

MARIPOSA COUNTY ORDINANCE NO. 907

**AN ORDINANCE AMENDING CHAPTER 2.96
ENTITLED "MARIPOSA COUNTY FIRE DEPARTMENT"
OF THE MARIPOSA COUNTY CODE**

WHEREAS, the Board of Supervisors desires to designate an individual or individuals to be in charge of all field operations of the Mariposa County Fire Department, and

WHEREAS, the Board of Supervisors desires that the County of Mariposa enter into an Agreement with each Volunteer FireFighter within the County in order that firefighters are provided for fighting fires and other emergency situations, and

NOW, THEREFORE, THE BOARD OF SUPERVISORS of Mariposa County, a political subdivision of the State of California, does ordain as follows:

SECTION I: Section 2.96.040 entitled "Administrative powers and duties" of Chapter 2.96 entitled "Mariposa County Fire Department" shall be amended to read in its entirety as follows:

"The county fire chief shall be responsible to the board of supervisors for:
1) implementing policy established by the board of supervisors for the administration of the department; 2) preparing and presenting to the board of supervisors an annual budget for the operation of the department; 3) charging and collecting fees for fire department services as established by the board of supervisors; and 4) preparing and presenting for board consideration all issues relating to the operation of the fire department of the county. The county fire chief shall have the authority to discipline any volunteer firefighter without cause and without right of appeal. Such discipline may include suspension, separation, or such other appropriate steps as the county fire chief deems appropriate. This regulation governing removal of a volunteer is in compliance with California Labor Code § 1964."

SECTION II: Section 2.96.050 entitled "Field line authority" shall be amended to read in its entirety as follows:

"The fire chief shall be in charge of all fire department field operations."

SECTION III: Section 2.96.060 entitled "Volunteers to provide manpower" shall be amended and entitled "Volunteer-companies to provide personnel".

SECTION IV: Section 2.96.060 shall be amended to read in its entirety as follows:

"The board of supervisors, or its designee, shall execute agreements with volunteer firefighters within the county to provide volunteer firefighter services to the Mariposa County fire department. Volunteer firefighters shall meet all

employment standards as provided pursuant to the classification of "volunteer firefighter" as adopted by the board of supervisors from time to time; must meet medical standards as determined by the county health officer based upon board adopted criterion; and must maintain proficiency to the standards of the board of supervisors as adopted and amended from time to time and to the satisfaction of the fire chief in firefighting, medical response, and related skills."

SECTION V: Section 2.96.070 entitled "Volunteers as county employees" shall be amended to read in its entirety as follows:

"Members of volunteer fire companies, who have executed an agreement with Mariposa County, shall be provided worker's compensation insurance for injuries suffered while acting as a volunteer firefighter on behalf of the county, and shall be covered by the county liability policy while acting as a volunteer firefighter on behalf of the county. Volunteers shall not be paid. Volunteers shall not have a property right in the volunteer firefighter job or position."


SECTION VI: Section 2.96.080 entitled "Personnel and equipment" shall be amended to read in its entirety as follows:

"A county is not obligated to provide a county fire department, county fire warden or fire chief or any firefighting personnel and/or equipment. Mariposa County will provide personnel and equipment to the department based upon the financial ability of the county to so provide as determined by the board of supervisors."

SECTION VII: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 12th day of November, 1996 by the following vote:

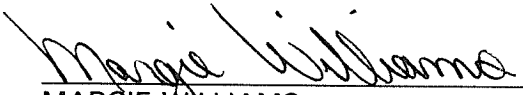
AYES: Reilly, Balmain, Stewart, Parker, and Pickard
NOES: None
ABSENT: None
ABSTAINED: None



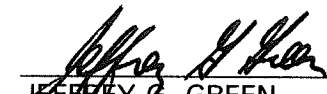
DOUG BALMAIN, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel