

**BILL NO. 2385-10**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON BY DELETING PRESENT TITLE II, PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 205: FIRE DEPARTMENT AND IN LIEU THEREOF ADDING A NEW TITLE II PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 205: FIRE DEPARTMENT.**

**WHEREAS**, with the appointment of City Officials in April 2010 the position of Fire Chief will change from a volunteer position to a paid position, and;

**WHEREAS**, changing from a volunteer position to a paid position requires a change to the Code of the City of Camdenton.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON AS FOLLOWS:**

Section 1. That Title II, Public Health, Safety and Welfare, Chapter 205: Fire Department of the City of Camdenton, Missouri, is hereby deleted and in lieu thereof adopting a new Title II, Public Health, Safety and Welfare, Chapter 205: Fire Department, which is attached to and made apart of this Ordinance, identified as Exhibit A.

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Read the first time the \_\_\_\_ day of \_\_\_\_\_, 2010.

Read the second time and passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Gentry D. North, Mayor

ATTEST:

\_\_\_\_\_  
Renee Kingston, City Clerk

## CHAPTER 205: FIRE DEPARTMENT

State Law Reference--As to cooperative agreements, see RSMo. §320.090.

### SECTION 205.010: FIRE DEPARTMENT ESTABLISHED -- COMPOSITION

There is hereby established a Fire Department for the City, which shall consist of a Fire Chief, and Assistant Fire Chief, and such ~~organized volunteer fire fighters~~ **other members as shall be deemed necessary to provide adequate fire protection.** (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

### SECTION 205.020: FIRE DEPARTMENT -- DUTIES

The Fire Department shall have charge of the fire apparatus and shall keep the same in good order for immediate use, and for more effectually perfecting the fire fighters in discharge of their duties, shall as often as practicable thoroughly test the condition of the fire fighting apparatus. Upon arrival at any fire, the members present shall take all necessary and proper action to extinguish such fire as quickly as possible and with the least damage possible. The department shall take all reasonable steps necessary under the circumstances to prevent the spread of fire and damage to adjoining property. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

### SECTION 205.030: FIRE DEPARTMENT DUTIES -- FIRE OUTSIDE CITY LIMITS

If there is adequate fire apparatus and a request is received for fire fighting equipment outside the City limits, the Fire Chief may determine whether to answer such request depending upon road conditions, water supply and other conditions at that time, and his decision shall be final. The decision of the Fire Chief shall in no way subject him to liability. In the event the Fire Department answers the call, it shall not leave the City unprotected of fire apparatus and equipment. The Fire Chief may have another Fire Department fill in with apparatus and equipment if he/she deems it viable.

### 205.035: FIRE CHIEF -- APPOINTMENT

**A qualified person shall be appointed Fire Chief for the City by the Mayor; such appointment shall be approved by the majority of the Board of Aldermen, and the Fire Chief shall serve at the pleasure of the appointing authority.**

### SECTION 205.040: ~~FIRE CHIEF, ASSISTANT FIRE CHIEF AND VOLUNTEER FIREFIGHTERS -- APPOINTMENT AND TERM -- REMOVAL~~

~~The Fire Chief shall be elected annually at the first (1st) meeting of the Fire Department; said election to be by all duly enrolled members of the Volunteer Fire Department with the consent of the Board of Aldermen. A simple majority of the enrolled members shall constitute election to the position. He/she shall hold office for one (1) year or until his/her successor is elected and qualified. The Assistant Fire Chief and such other organized volunteer fire fighters shall be appointed by the Fire Chief with the consent of the Board of Aldermen and serve at the pleasure of the Fire Chief and the Board of Aldermen for a like term. Removal from office of the Fire Chief and the Assistant Fire Chief shall be governed by Section 79.240, RSMo. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)~~

### SECTION 205.050: FIRE CHIEF -- POWERS AND DUTIES

The Fire Chief shall:

1. Have full power to command and control all persons at a fire, excepting only the City Police Officers on duty.
2. Station the fire apparatus and see to it that all fire fighters perform the duties required of them.

3. Direct at all fires such measures as he/she shall deem advisable to extinguish and control such fires.
4. Keep informed and make a written report as to the condition of the City water supply and fire plugs.
5. Keep the department in good condition and at all times ready for inspection.
6. In the exercise of these duties, the Fire Chief may delegate to the Assistant Fire Chief or other department personnel such responsibilities as in his judgment may be required. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

**SECTION 205.060: ASSISTANT FIRE CHIEF -- DUTIES**

The Assistant Fire Chief shall assume the duties of the Fire Chief in his absence ~~or the vacancy of the office until a new Fire Chief is appointed~~, and shall assist the Fire Chief in the performance of his duties, and shall obey his orders. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

**SECTION 205.070: FIRE FIGHTER -- DUTIES**

The fire fighter shall be under the immediate control and direction of the Fire Chief and/or Assistant Fire Chief and upon an alarm of fire shall without unnecessary delay report to the endangered premises with the City fire apparatus. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

**SECTION 205.080: COMPENSATION**

The Volunteer Fire Department shall be reimbursed for expenses incurred as may be established from time to time by City ordinance. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

**SECTION 205.090: FEE FOR CHEMICAL FOAMING AGENT USE**

In any incidents including but not limited to chemical spills, gasoline spills, hazardous incidents, car fires and aircraft fires, in which chemical foaming agents are used, a fee shall be charged to the property owner or other person responsible for the incident. Fees will be the actual amount of the cost of replacing the chemical foam actually used by the Fire Department. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

**SECTION 205.100: USE OF WHISTLES, ETC. -- PROHIBITED**

No person shall use, or as owner thereof permit to be used, any siren, whistle or whistles not installed on fire or police apparatus or in some way pertaining to fire without first obtaining permission from the Fire Chief. (Ord. No. 1013-85 §1, 1-8-85; Ord. No. 1143-87 §1, 5-19-87)

**SECTION 205.110: RULES AND REGULATIONS OF FIRE STATION RESIDENCY**

The rules and regulations for residency in the Camdenton Fire Station are hereby adopted. A copy of the Station Residency Rules and Regulations are kept on file in the City Clerk's office and made a part hereof. (Ord. No. 1312-90 §1,