

PUBLIC SAFETY
**FIRE FIGHTING AND PREVENTION
SERVICE DELIVERY AGREEMENT**

THIS SERVICE DELIVERY AGREEMENT, between Whitfield County, a political subdivision of the State of Georgia formed and existing pursuant to the Constitution of the State of Georgia, and the City of Dalton, the Town of Cohutta, the City of Tunnel Hill, and the City of Varnell, all being municipal corporations chartered and existing pursuant to the laws of the State of Georgia;

WHEREAS, *OCGA §§ 36-70-20 et seq.* mandate that Whitfield County and all municipalities located therein shall participate in the development of a **Service Delivery Strategy** through which Whitfield County and said municipalities shall create and maintain a service delivery system which is efficient, effective, and responsive to all citizens of Whitfield County;

WHEREAS, *OCGA § 36-70-24(1)* mandates that said Service Delivery Strategy shall identify steps which will be taken to remediate or avoid overlapping and unnecessary competition and duplication of service delivery, and that said Service Delivery Strategy shall identify the time frame in which such steps shall be taken; and

WHEREAS, *OCGA § 36-70-25* mandates that said Service Delivery Strategy receive the approval of Whitfield County and the governing authorities of municipalities located within Whitfield County, as is more particularly described in that Code Section;

NOW, THEREFORE, we, the undersigned, being duly authorized to act on behalf of the above-named parties, in consideration of the mutual covenants and promises contained herein, agree as follows concerning **Fire Fighting and Prevention** within Whitfield County:

WITNESSETH

1. Description of Current Service Delivery Arrangement.

Whitfield County and the City of Dalton, bear the responsibility for delivering fire fighting and prevention services to specifically identified areas of Whitfield County.

a. Fire Fighting Services.

Whitfield County and the City of Dalton are responsible for delivering fire fighting services within their respective jurisdictions. Whitfield County delivers fire fighting services within the City of Tunnel Hill, the City of Varnell, and the Town of Cohutta which do not maintain fire suppression services.

The City of Dalton and Whitfield County each fund and maintain an independently operated and professionally staffed Fire Department which serves the respective areas identified in the preceding paragraph by responding to and fighting fires and by maintaining fire fighting vehicles and equipment. Dalton Utilities maintains fire hydrants located within the corporate limits of City of Dalton. Whitfield County's Fire Department contracts with Dalton Utilities for the maintenance of fire hydrants with water pressure where water is available and maintains alternative sources of water for fighting fires for the City of Tunnel Hill, the City of Varnell, the Town of Cohutta and the unincorporated areas of Whitfield County.

The City of Dalton's Fire Department and Whitfield County's Fire Department maintain a productive working relationship through which the two departments agree to trade off fire fighting responsibilities as to particular areas normally within the other department's service area, so as to achieve the greatest efficiency in the application of each department's resources. Additionally, each department provides backup assistance to the other department under mutual aid and when necessary, as in cases when a particular fire within one department's service area is too large or uncontrollable for that department to extinguish alone. These departments operate pursuant to that intergovernmental agreement of March 9, 2020 known as Automatic Aid for Fire Services and First Response.

Through this working relationship, the respective fire departments of the City of Dalton and Whitfield County avoid rigid territorial attitudes in favor of cooperation which enables both departments to collectively produce the most efficient and effective results for the citizens of Whitfield County. No duplication results from this working relationship and the agreements concluded as an incident thereto, as the high level of communication between the two departments ensures that the primary lines of responsibility for responding to and fighting fires in specified areas in Whitfield County remain clearly defined.

b. Fire Prevention

The City of Dalton is solely responsible for delivering fire prevention services within the corporate limits of the City of Dalton, and Whitfield County is solely responsible for delivering fire prevention services to unincorporated areas of Whitfield County, the City of Tunnel Hill, the City of Varnell, and the Town of Cohutta.

The City of Dalton maintains fire prevention services which involve fire safety education, and a Fire Marshall and his Chief of Prevention who investigate the causes of particular fires, as well as inspect new and existing construction plans and structures for potential fire hazard. In Whitfield County responsibility for inspection of new and existing construction including plan review is performed by the office of the Georgia Fire Marshall.

No duplication results from this arrangement to provide fire prevention services, as the respective fire departments of the City of Dalton and of Whitfield County provide such services solely within the non-overlapping boundaries set forth above.

2. Future Service Delivery Strategy.

The parties hereto agree that the current service delivery arrangements described above are efficient, effective, and responsive to all citizens of Whitfield County. Therefore, the parties hereto agree that no need exists to change said service delivery arrangements.

Further, the parties hereto agree that no duplication exists in the delivery of fire fighting and prevention services within Whitfield County, as:

a. The City of Dalton's Fire Department and Whitfield County's Fire Department bear sole responsibility for delivering fire fighting and prevention services within the non-overlapping boundaries described above. Said boundaries are altered only when the high level of communication between the two departments indicates that an alteration of fire fighting responsibilities is necessary to more efficiently allocate the resources of the two departments. Even in the event of such boundary alterations or one department's rendering of assistance to the other department in fighting a fire, the high level of communication and coordination between the two departments ensures that the primary lines of responsibility for responding to and fighting fires in specified areas in Whitfield County remain clearly defined.

b. The City of Dalton Board of Water, Light, and Sinking Fund Commissioners d/b/a Dalton Utilities maintains fire hydrants and water pressures throughout the City of Dalton and Whitfield County where water lines are available.

The parties hereto agree that should any party undertake any action which may result in overlapping, competition, or duplication in the current service delivery arrangements or in the future service delivery strategy described in this Service Delivery Agreement, that party shall notify the other parties to this Agreement, so as to facilitate continued compliance with the requirements of Georgia law as referenced above.

IN WITNESS WHEREOF, each of the undersigned has executed this Service Delivery Agreement on behalf of the respective party set forth below, pursuant to the authority granted to each of the undersigned in the resolution by which each party approved and adopted this Service Delivery Agreement.

-ALL SIGNATURES APPEAR ON THE FOLLOWING PAGE-

WITNESS OUR SIGNATURES, THIS _____ DAY OF OCTOBER, 2022.

WHITFIELD COUNTY

CITY OF DALTON

BY: _____
CHAIRMAN, WHITFIELD COUNTY
BOARD OF COMMISSIONERS

BY: _____
MAYOR

ATTEST: _____

ATTEST: _____

COUNTY SEAL

CITY SEAL

CITY OF TUNNEL HILL

TOWN CITY OF COHUTTA

BY: _____
MAYOR

BY: _____
MAYOR

ATTEST: _____

ATTEST: _____

CITY SEAL

CITY SEAL

CITY OF VARNELL

BY: _____
MAYOR

ATTEST: _____

CITY SEAL