

ORDINANCE NO. 2012 --01

AN ORDINANCE REDEFINING THE ESTABLISHMENT OF THE BULL SHOALS VOLUNTEER FIRE DEPARTMENT, ESTABLISHING RULES AND PROCEDURES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BULL SHOALS, ARKANSAS:

SECTION 1. The Fire Department shall be under the control and supervision of the Mayor.

SECTION 2. The Mayor and firemen by majority vote shall recommend to the City Council the appointment of the Fire Chief.

SECTION 3. The firemen at their regular meeting in December every two (2) years shall elect no more than two (2) assistant chief(s). The assistant chiefs shall have the ranking of assistant chief one (1) who shall be the ranking officer under the Chief's position. If there are two (2) assistant chiefs, he/she shall be designated assistant chief two (2) and will be the third ranking officer on the Department. They shall also elect one (1) captain, one (1) lieutenant and a secretary and such other personnel as required to hold office for the term of two (2) years beginning January 1 and ending December 31 two years later.

SECTION 4. The Chief shall be the highest in command and next in command shall be the assistant chief(s) and in the absence of both, the next ranking officer whom the Chief shall designate, shall assume command of the Department.

SECTION 5. The Chief of the Fire Department shall fill all vacancies in the Fire Department. Appointees will serve a probationary period of six (6) months. If the appointee completes the probationary period, the Fire Chief will recommend to the City Council that the new fireman be put on permanent status. The new fireman must become State certified within six (6) months after receiving the permanent position.

SECTION 6. If any fireman refuses or neglects to attend any fire, without submitting a sufficient and satisfactory excuse to the Chief of the Fire Department, or neglects or refuses to do his duty as a fireman, or disobeys the orders of the Chief or his properly designated commanding officer, or shall leave his post of

duty at a fire, without permission of the Chief or officer in charge, or violates or ignores any rule or regulation established by the Council, shall be subject to expulsion from the Fire Department, either by action by the Fire Chief or by the City Council.

SECTION 7. There shall be held not less than two (2) meetings each month for the purpose of instructing, training and maintenance of fire equipment and fire station. All members shall attend unless excused for reasonable cause.

SECTION 8. The City Council reimbursing expenses through an Accountability Plan sets the compensation for attending emergency calls, meetings and/or drills at a certain dollar amount by an over-all percentage made by the members of the Fire Department. (For the purpose of this ordinance, emergency calls, meetings and drills shall be referred to as EMD's.) Any member who attends a total of 10% of the year's EMD's will receive one hundred and fifty dollars (\$150) in reimbursement. Any member who attends 11% through 20% of the year's EMD's will receive three hundred dollars (\$300) and any member who attends 21% or more of the EMD's will receive five hundred dollars (\$500) in reimbursement. Any new member who leaves the Fire Department prior to completion of their six (6) month probationary period will not receive compensation for any EMD's that they had attended during their six (6) month probationary period. Any new member who has completed their six (6) month probationary period, has attended and completed their state certified classes will be compensated for the EMD's made by them during their six (6) month probationary period. Compensation will be based off EMD's made between the months of November of the prior year and October of the current year and is disbursed in November of each year.

SECTION 9. LOPFI (Police and Firemen's Pension Plan) becomes effective after the appointee has completed the probationary period, approved by the City council and placed in a permanent position.

SECTION 10. The Fire Chief and the secretary of the Volunteer Fire Department shall keep a record and list of the names of the members who attend the monthly meetings and who perform services at each fire and they shall submit a full statement of the number of fires attended by each member each month to the City Council at its next regular meeting.

SECTION 11. The Bull Shoals Volunteer Fire Department is authorized to collect fees outside the city limits of Bull Shoals, Arkansas. The Bull Shoals Volunteer Fire Department is also authorized to enter into a compact or covenant to render service to nearby communities including, but not limited to Lakeview, Fairview, Flippin and Yellville, Arkansas and to render such services upon whatever terms and conditions that may be agreed upon by said Bull Shoals Volunteer Fire Department and such other community(ies).

SECTION 12. The City council may adopt such rules and regulations in regard to the Fire Department, not inconsistent with the ordinances or the laws of the state as the City Council shall deem advisable.

SECTION 13. The Fire Chief may adopt such rules and regulations, in regard to the Fire Department, not inconsistent with Ordinances or laws of the State as he deems advisable, but the City council shall approve such rules and regulations or changes in such rules and regulations before being effective.

SECTION 14. The Fire Department shall be under the direction of the Chief of the Fire Department or in his absence, shall be under the direction of the next ranking officer. Upon an alarm of a fire, the members of the Fire Department shall proceed to the place of the fire with the necessary apparatus in their charge and their work and manage the same under the direction of the Chief or ranking officer and use such apparatus, in the most effective manner until the fire is extinguished and shall not move from there except by permission of the officer in command and on such permission, they shall return the fire apparatus to its place of occupancy.

SECTION 15. Members of the Fire Department shall commit to memory the location of all fire hydrants and be familiar with the name and location of the streets and avenues of the municipality.

SECTION 16. It shall be the duty of the firemen under the supervision of the Fire Chief to maintain all fire equipment and the fire station in a clean and satisfactory condition at all times.

SECTION 17. If any provision, clause, sentence, paragraph or section of this Ordinance, or the application thereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provision(s) of this Ordinance

which can be given effect without the invalid provision(s) or application and to this end the provision(s) of this Ordinance are declared severable.

SECTION 18. This Ordinance shall be in full immediate effect upon passage and posting.

SECTION 19. Ordinance 2005-06 and Chapter 2.24 and any parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Bull Shoals, Arkansas on this 29th day of MARCH, 2012

APPROVED: Bruce E Powell
Mayor Bruce E. Powell

ATTESTED: Kimberly M Williams
Recorder/Treasurer Kimberly M. Williams

I, Kimberly M. Williams, Recorder/Treasurer, certify that this Ordinance has been posted in five (5) of the most public places in the City of Bull Shoals, Arkansas.

Posted: March 30, 2012

Posted By: Kimberly M Williams