



AMENDED AND RESTATED SAN JUAN COUNTY ORDINANCE 49

SAN JUAN COUNTY FIRE AND EMERGENCY SERVICES ADMINISTRATION

Providing for the administration of the San Juan County Fire Department, including individual fire districts, including both paid and volunteer personnel; assigning responsibilities for coordinated fire prevention, fire suppression, emergency medical services, and other emergency services including but not limited to mutual aid and cooperation with fire departments or other emergency services of government; establishing policy for implementation of fire department and emergency services plans and programs, promulgation of rules, regulations, medical protocols and standard operating procedures for the operation of the department.

Be it ordained by the Board of County Commissioners of the County of San Juan, New Mexico:

SECTION 1: SHORT TITLE

This ordinance may be cited by number or as the San Juan County Fire and Emergency Services Administrative Ordinance.

SECTION 2: REPEALER

Any other ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3: PURPOSE

The organization, administration and operation of the San Juan County Fire Department is herein established and governed by the San Juan County Board of County Commissioners, through the County Chief Executive Officer and San Juan County Fire Chief.

SECTION 4: AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES

Joint resolutions, intergovernmental agreements, joint powers agreements and mutual aid agreements between San Juan County and other units of government pertaining to fire prevention, fire suppression, emergency medical services and other emergency services as well as dispatching of the same, now in force or being adopted subsequent to passage of this ordinance, are hereby expressly authorized when drawn or made in conformity to the intent and meaning of this ordinance and upon approval by the San Juan County Commission.

SECTION 5: POLICY

A. It is the policy of San Juan County to provide staffing, funding and equipment for the San Juan County Fire Department and its individual fire districts within available resources consistent with the standards of local, state and national authorities.

B. The San Juan County Fire Department is administered through the Chief of the



Department who is responsible for monitoring, overseeing, directing and coordinating all activities of the Fire Department. The Chief shall work in cooperation with each District Chief to monitor, oversee, direct and coordinate the activities of each fire district. Those fire district boundaries presently existing are hereby ratified, subject to the continued power of the Board of County Commissioners in the future.

C. San Juan County recognizes that some private, non-profit, corporations or other organizations perform useful functions in support of the Fire Department and fire districts. Private corporations or other organizations have no authority to manage the operations of the Fire Department, or any part thereof; including fire districts. The services provided by the San Juan County Fire Department are exclusively governmental activities.

SECTION 6: COOPERATION WITH PRIVATE, NON-PROFIT, AUXILIARY ORGANIZATIONS

In consideration of the services provided by the private, non-profit, auxiliary organizations in support of the San Juan County Fire Department, the Fire Chief; after conferring with the District Chief; is authorized to enter into agreements with such organizations to allow the use of fire stations by such organizations for meeting , fund raising and social events, provided that any fund raising activities clearly state that the funds raised are being paid to such organizations and are not being paid to, or under the control of, San Juan County.

Such Auxiliary organizations may also enter into agreements with the Fire Chief to perform other functions related to fire, life, property and public safety.

SECTION 7: RESPONSIBILITIES AND AUTHORITY OF THE FIRE CHIEF

A. The Fire Chief of the San Juan County Fire Department shall be an employee of the County who oversees and directs the operation and administration of the department and reports directly to the County Chief Executive Officer and the Board of County Commissioners.

B. All revenue sources characterized as public funds require Board approval prior to expenditure. As such, the Board directs the Fire Chief to review and approve any expenditure requested by a District Chief. The Fire Chief, acting as the representative of the Board, shall review such requests for compliance with all applicable statutes, ordinances, and rules and regulations.

C. The Fire Chief, under the direction of the County Chief Executive Officer, and after conferring with the San Juan County Fire Chiefs Association, shall develop, maintain and upgrade standards, policies, procedures, department personnel rules and regulations and protocols to ensure that the mission of delivering emergency services is accomplished. These standards, policies, procedures, department personnel rules and regulations, and protocols shall at all times be consistent with the safety and protection of all department personnel both paid and volunteer and will serve as the minimum standards for the department.



D. The Fire Chief shall be responsible for the maintenance and protection of those licenses and authorities held by the County, as required by State and Federal regulators, for the delivery of emergency services and shall set forth the rules, regulations and reporting standards as required to maintain and protect those licenses and authorities.

E. The Fire Chief, under the direction of the County Chief Executive Officer and after conferring with the San Juan County Fire Chiefs Association, shall be responsible for recruitment and training for the department and for the development and improvement of the department to meet local, state and federal standards.

F. The Fire Chief shall be responsible for implementation and enforcement of fire and safety codes and any ordinances designating the San Juan County Fire Department or the Fire Marshal as the enforcement agency as are now in effect or hereafter adopted by San Juan County.

G. The Fire Chief, after conferring with the District Chief to the extent it is practical to do so, is authorized to enter into agreements, contracts and working arrangements with other units of government for implementing and administering the provisions of this ordinance following approval of the County Chief Executive Officer or the Board of County Commissioners as appropriate.

H. The Fire Chief, under the direction of the County Chief Executive Officer and after conferring with the San Juan County Fire Chiefs Association, shall promulgate departmental rules and regulations and shall enforce departmental rules and regulations for administering disciplinary action for both paid and volunteer personnel.

SECTION 8: RESPONSIBILITIES AND AUTHORITIES OF THE DISTRICT CHIEF

A. Each individual fire district shall have a District Chief who shall be a volunteer duly elected by the membership of the fire district and who shall function as such at the pleasure of the Fire Chief and the County Chief Executive Officer. Any District Chief removed from office by the Fire Chief or the County Executive Officer may file a grievance utilizing the same procedures as contained in San Juan County Ordinance No. 34. The grievance shall be heard and decided by a hearing officer. Any appeal of the decision of the hearing officer shall be to the District Court.

B. The District Chief is responsible for managing the day to day operational activities of the fire district stations, apparatus and equipment.

C. The District Chief shall be responsible for supervising assigned department personnel and shall enforce all policies and procedures established by the San Juan County Fire Chiefs Association.

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SECTION 9: PROCEDURE FOR ADOPTION OF DEPARTMENT RULES AND REGULATIONS

Proposed Rules and Regulations as well as modifications to the Rules and Regulations shall be made and forwarded to the County Chief Executive Officer for review. The County Executive Officer may adopt, modify, or reject such proposals.

SECTION 10: CREATION OF THE SAN JUAN COUNTY FIRE CHIEF'S ASSOCIATION

A. There is hereby created a San Juan County Fire Chief's Association

B. The San Juan County Fire Chief's Association shall consist of each District Chief or his/her Designee and shall abide by the bylaws set forth by the San Juan County Fire Chiefs Association.

C. The San Juan County Fire Chief's Association shall meet on a regular basis at least once each quarter for the express purpose of providing advice to the Fire Chief of the Department on matters, other than personnel, regarding the San Juan County Fire Department. Each member shall be notified of the time and place of the meeting at least seven (7) days in advance. Each member may request topics for the agenda.

SECTION 11: MEDICAL CONTROL

All San Juan County Fire Department personnel responding to emergency medical service calls and/or providing patient care, regardless of level of training or education, shall do so under the prior authorization and supervision of the San Juan County Fire Department Medical Director. All firefighters shall operate solely within their scope of practice as defined by the New Mexico State EMS Criteria and San Juan County Medical Protocols. The medical director shall have responsibility and authority which includes medical protocols. Nothing in this section shall be construed to give the Medical Director authority to allocate funding.

SECTION 12: SEVERABILITY

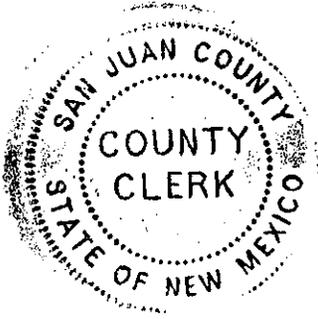
If any section, subsection, sentence, clause, word or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of County Commissioners of the County of San Juan hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, word, or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, words or phrases be held unconstitutional or otherwise invalid.

SECTION 13: EFFECTIVE DATE

This ordinance shall take effect and be in force thirty days after its final publication as provided by law.



PASSED, APPROVED AND ADOPTED THIS 5th DAY OF APRIL, 2011.



Debbie Holmes
Debbie Holmes, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF SAN JUAN COUNTY, NEW MEXICO

By: Tony Atkinson
Tony Atkinson, Chairman



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5 of 5 B1523 P1021 R \$0.00
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