

ORDINANCE NO. 200

AN ORDINANCE RECOGNIZING THE CREEDE FIRE DEPARTMENT, DETERMINING THE POWERS AND DUTIES OF THE MEMBERS THEREOF IN THE CONTROL OF FIRES AND GENERALLY CONCERNED WITH THE PREVENTION AND CONTROL OF FIRES WITHIN THE CITY OF CREEDE, A TOWN.

BE IT ORDAINED, By the Board of Trustees of the City of Creede, a Town, in Mineral County, Colorado:

Section 1. That pursuant to C.R.S. 1973, 31-12-101, Sub Section 28 (28), this Ordinance is adopted.

Section 2. That pursuant to such statutory authority, the Board of Trustees of the City of Creede, Mineral County, Colorado, a Town, do hereby recognize THE CREEDE FIRE DEPARTMENT AS THE LAWFUL VOLUNTEER FIRE COMPANY OF THE CITY OF CREEDE.

Section 3. That this Ordinance is not intended to limit the jurisdiction of the Creede Fire Department but is intended to establish the authority of the City of Creede to control and prevent fires within the boundries of such City.

Section 4. That in accordance with the statutory authority cited above, and in accordance with the Constitution and By-Laws of the Creede Fire Department, duly organized on July 27, 1893, it is ordained that the Chief of the Creede Fire Department, duly elected in accordance with the Constitution and By-Laws of such fire department, shall take command of the Fire Department at every fire or alarm of fire occurring within the City of Creede, Colorado. It shall be the duty of the Chief of the Fire Department to direct the movement of all Fire Department vehicles and other vehicles as may appear at the scene of such fire, to direct the conduct and movement of all individuals at the scene of such fire, whether or not they are members of the Fire Department, and to generally be in charge of controlling such fire.

Notwithstanding the foregoing, the Creede Fire Department shall be responsible for damage to any equipment, on loan from any other governmental entity, resulting from misuse.

Section 5. In the absence of the duly elected Chief of the Creede Fire Department, the Assistant Chief of the Creede Fire Department, duly elected in accordance with the By-Laws and Constitution of such department, shall have all the powers of the Chief as set forth above.

Section 6. In the absence of both of the above officers, all of the powers of Chief of the Department, as set forth above shall be held by such person as shall be duly appointed by the Chief of said fire department and such individual, who must be a member of the Creede Fire Department, shall exercise all of the authority of the Chief.

Section 7. It is the purpose of this Ordinance to legally recognize, by this Ordinance, the existence of the Creede Fire Department, the propriety of its Constitution and By-Laws and the ultimate authority of the appropriate officers of the Creede Fire Department over the Creede Fire Department and over any fire occurring within the boundaries of Creede, as against any other officials, whether City, County, or State, who may be involved in assisting the Creede Fire Department at any such fire.

INTRODUCED, Read in full, passed and approved at a regular meeting of the Board of Trustees of the City of Creede, a town, this 1st day of December, A.D., 1975

APPROVED:

James B. Johnson
Mayor

ATTEST:

Emma L. Linnhart
City Clerk