

ORDINANCE NO. 801

**ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2.20
PERTAINING TO EMERGENCY POWERS OF THE FIRE CHIEF**

WHEREAS, The City of Mills has put in place fire restrictions by resolution on multiple occasions during the past several year s, as conditions required; and

WHEREAS, It frequently occurs that the fire restrictions are put in place following fire restrictions being put in place by the Governing Body of Natrona County, Wyoming; and

WHEREAS, There exists the possibility of a fire emergency requiring a ban occurring which is in the interim period between City Council meetings. To act quickly under the current ordinances, would require an emergency meeting of the City Council; and

WHEREAS, Section 8.02.010 of the City Code provides:

CHAPTER 8.02
FIRES AND BURNING

8.02.010 Burning prohibition.

A burn permit shall be required to burn items within the city limits except fire wood, charcoal, or LP or natural gas fuels that are contained within a designed fire pit, grill, or professionally engineering containment that has a capacity of less than 3 feet in diameter and is equipped with a spark arresting device. Small bon fires of greater than 2 feet by 3 feet may not be within 25 feet of a structure and must follow all burn restrictions established within the Town of Mills. Burning of any other items or volumes will be established through burn permit regulations.

Burn permit shall be issued in accordance with the direction of the "Fire Chief" and required for a controlled burn, bon fire or uncontained burn within the incorporated district of the Town.

WHEREAS, Section 2.20.080 of the City Code provides:

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 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.

NOW THEREFORE, The City Council of the City of Mills, Wyoming amends Section 2.20.080 to add the following subparagraph g.

(g) The Fire Chief may put in place such fire restrictions and bans as reflect emergency conditions which shall remain in place from his officially announcing and them and distributing them in an appropriate manner to the public, to include releasing them through electronic means by way of the City’s electronic websites or Fire Department websites, until the next regularly scheduled City County meeting shall conclude. When such a fire ban or restrictions are put in place, the Fire Chief shall inform the Mayor and City Administrator of having put them in place.

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

Leah Juarez, Mayor

Sara McCarthy, Council

Brad Neumiller, Council

Cherie Butcher, Council

Tim Sutherland, Council

ATTESTED:

Christine Trumbull, City Clerk