

ORDINANCE NO. 2014-05-472

**AN ORDINANCE CREATING THE TONTITOWN, ARKANSAS, FIRE DEPARTMENT
AND FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY**

Be it ordained by the City Council of Tontitown, Arkansas:

SECTION 1. There is hereby created a City Fire Department to be officially known as “The Tontitown Fire Department”.

SECTION 2. That the Tontitown Fire Department shall consist of the Fire Chief, Assistant Fire Chief, paid fireman and volunteers as the City Council may order.

SECTION 3. The Fire Chief shall be appointed by the Mayor and shall be directly charged with the responsibility and accountability to the city for all equipment and have control and management of the organization. He shall name and direct control all the work of the Department.

SECTION 4. There shall be held not less than two (2) meetings each month of the Department for the purpose of instruction and training, and that all members shall attend unless excused for reasonable cause. That the Tontitown Fire Department shall adopt such rules as may be deemed necessary for the proper functioning of the Department, but that all such rules shall be subject to the approval of the City Council.

SECTION 5. All members of the Tontitown Fire Department, who have been selected and approved as herein provided, shall receive the sum of \$12.50 for attendance upon and for service at each and every fire, or drill, where service at such being deemed to have been performed when the circumstance of such services are required or requested by the Fire Chief.

SECTION 6. The Fire Chief shall keep a record of the names of the volunteer and off duty paid members who attend the monthly meetings and who perform service at each fire, and

that he submit a full statement of the number of fires attended by each member to the City Council at its next regular meeting.

SECTION 7. Composition- The Tontitown Fire Department shall consist of firemen who shall be classified as follows:

- (a) Fire Chief
- (b) Assistant Chief
- (c) Paid Firemen
- (d) Volunteer Firemen

The number of firemen shall be determined by the Fire Department Officers and approved in budget as authorized by the city council.

Control and Management- The Fire Department shall be under the control and management of the Fire Chief, who shall be directly responsible to the Mayor and the City Council of Tontitown. In the absence of the Fire Chief, the Assistant Chief shall assume command. The command shall transfer to the senior officer and then to the senior fireman on the scene if the Fire Chief or the Assistant Chief is not on the scene.

The Incident Command System shall be used and the officer in charge may pass the command to a more qualified person upon his arrival at the scene. The Fire Chief and the Assistant Fire Chief are responsible for the overall supervision of the Tontitown Fire Department, coordination with local, county, state and federal agencies, establishing mutual aid agreements with other fire fighting units, preparing budgets and requesting adequate funds for the plans and operation of the Tontitown Fire Department and shall serve as the permanent representative on fire fighting matters to the Tontitown City Council.

SECTION 8. Selection, Suspension and Removal of Fire Chief- The Fire Chief shall be appointed by the Mayor subject to confirmation by the Tontitown City Council. The Mayor shall have the right to terminate the Fire Chief. The Mayor's termination of the Fire Chief may only be overridden by a 2/3 majority vote of the Tontitown City Council.

SECTION 9. All appointments, other than the Fire Chief, in the Fire Department shall be made by the Fire Chief. The appointments shall be reported to the mayor and the City Council at the next regularly scheduled City Council meeting.

SECTION 10. Duties of the Fire Chief- The Fire Chief shall have the duty to operate and manage the Fire Department in such a manner as to protect life and property of the inhabitants of the City of Tontitown. The Fire Chief shall be responsible for the direction and performance of all Fire Department personnel and equipment belonging to the Fire Department. The Fire Chief is hereby authorized and directed to formulate and prepare such rules, regulations, and guidelines regarding fire department personal equipment, qualifications to serve, training and any other problem that might affect the well-being of the Fire Department and Fireman.

SECTION 11. Each year, the Tontitown Fire Department shall present a budget request to the Tontitown City Council. Upon approval, this budget will be used to operate and maintain the Tontitown Fire Department.

SECTION 12. Use of Fire Department equipment and Firemen beyond the corporate limit- The Tontitown Fire Department serve residents in the designated 911 Tontitown area, subject to any existing Mutual Aid Agreements.

SECTION 13. Volunteer and off-duty paid members of the Tontitown Fire Department shall receive compensation for each response of \$12.50, the purpose of which is to reimburse the

fire fighters for the expense per response. Training meetings, regular meetings, fire calls, service calls, and medical call shall be included as responses.

SECTION 14. The Fire Chief shall be paid a monthly salary in an amount to be determined by the Tontitown City Council in its budgeting process

SECTION 15. The Tontitown City Council is hereby authorized to increase the rate of compensation referred to in Section 13 above, by resolution, without the necessity of amending this Ordinance.

SECTION 16. **Prior service unaffected-** Accumulated service time as it applies to and affects promotions, rank retirement, pensions and other related benefits of current members of the Tontitown Fire Department shall in no way be affected by the passage of this Ordinance. All such rights, privileges and rand shall continue in full force and effect.

SECTION 17. All ordinances and parts in conflict herewith are hereby repealed, and this ordinance being necessary for the protection and preservation of the public, peace, health, and safety, and emergency exists and is declared, and this ordinance shall be in full force and effect from and after its passage and publication.

SECTION 18. **Emergency Clause.** The need to create a Tontitown Department of Public Safety is immediate and necessary for the preservation of the peace, health, safety, and welfare of the citizens of the city, as well as for insuring a smooth transition from the current contractual arrangement. Therefore, an emergency is hereby declared to exist and this ordinance shall be effective an in full force and effect from and after its passage and approval.

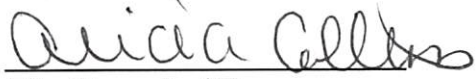
PASSED AND APPROVED this 6 day of May, 2014.

APPROVED:



Mayor

ATTEST:



City Recorder/ Treasurer

Sponsor: _____