

**CITY OF FALLON**

**BILL NO. 811**

**ORDINANCE NO. \_\_\_\_\_**

**TITLE: AN ORDINANCE AMENDING TITLE 2 OF THE FALLON CITY CODE TO UPDATE, CLARIFY, AND MODERNIZE PROVISIONS RELATED TO THE FIRE DEPARTMENT, FIRE BOARD, DEPARTMENT OFFICER QUALIFICATIONS AND DUTIES.**

**WHEREAS**, the City Council of the City of Fallon desires to update the fire department and fire board structure and responsibilities;

**WHEREAS**, the City Council finds that the updates allow for more efficient and responsive governance; and

**WHEREAS**, the City Council has determined that this ordinance is in the best interest of the public health, safety, and welfare of the citizens of the City of Fallon;

**NOW, THEREFORE**, the City Council of the City of Fallon, Nevada does ordain:

**SECTION 1: AMENDMENTS TO CHAPTER 2**

**Title 2, Chapter 2.16, Sections 010, 020, 030, 040, 050, 070, 100, 110, and 130 of the City of Fallon Municipal Code are hereby amended to read as follows:**

2.16.010 - Created-Composition-Qualifications.

A fire department is created, to be known as the Fallon/Churchill Fire Department, which shall consist of such number as may be determined by the rules of the fire department and approved by the mayor and city council, and every person who shall be appointed a member of the fire department must, at the time of their appointment and during all times thereafter, be an able-bodied person and possess such other qualifications and pass such examinations as may be required by rules prescribed by the fire department and approved by the mayor and city council.

2.16.020 - Created—Composition—Terms.

A. A board is created to be known as the fire board.

- B. The fire board shall consist of one county commissioner and one city councilperson and three members of the county fire department which shall be selected in accordance with the FCFD bylaws.
- C. The city councilperson on the board shall be selected by the city council.
- D. The terms of the members, other than the county commissioner and city councilperson, shall be in accordance with the FCFD bylaws.
- E. There shall be one alternate board member who will be appointed by the president.
- F. The board shall only vote if there is a quorum of four members present and majority rules.
- G. The president of the fire department shall be the president of the fire board.

2.16.030 - Duties generally—Recommendations to the mayor and city council.

- A. The duties of the fire board shall be to appoint, with the approval of the mayor and city council, a fire marshal when a vacancy occurs; establish the duties of the fire marshal; assure the maintenance and “road ready” condition of equipment; do long and short term planning; maintain buildings and property; oversee operations; act as liaison between the city and the county; present its minutes to the fire department; and perform any additional duties as needed.
- B. All recommendations of the fire board shall be made to the mayor in writing and shall be signed by all members of the board.

2.16.040 - Officers and line of command.

The line officers of the fire department shall consist of one chief, one first assistant chief, one second assistant chief, one third assistant chief; and their authority of command shall be that order.

2.16.050 - Appointment and election of officers—Terms.

- A. The fire marshal shall be appointed by the fire board with the approval of the mayor and city council and serve at the will of the mayor and council.

- B. The fire chief, first assistant fire chief, second assistant fire chief and third assistant fire chief shall be elected by the fire department and sworn in by the mayor and the city council prior to taking office. The term of office for each such officer shall be until they resign, or are removed in accordance with the bylaws of the fire department.
  
- C. A list of desirable qualifications of a fire marshal includes, but is not limited to, the following:
  - 1. Minimum of at least five years of fire service experience;
  - 2. Fire science degree desirable;
  - 3. Instructional qualifications or certification desired: Fire Inspector I and II, Fire Investigator I;
  - 4. Must become a resident of Churchill County within ninety (90) days of hiring;
  - 5. Should be able to communicate well with people;
  - 6. Medical and SIIS investigation;
  - 7. Arson investigation experience;
  - 8. Should be familiar with commercial and residential construction plans.

2.16.060 - Department officers—Oath and bond required.

All officers of the fire department shall, before assuming the duties of their offices, take and subscribe the constitutional oath of office, and shall furnish such bonds as may be required by the mayor and city council.

2.16.070 - Fire marshal duties.

- A. The fire marshal shall have the following duties:
  - 1. Enforcement of city, county, and state fire codes and statutes including the Uniform Building Code and Uniform Fire Code. These enforcement duties shall require the review of plans and business licenses;
  - 2. Establishment of policy and regulations for fire prevention;
  - 3. Approval of plans and enforcing all city ordinances as concern subdivisions, trailer parks, private, commercial, industrial and public buildings;
  - 4. Conduct personnel training in coordination with the fire chief;
  - 5. Fire inspections and representative of the state fire marshal's office;
  - 6. Report to the Fire Board.
  - 7. Public relations (fire safety):
    - a. Schools,
    - b. Law enforcement,
    - c. Business,
    - d. General public,

- e. Counseling program;
- 8. Arson investigation.

B. The fire marshal, in cooperation with the fire chief, shall have the further duty of assessing each fire to determine the point of origin and the probable cause of all fires within the city. The fire marshal and such assistants or aides as they shall designate shall have the right to go on the premises where the fire occurred at any time or times, at their convenience, to make such assessment.

2.16.080 - Fire chief duties.

A. The chief of the fire department shall have sole and entire command over all officers and members of the department and, during a fire or other emergency, over all apparatus and appurtenances belonging to the same, and they shall take any measures which they deem expedient for the extinguishment of fires, protection of life and property, preservation of order and observance of the law of the state, provisions of this chapter and other ordinances of the county and rules and regulations of the department and city council.

B. A list of chief's duties includes, but is not limited to the following:

DUTIES

- 1. Chief officer of the FCFD;

RESPONSIBILITIES

- 1. Shall establish and implement all firefighting operations with the concurrence of assistant chiefs;
- 2. Shall ensure that all personnel are properly trained at all times;
- 3. Shall have sole authority at all fire emergencies;
- 4. Shall indoctrinate all new members prior to their taking any position on any apparatus;
- 5. Shall authorize the fire marshal to purchase any equipment or apparatus;
- 6. Shall perform any and all other duties assigned by the fire board and FCFD;
- 7. Be responsible for compiling and administering FCFD annual budget. The Chief shall submit the proposed budget to the fire board and, upon approval by the fire board, present the budget to the county commissioners and the mayor for approval;
- 8. Shall call meetings of the chiefs and fire marshal no less than bimonthly for the purpose of reviewing and resolving any and all fire department business;

9. Shall have sole authority over all volunteer and paid personnel assigned to the fire department;
10. Shall attend all fire board meetings and report on all activities as directed by the fire board;
11. Shall be responsible for maintaining all equipment and apparatus in a "road-ready" condition. If any equipment or apparatus off-line for a period of three days or more, the fire chief shall submit a written report to the president of the fire board stating the nature of the problem, the duration of repairs, approximate cost and any other pertinent information.

C. The fire chief may approach the mayor concerning any and all aspects of the operation of the fire department.

#### 2.16.090 - Emergency fire powers.

When a fire is in progress, the chief of the department, or in their absence, the officer in command may, if in their judgment they deem it necessary, order any telegraph, telephone, electric light or other electric wires or pole, or either in close proximity thereto to be torn down, blown up or otherwise disposed of, for the purpose of checking the conflagration, but neither the chief of the fire department nor any other officer or member of the fire department shall unnecessarily or recklessly destroy or injure any building or other property.

#### 2.16.100 - Blockades - Power To employ police - Compliance.

Whenever a fire shall occur, it shall be lawful for the chief of the fire department, or the officer in command, to blockade any street, alley, sidewalk or other place, if in their judgment it is necessary to ensure the efficient working of the firefighters, hose, engine, and apparatus under their command, and to protect the hose of such department from injury. They are authorized to request the police chief or other officer in charge of the police to detail personnel sufficient in their judgment therefor, who for the time being, shall act under the instructions of the chief of the fire department or officer in command. It is unlawful for any person to break through or attempt to break through the blockade mentioned in this section, or at any time to run over or attempt to run over the hose of the fire department with an omnibus, wagon, streetcar, railroad car, locomotive, tender, or any cart, dray, buggy, carriage, hack, hackney-coach, automobile or other kind of vehicle.

#### 2.16.110 - Right-of-way of fire department vehicles.

All movable apparatus of the fire department shall have the right-of-way over all other vehicles while passing through all streets, avenues, and alleys, when answering an alarm of fire. It is unlawful for any person driving or having charge of any vehicles or animals to willfully or

carelessly permit the same to obstruct, impede, or otherwise interfere with the progress or working of any apparatus or equipment of the fire department, while the same is going to or remaining at a fire.

2.16.120 - Apparatus—Interfering with or carrying away prohibited—Exception.

It shall be unlawful for any person other than the fire chief or officer in command of the fire department to interfere with or carry away any of the fire department apparatus without first having received authorization to do so from the fire chief or officer in command.

2.16.130 - Apparatus—Injuring prohibited.

It shall be unlawful for any person to willfully cut, make or otherwise deface or injure any firehouse, hose, engine, or other apparatus or property of the fire department.

**SECTION 2: SEVERABILITY**

If any section, subsection, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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**SECTION 3: EFFECTIVE DATE**

This ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law.

**PROPOSED** by COUNCIL MEMBER HARMON.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2026, by the City Council of the City of Fallon, Nevada.

Those voting aye: \_\_\_\_\_

Those voting nay: \_\_\_\_\_

Those abstaining: \_\_\_\_\_

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Ken Tedford  
Mayor, City of Fallon

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Michael O’Neill  
Clerk/Treasurer, City of Fallon