

CITY OF WILLOW PARK

ORDINANCE NO. 527-04

AN ORDINANCE AMENDING CHAPTER 5 "FIRE PROTECTION" OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF WILLOW PARK BY AMENDING SECTION 5.602(C) PROVIDING AN EXEMPTION FOR CERTAIN MEMBERS OF THE VOLUNTEER FIRE DEPARTMENT WATER AND WASTEWATER CHARGES, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the City, may for the purpose of preventing calamitous fires and provide for the general safety of the citizens, adopt certain rules, regulations that the governing body considers necessary pursuant to §342.003 TEX. LOCAL GOV'T CODE; and

WHEREAS, the governing body of the municipality may organize a fire department with a fire chief as the chief administrative officer and prescribe the powers and duties of the fire department and its officers pursuant to delegated authority of §342.004, TEX. LOCAL GOV'T CODE; and

WHEREAS, the City of Willow Park did enter into an Interlocal Cooperation Agreement (Agreement) to provide fire protection and emergency services by the Willow Park Fire Department in and for the City of Willow Park, Parker County, Texas on or about April 15, 2003; and a manner and means of efficiently providing for the performance of the contractual terms should be provided; and

WHEREAS, the City of Willow Park to provide for supervision and administration of the Agreement to respond to the scene of fires or other emergencies involving the protection of a life or property, or any part thereof, does find a need to provide assistance to Willow Park Volunteer Fire Department with part-time response personnel, timely dispatch and coordination of fire protection equipment where the Volunteer Fire Department is acting on the City's behalf.

WHEREAS, members of the Volunteer Fire Department respond to the scene of fires or other emergencies involving the protection of a life or property, provide a valuable service for the health, safety and welfare of the citizens; and

WHEREAS, those members of the Volunteer Fire Department perform fire protection functions including fire suppression, inspection, fire prevention training and education, are not full time employees, and serve only in a voluntary capacity.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

SECTION 1. AUTHORITY

The Mayor, or appropriate City Official or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. AMENDMENT

CHAPTER 5. "FIRE PROTECTION",
ARTICLE 5.600 "Fire Department", § 5.602(c) is hereby amended as follows:

"ARTICLE 5.600 FIRE DEPARTMENT

§5.602 Fire Chief

- (a) The office of Fire Chief is created.
- (b) The Fire Chief shall be the chief administrative officer of the Fire Department. The Fire Chief shall be fully responsible to the City Administrator for the administration of the department and for carrying out enforcement of resolutions and ordinances of the City Council relating to

the Fire Department. He may be removed from office by the City Administrator. He shall, with the approval of the City Administrator, appoint and remove fire protection personnel if they are not permanent, fully paid or full time department employees.

- (c) All members of the Fire Department shall be part-time, auxiliary, support staff or civilian and shall be under the command of the Fire Chief and subject to the laws of this state, city and provisions of this chapter.

(1) Those members of the Fire Department, in good standing, who provide services similar to fire protection personnel for the Fire Department, shall receive an exemption from charges imposed for the use of City water or wastewater utility service, in the amount specified.

(2) The exemption for water use is for consumption not to exceed 20,000 gallons a month and for sanitary sewer, a credit not to exceed an amount calculated pursuant to sanitary sewer billing policy using 20,000 gallons a month water consumption. The monthly exemption is not cumulative and any amount over the specified monthly gallonage must be paid as billed, at standard rates.

(3) The water and wastewater exemption is available only to members of the Volunteer Fire Department who reside within the city limits of the City of Willow Park, and who are connected to municipal utility service. The City has no obligation to make any utility connection or extension necessary to provide the exempted service.

(4) The exemption for a member of the Volunteer Fire Department provided herein, shall be reviewed at least annually and shall be authorized only upon the written approval of the City Administrator. The exemption shall be immediately cancelled if a member of the Volunteer Fire Department fails to meet any of the criteria for qualification or eligibility provided herein.

- (d) Fire Marshal. The fire marshal and deputy fire marshal report directly to the Fire Chief."

SECTION 3. SEVERANCE

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 5. REPEALER

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

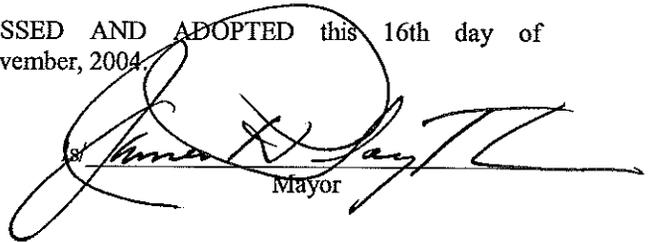
SECTION 6. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect from and after the date of its adoption.

PASSED AND ADOPTED this 16th day of November, 2004.


Mayor

ATTEST:

/s/ Amelia Scott
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ [Signature]
City Attorney

The Willow Park City Council in acting on Ordinance No. 527-04, did on the 16th day of November, 2004
vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
James H. Poythress, Mayor	_____	_____
LaDonna Allen, Place 1	_____/	_____
Terry Skaggs, Place 2	_____/	_____
Brad Johnson, Place 3	_____/	_____
Jason Ellerbusch, Place 4	_____/	_____
Marvin Glasgow, Place 5	_____/	_____