

ORDINANCE #3, SERIES 2003

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

WHEREAS, the Town has had in existence, and supported a volunteer fire department; and

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

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

THEREFORE, BE IT ORDAINED BY THE 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. Authority and Applicability: This ordinance is authorized by Section 31-15-401, C.R.S., which provides that the Town Board shall have the power to provide for the protection of the health, safety and welfare of the community.

Section 3. 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 limits of the Town, that threaten the health and welfare of the community. The Fire Department may enter into reciprocal agreements with external agencies which would require response to emergencies outside of town limits.

Section 4. 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 8 of this ordinance.
- b. Approve all funded capital purchases over \$1000.00.
- 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 \$1000.00 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 an Administrative Fire Chief; or when necessary, remove the appointed Administrative Fire Chief for cause.
- g. Appoint and sustain one or more Operational Fire Chief(s) or, when necessary, remove the appointed Operational Fire Chief for cause.

Section 5. Appointment of Personnel : The Administrative Fire Chief, and Operational Fire Chief(s) 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 6. Duties of the Fire Chief: The head of the JVFD shall be the Administrative Fire Chief. The Fire Chief shall be responsible to the Board of Trustees for the proper administration of the department. The Administrative 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 Administrative Fire Chief shall be responsible for executing the following administrative duties:

- a. The Administrative Fire Chief shall be the official point of contact between the JVFD and the Town Board.
- b. The Fire Chief shall, with the concurrence of Operational Fire Chief(s), 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 Administrative Fire Chief shall submit an annual budget proposal for the department to the Town Board by November 15 of each preceding year. The Administrative Fire Chief shall authorize expenditures for the department within the limits of the approved budget and

this ordinance.

Section 6A. Compensation for Administrative Fire Chief: The Administrative Fire Chief shall receive monthly compensation from the Town equal to \$200.00 per month in any month in which the Chief performs all assigned duties and attends at least $\frac{3}{4}$ of scheduled meetings.

Section 7 Duties of the Operational Fire Chiefs: The Operational Fire Chiefs shall qualify and appoint officers in the chain of command. The Operational Fire Chiefs shall appoint subsidiary committees or individuals to carry out operational functions. The Operational Fire Chiefs shall, with the concurrence of Administrative Fire Chief, 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. The Operational Fire Chiefs shall be responsible for execution of the following powers and duties:

- a. The Operational Fire Chiefs shall have responsibility over all persons at fires or other emergencies under JVFD jurisdiction..
- b. The Operational Fire Chiefs shall have 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.
- c. The Operational Fire Chiefs shall have 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.
- d. The Operational Fire Chiefs shall assume the duties of incident command and direct all activities and persons related to the administration of emergency assistance. The Operational Fire Chiefs 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.
- e. The Operational Fire Chiefs shall 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.
- d. The Operational Fire Chiefs shall be responsible for the development and implementation of adequate and comprehensive training programs for volunteers.
- f. The Operational Fire Chiefs shall be the official point of contact between the JVFD and external agencies.

Section 8. Source of Funds for JVFD: The Town Board shall provide 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.
- 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 individual 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 9. Absences During Emergencies: In the case of the absence of the Operational Fire Chief(s) at any emergency; an Assistant Fire 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 10. 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 11. Repeal: All ordinances or parts of ordinances, of the Town of Jamestown, Colorado in conflict herewith are hereby repealed and specifically Ordinance 5, Series 1998.

Section 12. Safety Clause and Emergency Effective Date: 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 approval by the Mayor.

**INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED IN FULL
THIS 1st DAY OF December, 2003.**


MARY ELLEN BURCH, TOWN CLERK


KENNETH LENARCIC, MAYOR