

## ORDINANCE 2025-004

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SPRINGVILLE, ARIZONA, AMENDING TITLE 2 CHAPTER 2.44, "FIRE DEPARTMENT" OF THE TOWN OF SPRINGVILLE TOWN CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.

**WHEREAS**, it is in the best interest of the Town to amend the Town Code, Chapter 2.44 FIRE DEPARTMENT, to reflect updates to the Fire Department.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Town of Springville, Arizona, as follows:

**SECTION 1:** The current Chapter 2.44 of the Town Code is hereby deleted in its entirety and is hereby replaced by the following Sections 2.44.010, 2.44.020, 2.44.030, 2.44.040, 2.44.050, 2.44.060, 2.44.070, 2.44.080, 2.44.090, 2.44.100 and 2.44.110 with the title of the Chapter and each subsection listed below. The full code language to be added to the Code is set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

### Chapter 2.44: FIRE DEPARTMENT

- 2.44.010 Created-Composition
- 2.44.020 Departmental Rules and Regulations
- 2.44.030 Compensation
- 2.44.040 Appointment and Power of the Fire Chief
- 2.44.050 Functions
- 2.44.060 Right of Entry for Firefighters
- 2.44.070 Equipment and Apparatus
- 2.44.080 Mutual Aid and Assistance Outside Jurisdiction
- 2.44.090 Acknowledgement of Right of Way
- 2.44.100 Fire Alarms and False Alarms
- 2.44.110 Orders of Fire Chief

**SECTION 2:** Providing for Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

**SECTION 3:** Effective Date. This ordinance shall be effective thirty (30) days after its passage and adoption.

EXHIBIT A  
[See Attached]

**EXHIBIT "A"**

**Title 2**

**Title 2-Administration and Personnel**

Chapter:

**Chapter 2.44-Fire Department**

Sections:

**2.44.010 Created-Composition**

There is created a fire department ("Department") for the Town which shall consist of a Fire Chief, and as many other service personnel positions as may be deemed necessary from time to time through the annual budgeting process.

**2.44.020 Departmental Rules and Regulations**

The Department shall be operated and managed in accordance with adopted departmental rules and regulations, policies or procedures. These rules and regulations, polices, or procedures may, from time to time, be updated as recommended by the Fire Chief, and approved by the Town Manager.

**2.44.030 Compensation**

The Fire Chief, and other service personnel, shall be compensated as determined through the annual budgeting process.

**2.44.040 Appointment and Powers of the Fire Chief**

The Fire Chief shall be appointed by the process described in the Intergovernmental Agreement for Shared Services between the Town of Springerville and the Town of Eagar, currently dated January 24, 2023, as amended, restated, or replaced from time to time.

The Fire Chief shall have immediate charge of the Department. In the absence of the Fire Chief from duty, a command officer, designated by the Fire Chief, shall have the same authority and responsibility as the Chief.

## 2.44.050 Functions

It is the duty of the Department, under the direction of the Fire Chief to perform the following functions:

- A. Maintain an appropriate state of readiness through training, education, physical conditioning, and equipment maintenance and inspection.
- B. Respond to, plan and direct, the mitigation of any fire, medical emergency, hazardous materials incident, technical rescue incident, natural or manmade disaster that may occur within the Department's jurisdiction. The authority of the Department shall be absolute in all matters directly concerning the mitigation of these situations, and the disposition of property that may be affected.
- C. Provide nonemergency health care services, or respond to citizen requests for assistance, as may be deemed necessary, or appropriate.
- D. Assist the proper authorities in suppressing the crime of arson by investigating, or causing to be investigated, the cause, origin, and circumstances of fires.
- E. Conduct educational, or informational programs, as necessary to reduce the number of deaths or injuries caused by fire, or any other type of accident, within the Department's jurisdiction.
- F. Conduct, or cause to be conducted, an inspection of each commercial, or public, facility located within the Department's jurisdiction to ensure compliance with applicable fire and life safety codes, and ordinances, on a at least an annual basis.
- G. Conduct, or cause to be conducted, an inspection of each fire hydrant located within the Department's jurisdiction in accordance to nationally accepted standards, on at least an annual basis.
- H. Keep complete records of all incidents, inspections, apparatus and equipment, personnel and other information about the work of the Department. These records shall be open to inspection by, and furnishable to, the Town Manager upon his or her request.
- I. Enforce, or cause to be enforced, all codes, ordinances, laws and regulations, or the Town and State as they pertain to fire, life safety, and the general well-being of the jurisdiction and its citizens.
- J. Perform such reasonable duties as may be required by the Town Manager.

#### **2.44.060 Right of Entry for Firefighters**

It shall be lawful for any firefighter, acting under the direction of the Fire Chief or another officer in command, to enter upon the premises adjacent to, or in the vicinity of, any building or other property that is on fire for the purpose of extinguishing such fire. Pursuant to A.R.S. § 13-2404(A)(2), no person shall hinder, resist, or obstruct any firefighter in the in the discharge of their duty as provided in this chapter.

#### **2.44.070 Equipment and Apparatus**

- A. The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property. Recommendations concerning apparatus and equipment needed shall be made by the Fire Chief, through the capital improvement planning program and annual budgeting process. Such apparatus and equipment shall be purchased in a manner that complies with the Town's fiscal policies and procedures.
- B. All equipment of the Department shall be safely, and conveniently, housed in such place, or places, as may be designated by the Fire Chief.
- C. No person shall use any apparatus or equipment for any private purpose, nor shall any person willfully take away or conceal any article used in anyway by the Department. No person shall enter any place where the apparatus is housed, or handle any apparatus belonging to the Department, unless accompanied by, or having special permission of, an officer or authorized member of the Department.
- D. No apparatus or equipment shall be hired out, or permitted to leave the fire station, without prior authorization except in response to a call for aid within the jurisdiction of the Department, or in response to a call for aid in an area where requested for mutual aid, under the provisions of Section 2.44.080 of this chapter. Apparatus or equipment may be used in public events and parades if prior authorization is obtained, and this use does not have any adverse impact on the operations of the Department.

#### **2.44.080 Mutual Aid Agreements and Assistance Outside Jurisdiction**

The Council may enter into agreements or contracts to furnish assistance outside the Department's jurisdiction, or enter into mutual aid agreements; the Department is authorized to render emergency services pursuant to the terms of such agreements or contracts.

#### **2.44.090 Acknowledgement of Right of Way**

- A. All motor equipment of the Department shall have the right-of-way over all other traffic when responding to an alarm.

- B. No unauthorized vehicle shall follow within six-hundred (600) feet of any apparatus belonging to the Department, nor park any vehicle, or otherwise cause any obstruction to be placed within ten (10) feet of the entrance to any fire station or other place where fire apparatus is stored, nor within fifteen (15) feet of any fire hydrant.
  
- C. Pursuant to A.R.S. § 28-897, no person shall drive any vehicle over unprotected hose of the Department if the hose is laid down on a street or private driveway to be used at a fire or alarm of a fire. This section does not apply if a Department official in command at the fire, or alarm of fire, directs traffic to drive over the hose.

#### **2.44.100 Fire Alarms and False Alarms**


- A. Suitable arrangements, equipment, and dispatch services shall be provided for citizens to turn in an alarm and for dispatch services to notify all members of the Department so they may properly respond.
  
- B. It is unlawful for any person to knowingly turn in, or cause to be turned in, a false alarm.

#### **2.44.110 Orders of the Fire Chief**

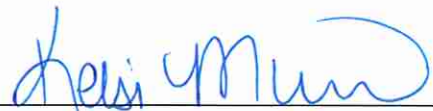
It is unlawful for any citizen to refuse to obey an order issued by the Fire Chief pursuant to his authority.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Springerville, this 16 day of April, 2025.

Town of Springerville

  
Shelly Reidhead, Mayor

ATTEST:

  
Kelsi Miller, Town Clerk

APPROVED AS TO FORM:

  
Mangum Wall Stoops & Warden, PLLC  
Town Attorney