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JUN 12 2014

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MEMORANDUM **Fire**

DATE: JUNE 12, 2014

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD

FROM: JEFF CLARK, FIRE CHIEF JC

SUBJECT: INTRODUCTION OF ORDINANCE NO. 4544 RELATING TO THE NAME OF THE DEPARTMENT AND DEPARTMENT RESPONSIBILITIES

RECOMMENDATION: Staff recommends introduction and tentative adoption of Ordinance No. 4544, amending sections 27-1 through 27-8 of Chapter 27 of the Code of the City of Chandler relating to the name of the Department and Department responsibilities.

BACKGROUND/DISCUSSION: On June 22, 1937 the first meeting of the Chandler Fire Department was held. Since that time the Department has been moving forward. The Department was first staffed by all volunteers. In 1953 the first paid Chief was hired and the Department ran fire and first aid calls. In the early 1970's the Department became fully staffed and in 1975 added advanced emergency medical care by training three firefighters as paramedics. Chandler was one of the first departments in the State and the first in the East Valley to take advantage of the new State Paramedic Certification Program. From that time forward paramedicine has become an integral part of the Department. The Department has come a long way since 1937 and now delivers advanced life support to the citizens of Chandler from 12 front line apparatus and 136 paramedics. The Department is equipped and trained to respond to health emergencies, provides preventive health education and participates in community health clinics. As the demand for services has evolved the name "Fire" by itself no longer fully describes the services provided. Adoption of Ordinance No. 4544 changes the Department's name to the Chandler Fire, Health and Medical Department, to better reflect the services provided.

FINANCIAL IMPLICATIONS: No significant financial implications. The Department currently has annual uniform funds, stationary/brochures will be updated as needed and vehicle lettering is estimated at under $10,000. Existing automotive line items will be used for the lettering.

PROPOSED MOTION: Introduce and tentatively adopt Ordinance No. 4544, amending sections 27-1 through 27-8 of Chapter 27 of the Code of the City of Chandler relating to the name of the Department and Department responsibilities.

ORDINANCE NO. 4544

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING SECTIONS 27-1 THROUGH 27-8 OF CHAPTER 27 OF THE CODE OF THE CITY OF CHANDLER RELATING TO THE NAME OF THE DEPARTMENT AND DEPARTMENT RESPONSIBILITIES.

BE IT ORDAINED by the City Council of the City of Chandler, Arizona as follows:

Section 1. That Sections 27-1 through 27-8 of Chapter 27 of the Code of the City of Chandler are hereby amended to read as follows:

Chapter 27 — FIRE, HEALTH AND MEDICAL PROTECTION

27-1. - Creation; appointment of members; powers and duties of Fire Chief; DEFINITIONS.

A. There shall be a Fire, HEALTH AND MEDICAL Department, headed by a Fire Chief who shall be responsible for the direction AND INCIDENT MANAGEMENT of all firefighting, fire-prevention, fire protection, HAZARDOUS MATERIALS, TECHNICAL RESCUE, ~~and~~ emergency medical, ~~aid service~~ AND PUBLIC HEALTH activities ~~of~~ WITHIN the City. THE FIRE CHIEF SHALL ALSO ~~and~~ be responsible for planning and developing programs to protect ~~the~~ life, HEALTH, SAFETY, and property in the City ~~from both natural and manmade emergencies~~. The Fire Chief and the City Manager shall be responsible for establishing departmental policies and rules necessary for the operation of the Department. The Fire Chief shall assign personnel and maintain a training program. The City Manager shall, on the basis of merit and fitness, appoint the Fire Chief and all subordinate ~~officers~~ FIREFIGHTERS and members of the Department.

B. DEFINITIONS. FOR THE PURPOSE OF THIS CHAPTER AND UNLESS THE CONTEXT PLAINLY REQUIRES OTHERWISE:

FIRE MEANS RESPONSE TO INCIDENTS INVOLVING FIRE AND OTHER EMERGENCIES INCLUDING HAZARDOUS MATERIAL AND TECHNICAL RESCUE.

FIREFIGHTER MEANS EMPLOYEE OF THE FIRE, HEALTH AND MEDICAL DEPARTMENT REGULARLY ASSIGNED TO HAZARDOUS DUTIES OF THE TYPE NORMALLY EXPECTED FOR FIREFIGHTING, EMERGENCY MEDICAL RESPONSE, PUBLIC HEALTH EMERGENCIES AND SPECIAL OPERATIONS INVOLVING HAZARDOUS MATERIALS OR TECHNICAL RESCUES.

HEALTH MEANS PREPAREDNESS AND RESPONSE FOR WIDESPREAD HEALTH EMERGENCIES AND PROTECTION AND PUBLIC EDUCATION ACTIVITIES RELATED TO COMMUNITY HEALTH ISSUES.

MEDICAL MEANS RESPONSE TO ASSESS AND TREAT PATIENTS THROUGH COMPLETION OF TREATMENT OR TRANSFER OF CARE TO A RECEIVING FACILITY.

27-2. – Fire, HEALTH AND MEDICAL service outside City - When rendered.

No fire, ~~or~~ emergency medical, OR PUBLIC HEALTH ~~aid~~ service shall be rendered outside the City by the Fire, HEALTH AND MEDICAL Department, except in the following cases:

A. To protect City property located outside the City.

B. To protect property within the City threatened by a fire outside the City.

C. To protect other public property within a reasonable distance of the City limits.

D. To go to the aid of a community threatened with disaster or loss of life as the result of a spreading and uncontrolled conflagration, EMERGENCY MEDICAL OR PUBLIC HEALTH EVENT.

E. To go to the aid of a fire protection district or municipality having a mutual/AUTOMATIC aid agreement in force with the City.

F. To provide fire, ~~or~~ emergency medical, OR PUBLIC HEALTH ~~aid~~ services by contract for other than incorporated properties.

27-3. – Fire, HEALTH AND MEDICAL Department services by contract for other than incorporated areas.

A. The Fire, HEALTH AND MEDICAL Department is hereby authorized, but not required, to provide service by contract to the following areas not in the boundaries of the City of Chandler:

1. Property surrounded by the City, but not within the City boundaries, i.e., County Islands; or

2. Other property as recommended by the Fire Chief.

B. The fire services described above shall be provided only on the following basis:

1. Annual subscription fire service rate. An elective fire protection real estate annual assessment rate per one thousand dollars ($1,000.00) assessed value of the property will be established by resolution of the City Council from time to time. The annual assessment will be determined by the estimated full cash value of the City and the Fire, HEALTH AND MEDICAL Department's annual operating budget.

2. Special contract service. The Fire, HEALTH AND MEDICAL Department is authorized to contract with individuals, corporations, businesses, and other groups for emergency services on an hourly basis, plus administrative charges at rates established by resolution of the City Council from time to time.

C. The City may respond with fewer units or personnel on the occurrence of any presently unforeseen circumstance, such as a major fire or several concurrent fires, other emergency, reduction in force, or other situation in which there is a shortage of personnel or equipment.

If all fire units are unavailable, the Chandler Fire, HEALTH AND MEDICAL Department will make every reasonable effort to break away to respond on each fire/emergency medical/PUBLIC HEALTH call from the individual.

D. The Fire Chief/designee is authorized to represent the City in the administration of individual contracts.

27-4. - Authority to respond in unincorporated areas when no contract has been signed; user fee for such response.

A. The Fire, HEALTH AND MEDICAL Department is hereby authorized, but not required, to provide service to unincorporated areas, as recommended by the Fire Chief, in the absence of a contract.

B. A user fee is hereby established to be paid by the property owner of the property to which the Fire, HEALTH AND MEDICAL Department responds. The user fee shall be the same as established for individual response contract service as set forth hereinabove.

27-5. - Same—Protection of property of governmental agencies.

Nothing in this chapter shall prevent the Fire, HEALTH AND MEDICAL Department from rendering service to buildings which are owned or operated by the County, the State, the United States, school districts or by other such governmental agencies.

27-6. - Same—Decision of Fire Chief to furnish service.

The Fire Chief shall, at the time of a request for service outside of the City, determine if the Fire, HEALTH AND MEDICAL Department can, with safety to the property within the City limits, render City fire protection. The decision to furnish such protection shall be at the discretion of the Fire Chief.

27-7. - Same—Mutual aid agreements.

The City Manager shall be authorized to negotiate mutual aid agreements between the City and any municipality or publicly constituted fire district within a reasonable distance of the City wishing to participate in reciprocal fire protection service under the following conditions:

A. The participating municipalities and fire districts shall maintain a Fire Department adequate for their ordinary fire protection purposes and shall call on the City for additional fire service only for fires too large to be handled by their equipment and personnel or when their Fire Department is already engaged at a fire.

B. The agreement shall specifically provide that the City shall not be liable in damages for failure to respond to a call for assistance nor for negligence in its operation at the fire.

C. The agreement shall not be effective until properly approved by the governing body of the participating municipality or fire district.

D. No response will be made by the Fire, HEALTH AND MEDICAL Department to calls for assistance in the event that prior or coincident fire calls involving property within the City have been received which, in the judgment of the Fire Chief, may require the full force use of City equipment.

The absence of a mutual aid agreement shall not be cause for refusal of aid to a community where extreme emergency conditions are present and where fire protection equipment and personnel of the City can be spared for such service.

27-8. - Fees.

The City Council is authorized to adopt by resolution fees for the use of the City of Chandler Fire, HEALTH AND MEDICAL Training facilities and for training provided by the City of Chandler Fire, HEALTH AND MEDICAL Department.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this _____ day of_____, 2014.

ATTEST:

_____ _____

CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of_____, 2014.

ATTEST:

_____ _____

CITY CLERK MAYOR

Approved as to form:

_____
CITY ATTORNEY REK

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4544 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2014, and that a quorum was present thereat.

_____
CITY CLERK

Published: