. Appoint and sustain a Fire Chief or when necessary, remove the appointed a Fire Chief for cause.

Section 4. Appointment of Personnel: The Fire Chief shall be appointed at the initial meeting of each newly elected Board of Trustees and whenever a vacancy exists. Candidates may be nominated by the department members or Town Board members at a regular JVFD meeting or any Town Board meeting.

Section 5. Duties of the Fire Chief: The Fire Chief shall be responsible for the discipline, good order and proper conduct of the JVFD and its personnel, the enforcement of all applicable laws, ordinances and regulations pertaining thereto,

and for the care and condition of property of the JVFD. The Fire Chief shall be responsible for executing the following administrative duties any of which may be delegated:

- a) The Fire Chief shall be the official points of contact between the JVFD and the Town Board.
- b) The Fire Chief shall accept or reject potential volunteer members, administer discipline or dismiss volunteer members as necessary in order to maintain the morale and adequacy of the department as a whole.
- c) The Fire Chief shall submit an annual budget proposal for the department to the Town Board by October 15 or as requested by the Town Treasurer of each preceding year. The Fire Chief shall authorize expenditures for the department within the limits of the approved budget and this ordinance and in accordance with the Town purchasing policy. The budget shall include an annual budget proposal for Emergency Medical Services
- d) The Fire Chief shall qualify and appoint officers in the chain of command and may appoint subsidiary committees or individuals to carry out operational functions including but not limited to the following:
 - a) Responsibility over all persons at fires or other emergencies under JVFD jurisdiction and has the power to summon aid deemed necessary to deal with an emergency, order the removal of persons or property from any building or area deemed hazardous during or subsequent to an emergency event for the purpose of protecting persons and property.
 - b) Has the power during an emergency to order the cutting down or removal of any plant, fence or other structure if deemed necessary for the purpose of extinguishing a fire or the mitigation of any emergency.
 - c) May assume the duties of incident command and direct all activities and persons related to the administration of emergency assistance. The Fire Chief may elect to surrender incident command to a knowledgeable authority of internal or external source when surrender is deemed to be in the best interest of persons, property and the community.
 - d) May prescribe isolation zones and limits during an emergency within which no persons, other than firefighters, emergency personnel, police officers and others admitted by order of the Fire Chief are permitted to enter.
- e) Is responsible for the development and implementation of adequate and comprehensive training programs for volunteers.
- f) Is the official point of contact between the JVFD and external agencies.
- g) Is responsible for maintenance and repair of JVFD buildings and equipment.
- h) May initiate or terminate town wide fire bans in accordance applicable ordinances and Board resolutions or ordinances.
- i) Is responsible for maintaining emergency medical services. The Fire Chief shall be responsible for the discipline, good order and proper conduct of EMS personnel, the enforcement of all applicable laws, ordinances and regulations pertaining thereto, and for the care and condition of property of the EMS.

Section 6. Source of Funds for JVFD: The Town Board shall approve an annual budget and set aside funds for the purpose of maintaining the JVFD. Funding shall be provided from the following sources:

- a. Mill levy authorizations as approved by the electorate.
- b. Income from impact fees designated for safety services
- c. Reimbursements for services including those generated by the use of JVFD volunteers and equipment at emergencies outside the Town boundaries
- d. Profits from picnics, celebrations, and other social events designed to raise money for the department.
- e. External grants, loans or individual donations to JVFD.
- f. Transfers from the Town General Fund.

No moneys from the collection of mill levies approved for JVFD operating expenses shall be used for any other purpose. No moneys from the collection of mill levies approved for capital purchases and improvements shall be used for any other purpose. Moneys for operating costs and capital expenses shall not be commingled. Interest accrued from JVFD savings accounts shall be reinvested in that account. Income from sources above, shall be deposited as operating expenses funds unless pre-specified, donor specified or otherwise directed by the Board.

Section 7. Absences During Emergencies: In the case of the absence of the at any emergency; an Assistant Fire Chief or other designee in accordance with incident command protocols, shall assume the powers and responsibilities of the Chief. When the Chief is unable to perform responsibilities for any reason, those duties shall be assumed in accordance with the JVFD organizational outline or assigned by the Chief.

Section 8. Severability: If any portion of this Ordinance, or application thereof to any person or circumstances, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 9. Repeal: All ordinances or parts of ordinances, of the Town of Jamestown, Colorado in conflict herewith are hereby repealed and specifically Ordinance #3, 2003 and Ordinance #4, 2003

Section 10. Safety Clause; Ordinance Immediately Effective: The Board of Trustees herewith finds, determines and declares that this ordinance is necessary to the immediate preservation of the public health and safety in order to timely provide for safety of citizens and preservation of property. This ordinance shall be effective upon adoption and signing by the Mayor if approved by three-fourths of the members of the Board of Trustees.

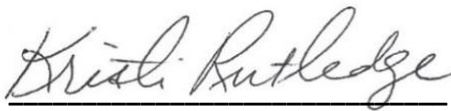
INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED BY TITLE THIS 6th DAY OF June, 2023.

Town of Jamestown:



Mayor, Michael Box

Attest:



Town Clerk, Kristi Rutledge