

ORDINANCE NO. 2023-788

**AN ORDINANCE AMENDING SECTIONS 2.20.060 THROUGH
2.20.130, CERTAIN SECTIONS PERTAINING TO FIRE FIGHTERS
AND THE FIRE DEPARTMENT**

WHEREAS, The City Code for the City of Mills, Wyoming, was amended to add provisions in Title 2 establishing a Fire Department; and

WHEREAS, Now that the Fire Department has been established in the Code in an ongoing fashion, certain of those provisions have been deemed to be appropriate for amendment, notably in regard to the use of anachronistic terms and in regard to levels of staffing and certain positions for the Fire Department.

NOW, THEREFORE, After due deliberation, the City Council of the City of Mills, Wyoming, hereby amends Sections 2.20.060 through 2.20.130 to read as follows, with the amendments reflected in red:

Chapter 2.20.060 – Fire Department Established

There shall be a Combination Fire Department which shall be charged with providing for qualified full-time and paid volunteer fire fighters and such associated emergency service personnel as appropriate and as authorized for a municipality under the laws of the State of Wyoming. At all times the Mills Fire Department shall be organized as a Combination Fire Department featuring both full-time and paid volunteer fire fighters.

2.20.070 - Fire Chief—Powers and duties.

The fire department shall be headed by the Fire Chief who shall be the commanding officer of the fire department. He shall have the following responsibilities and powers:

(a) The Fire Chief shall be responsible for the administration and enforcement of the Uniform Fire Code, adopted by the City, all ordinances relating to fire prevention and suppression and all applicable state statutes as well as all duties prescribed by Wyoming State Statute.

(b) The Chief of the fire department shall be the administrative officer of the department, subject to the rules and regulations prescribed and the orders and ordinances made from time to time by the governing body and shall have the following powers and duties:

- (i) To be responsible for all property belonging to the department and all ~~firemen~~**firefighters** and fire companies in the service of the department, in the proper discharge of their duties;

- (ii) To see that the ordinances of the City applicable to the fire department are faithfully observed;
- (iii) To have sole command at all fires over all officers and all persons who may be present, and to take all proper measures for the extinguishment of fires, the protection of lives and property and the preservation of law and order;
- (iv) To examine into the condition of the apparatus, buildings and other property belonging to the City and used by the fire department and see that all fire hydrants are in good working order at all times. Under his supervision, all hose belonging to the department must be tested at least once a year;
- (v) To keep a complete and correct inventory of all property belonging to the department;
- (vi) To keep a roll of members showing attendance at all monthly meetings and fires and report the same to the governing body. The fire chief shall present a monthly written report to the governing body showing all fires and shall, in addition to showing the fires, show the number of meetings held, and, upon request of the governing body, shall include any other information or data that may be necessary or required.

2.20.080 - Fire Chief—Emergency powers.

(a) The Chief of the fire department, or any assistants in command, may prescribe limits in the vicinity of any fire within which no persons excepting those who reside therein, ~~firemen~~**firefighters** and policemen, and those admitted by any order of any officer of the fire department shall be permitted to come.

(b) The Fire Chief or any assistant in command shall have the power to cause the removal of any property, whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire or to protect adjoining property.

(c) The Fire Chief shall have the power to issue appropriate citations in performing their duties under the Uniform Fire Code.

(d) The Fire Chief shall ensure that adequate fire department personal and apparatus are available for deployment in the City of Mills before allocating such resources to medical transports, or mutual aid deployments.

(e) The Fire Chief shall ensure every member of the City of Mills Combination Fire Department displays attitudes and actions that promote the service of paid volunteer Mills firefighters, and shall dismiss from employment any member of his department who does not promote such attitudes and actions.

(f) The fire chief shall have the power to issue appropriate citations in performing their duties under the Uniform Fire Code.

2.20.090 - Appointment of Firemen Firefighters.

The fire department shall be composed of the Chief, ~~one (1) assistant full-time fire chief,~~ and such other subordinate officers and ~~firemen firefighters~~ as may be approved by the governing body. All ~~firemen firefighters~~ shall be appointed by the ~~Fire Chief~~ director of emergency services. The ~~Fire Chief~~ shall have the authority to suspend from duty any ~~fireman firefighter~~ for cause. The department shall be a combination fire department meaning that it shall consist of one full time Chief, ~~seven (7) full time~~ and paid volunteer fire department personnel at a level otherwise determined or approved by the municipality. ~~firefighters consisting of three (3) captains, and four (4) engineers or firefighters. These shall be arranged into three (3) two-man shifts consisting of a captain and either an engineer or firefighter. The seventh position shall join the shift of the Chiefs determination but shall fill in for vacation and sick time for other members of the department. All other fire personal shall be paid volunteer fire department personal.~~

2.20.110 - Duties of Members.

All members of the fire department shall perform such duties as may be required of them by the Fire Chief or other authorized officials.

2.20.120 - Fire Chief—Additional Powers and Duties.

The Fire Chief, or his designee, shall:

- (a) To inspect, as often as may be necessary, all buildings and premises for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any other violation of the purpose or provisions of the Uniform Fire Code and of any other law or standard affecting fire safety;
- (b) To investigate promptly the cause, origin and circumstances of each and every fire occurring in the jurisdiction involving loss of life or injury or destruction or damage to property and, if it appears that such fire is of suspicious origin, he shall take immediate charge of all physical evidence relating to the cause of the fire and shall pursue the investigation to its conclusion.

2.20.130 - Compensation.

The Chief of the fire department and the full time and volunteer ~~firemen firefighters~~ shall receive such pay as may be from time to time established by the governing body for each fire and department meeting attended, or as set by resolution.

PASSED on 1st reading the ____ day of _____ 2023.

PASSED on 2nd reading the ____ day of _____, 2023.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this ____ day of _____
_____, 2023

CITY OF MILLS, WYOMING

Mayor, Leah Juarez

Councilman, Sara McCarthy

Councilman, Cheri Butcher

Councilman, Tim Sutherland

Councilman, Brad Neumiller

ATTEST:

Town Clerk, Christine Trumbull