



Founded 1876  
Incorporated 1899

# TOWN OF JEROME, ARIZONA

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Celebrating Our 110th Anniversary  
1899 – 2009

## ORDINANCE NO. 369

### AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA, AMENDING ARTICLE 4-2, "FIRE DEPARTMENT," AND ARTICLE 4-3, "ADOPTION OF THE UNIFORM FIRE PREVENTION CODE," OF THE JEROME TOWN CODE.

WHEREAS, it is the desire of the Mayor and Council to make certain changes to Article 4-2, "Fire Department," and Article 4-3, "Adoption of the Uniform Fire Prevention Code," of the Jerome Town Code;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Jerome, Arizona as follows:

**Section 1.** Article 4-2, "Fire Department," of the Jerome Town Code is hereby amended as follows (additions underlined; deletions in ~~strikeout text~~):

#### ARTICLE 4-2 FIRE DEPARTMENT

##### Section 4-2-1 Created; Composition

There is hereby created a volunteer fire department for the town which shall consist of a Fire Chief, an Assistant Fire Chief, a Secretary, Captains, Lieutenant, Equipment Officer and as many ~~firemen~~ firefighters and emergency medical personnel as may be ~~deemed~~ necessary ~~from time to time by the Council~~ as determined by the Fire Chief and approved by the Town Manager.

##### Section 4-2-2 Departmental Rules and Regulations

The fire department shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be adopted by the Council.

##### Section 4-2-3 Compensation

The Fire Chief, Assistant Fire Chief, and ~~volunteer firemen~~ members of the fire department shall be compensated as ~~may be~~ determined by the Council.

##### Section 4-2-4 Selection; Powers and Duties of Fire Chief

The Fire Chief ~~of the fire department and the assistant Chief~~ shall be ~~chosen by the members of the fire department by and with the approval of~~ appointed by the Town Council. Members of the Fire Department may submit for Council's consideration their nomination(s) for that position.

FIRST READING BY TITLE: 3/9/10				ADOPTION: 4/13/10			
AYES	NAYS	ABSENT	ABSTAIN	AYES	NAYS	ABSENT	ABSTAIN
5	0	0	0	5	0	0	0

The Assistant Fire Chief shall be chosen by the members of the fire department and the Fire Chief, subject to the approval of the Town Manager. The Fire Chief and Assistant Chief shall hold their terms ~~of one~~for two years or until the successors are duly appointed and qualified.

It shall be the duty of the Fire Chief to:

- A. Be accountable to the Council for the personnel, morale and general efficiency of the fire department.
- B. Direct the operations of the fire department, subject to the rules and regulations thereof.
- C. Be present at all fires, if possible, and plan and direct the extinguishment thereof. During the progress of a fire the authority of the fire Chief shall be absolute in all matters ~~directly~~ concerning the extinguishment of the fire and the disposition of property endangered by ~~the~~the fire.
- D. Conduct suitable drills or instruction in the operation and handling of equipment, ~~first aid~~Emergency Medical Services (EMS), ~~and~~ rescue work, salvage, a study of the buildings in the town, water supplies, and all other matters generally considered essential to good ~~firemanship~~fire management and the safety of life and property from fire or other dangers.
- E. Assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.
- F. Inspect buildings and premises and serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. For the purpose of conducting such inspection, the Fire Chief is hereby empowered to enter any and all buildings and premises within the town at any reasonable hour. Any person served with such written notice shall comply and notify the Fire Chief of ~~his~~their compliance within a reasonable time.
- G. Keep complete records of all fires, inspections, apparatus and equipment, personnel and other information about the work of the department open to Council or Town Manager inspection and furnish to the Council or Manager such information upon request.
- H. Make a complete annual report, in writing, to the Council at such time as may be specified by the Council, and such report shall include the information specified in Section 4-2-4 (G), together with comparative data for previous years and recommendations for improving the effectiveness of the department.
- I. Enforce or cause to be enforced all ordinances, laws and regulations of the town and state, insofar as they pertain to fire and life safety.
- J. Demote, dismiss or expel any officer or member of the fire department for neglect, ~~or~~ refusal to perform departmental duties, insubordination, or unacceptable behavior, subject to the right of any members so demoted, dismissed or expelled to appeal to the Council.

**Section 4-2-5 Appointment and Duties of ~~Firemen~~ Firefighters and Emergency Medical Personnel**

~~Firemen~~ Firefighters and emergency medical personnel shall be appointed at such time and in such manner as the ~~Council~~ Fire Chief may deem necessary. Such appointees shall be residents of the town or those whose business activities are normally within the confines of the town, ~~and who have telephones in their homes~~. The ~~firemen~~ firefighters and emergency medical personnel shall be subject to supervision by the Fire Chief or the Assistant Fire Chief.

**Section 4-2-6 Entry Upon Adjacent Property**

It is lawful for any ~~fireman~~ firefighter acting under the direction of the Fire Chief or ~~an~~ other officer in command to enter upon the premises adjacent to or in the vicinity of any building or other property that is on fire for the purpose of extinguishing such fire, and no person shall hinder, resist or obstruct any ~~fireman~~ firefighter in the discharge of his or her duty as hereinbefore provided.

**Section 4-2-7 Equipment**

The fire department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire. Recommendations concerning apparatus and equipment needed shall be made by the Fire Chief, and after approval by the Town Manager or Council, such apparatus and equipment shall be purchased in such manner as may be designated by the Town Manager or Council. All equipment of the fire department shall be safely and conveniently housed in such place or places as may be designated by the Town Manager or Council. No person shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully take away or conceal any article used in any way by the fire department. No person shall enter any place where the fire apparatus is housed or handle any apparatus or equipment belonging to the fire department unless accompanied by, or having special permission of, an officer or authorized member of the fire department. No fire apparatus or equipment shall be hired out or permitted to leave the fire station except for training purposes, participation in parades, maintenance, service testing, official business of the fire department, in response to a call for ~~aid-service at a fire~~ within the corporate limits of the town or in response to a call for ~~aid-service at a fire~~ in an area authorized for ~~fire-protection service~~ automatic or mutual aid under the provisions of Section 4-2-8.

**Section 4-2-8 Providing Fire, Rescue and EMS Services for Non-Residents**

**~~Outside the Town~~**

The Jerome Town Council may enter into agreements or contracts to furnish fire, rescue and EMS medical protection outside the Town, and may enter into aid agreements. The fire department is authorized to render fire, rescue and EMS services pursuant to the terms of such agreement or contract. The fire department is further authorized to answer fire alarms and fight fires beyond the Town limits, whenever the Fire Chief, in his her discretion, shall deem it necessary to protect lives and property.

The following fees are established to compensate the Town for rendered service. Unless otherwise provided, all contracts, except with the State Land Department, and other mutual aid agreements, will be charged at the following rates:

<i>Services</i>	<i>Initial Response</i>	<i>Each Succeeding Hour</i>
Base Rate Fire Apparatus ( <u>per vehicle</u> )	\$ 250.00	\$ 125.00
Rescue Vehicle	\$ 250.00	\$ 125.00
Brush Truck	\$ 175.00	\$ 100.00
Command Officer	\$ 50.00	\$ 25.00
Personnel ( <u>per responder</u> )	\$ 30.00	\$ 20.00
HazMat Surcharge	\$1,500.00 Plus Supplies	
Extrication	\$ <del>300</del> 750.00 <u>per person</u>	
Wash Down	\$ 100.00	
<u>Technical Rope Rescue</u>	<u>\$ 1,500.00 per person</u>	
<u>Fire Extinguishment</u>	<u>\$1,500.00 per building</u>	
<u>Vehicle Extinguishment</u>	<u>\$500 per vehicle</u>	

**Section 4-2-9 Acknowledgment of Right of Way**

Each member of the department who drives a private motor vehicle shall be issued a suitable insignia which may be attached to such motor vehicle. All motor ~~equipment~~ vehicles of the fire department ~~and all motor vehicles of department members~~ shall have right of way over all other traffic when responding to ~~an alarm~~ call for service. No unauthorized vehicle shall follow within six hundred ~~(600)~~ feet of any apparatus belonging to the fire department ~~not nor~~ park any vehicle ~~or otherwise cause any obstruction to be placed~~ within ten feet of the entrance to any fire station or other place where fire apparatus is stored, or within fifteen feet of any fire hydrant. No person shall drive any vehicle over fire hoses or ropes except upon specific orders from the Fire Chief or other officer in charge where ~~the hoses or ropes are~~ is used.

**Section 4-2-10 Fire Alarms**

Suitable arrangements ~~or equipment~~ shall be provided for citizens to turn in an alarm and for notifying all members of the fire department so that they may promptly respond. It is unlawful for any person ~~knowingly~~ to knowingly turn in or cause to be turned in a false alarm.

**Section 4-2-11 Orders of Fire Chief**

It is unlawful for any ~~fireman or~~ citizen to refuse to obey an order issued by the Fire Chief or his/her designate pursuant to his/her authority on an emergency scene.

**Section 2.** Article 4-3, "Adoption of the Uniform Fire Prevention Code," of the Jerome Town Code is hereby amended as follows (additions underlined; deletions in ~~strikeout text~~):

**ARTICLE 4-3 ADOPTION OF THE ~~UNIFORM-INTERNATIONAL~~ FIRE PREVENTION CODE**

That certain code entitled "~~Uniform-International~~ Fire Code," ~~1976-2003~~ Edition and all related 2003 International Codes, or their successors, is-are hereby adopted as the "~~Uniform Fire Code of Fire Prevention Codes for~~ the Town of Jerome," and made a part of this chapter ~~the same~~ as though said codes ~~was-were~~ specifically set forth in full herein and with adopted IFC updates as applicable.; ~~and,~~ At least three copies of said codes shall be filed in the office of the Town Clerk and kept available for public use and inspection.

**Section 3.** All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

**Section 4.** Should any section or provision of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Town Code as a whole or any part thereof other than the part so declared invalid.

**Section 5.** This Ordinance shall be published following its adoption in accordance with the provisions of A.R.S. §39-204.

**Section 6.** This Ordinance shall take effect 30 days after final adoption, as provided by law.

FINALLY APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Al Palmieri, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Candace Gallagher, Town Manager/Clerk

\_\_\_\_\_  
Kathleen G. Williamson, Williamson & Young, PC  
Town Attorney

I, the duly appointed Deputy Clerk of the Town of Jerome, Arizona, or my representative, hereby certify that Ordinance No. 369 was posted in accordance with A.R.S. § 9-813 on the following dates and times, and at the following places:

	DATE	TIME	PLACE
1			301 Main Street, second floor, exterior posting case
2			970 Gulch Road, side of Gulch Fire Station, exterior posting case
3			601 Clark Street, Jerome Town Hall, exterior posting case
4			120 Main Street, Jerome Post Office, exterior posting case

\_\_\_\_\_  
R.A. Shemaitis, Deputy Clerk