Chapter 9: EMERGENCY SERVICES

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Article I. AMBULANCE

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Article II. OFFICE OF EMERGENCY MANAGEMENT

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Article III. FIRE PREVENTION / PROTECTION

A.C.A. § 14-20-108(a)(1)(A)-(a)(1)(B)(i)(a), (b)-(c). Dues for volunteer fire departments.

(a) (1)(A) The quorum court of each county, upon request filed with the quorum court by one (1) or more volunteer fire departments in the county, may adopt an ordinance authorizing a designated county official to collect and remit to the volunteer fire department the annual or quarterly dues charged by the volunteer fire department in consideration of providing fire protection to unincorporated areas in the county.

(B)(i)(a) When a quorum court receives a request for the levy of volunteer fire department dues and the request has been signed by the fire chief and the chair and secretary of the board of directors, if any, of a volunteer fire department and filed with the county clerk, the quorum court by ordinance shall call for an election on the issue of the levy of the volunteer fire department dues on each residence and on each business having an occupiable structure.

(b) (1) The Quorum Court by majority vote may designate the geographical area that a volunteer fire department serves

(2) Upon request by a volunteer fire department, the quorum court of each county involved may authorize a volunteer fire department to serve a geographical area to extend across the county boundary lines

(c) The quorum court may establish its own countywide fire department, either regular or voluntary.

A.C.A. §§ 14-284-201-225. Fire Protection Districts Outside of Cities and Towns.

A.C.A. §§ 14-284-201. Applicability.

(a) (1) Fire protection districts established under the provisions of this subchapter shall cover only territory within the county, or within the defined district, outside the corporate limits of cities and towns.

(2) (A)However, if any city or town within the district does not have an organized volunteer fire department and desires to be included within the fire protection district, upon the adoption of an ordinance therefor by the governing body of the city or town, addressed to the county judge and quorum court, the area covered by the fire protection district may be extended to provide fire protection within the city limits of the city or town by ordinance adopted by the quorum court.

(B) A limited fire protection district MAY be established by county ordinance upon the petition adopted by ordinance addressed to the county judge and quorum court from a city or town fire department that serves an area outside the city or town for the purpose of contracting for the collection of assessments under this subchapter.

(b) A fire protection district under this subchapter shall be established for fire protection in rural areas for buildings, structures, and other man-made improvements and may provide other emergency services, including hazardous and toxic materials response, search and rescue services, emergency medical services, patient transport services, and other functions as may be assigned.

(c) This subchapter does not relieve the Arkansas Forestry Commission of responsibility for providing fire protection for forest lands.

A.C.A. § 14-284-203. Methods of establishment. (Fire Protection Districts Outside of Cities and Towns.)

Fire protection districts may be established to serve all or any defined portion of any county in any of the following ways:

(1) By ten percent (10%) of the qualified electors in the proposed district's petitioning the quorum court to hold a public hearing and to form a district, and by the quorum court's adopting an ordinance calling for notice and a public hearing within the district;

(2) By the county court pursuant to an election of the qualified electors of the proposed district initiated, called, and conducted as provided in this subchapter; or

(3) By the county court pursuant to a resolution of a suburban improvement district, approved by a unanimous vote of its board of commissioners, to convert to a fire protection district to be administered under this subchapter.

Section

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§ 940.00 HENDERSON AREA FIRE PROTECTION DISTRICT.

1) That there be, and there is hereby created a fire protection district to be known as the Henderson Area Fire Protection District.

2) That the area to be encompassed by such Henderson Area Fire Protection District is the following described real property located in Baxter County, Arkansas, to wit;

   S ½ Section 16; S ½ Section 17; S ½ Section 18, except Corp. of Engineers Land; Section 19; Section 20; Section 21; Section 28; Section 29, except Corp. of Engineers Land; Section 30, except Corp. of Engineers Land; Section 31, except Corps. Of Engineers Land; Section 32, except Corp. of Engineers Land; Section 33; all in Twp. 20 North, Range 11 West; and Section 4; Section 5, except Corp. of Engineers Land; Section 6, except Corp. of Engineers Land; Twp. 19 North, Range 11 West; and Section 1, except Corp. of Engineers Land; Twp. 19 North, Range 12 West; and S ½ and NW ¼ of Section 13, except Corp. of Engineers Land; Section 14, except Corp. of Engineers Land; Section 23, except Corp. of Engineers Land; Section 24, except Corp. of Engineers Land; Section 25, except Corp. of Engineers Land; and Section 36, except Corp. of Engineers Land; all in Twp. 20 North, Range 12 West. All the above land is situated in Baxter County, Fifth Principal Meridian, Arkansas.

3) The primary purpose for the creation of the Henderson Area Fire Protection District is for the providing of fire protection in rural areas for buildings, structures, other manmade improvements, and the rural property in general and nothing in this Ordinance shall be construed to relieve the State Forestry Department of responsibility for providing for fire protection for forest lands.

4) The said Henderson Area Fire Protection District is hereby established and created pursuant to the provision of Act 35 of the 1979 Acts of Arkansas which provisions shall govern the creation, establishment and operation of the Henderson Area Fire Protection

District and which provisions are attached hereto and incorporated herein by reference as if set out word for word herein.

5) It is hereby established and ordained that the maximum amount of assessment against any property within said Henderson Area Fire Protection District shall be no more than 5 mills annually.

6) Be it enacted and ordained that the Board of Commissioners for the District to be appointed by the court pursuant to Section 6 of Act 35 of 1979 shall be hereafter known as and referred to as the Henderson Area Fire Protection District Board of Commissioners.

7) SEVERABILITY CLAUSE. That the provisions of this Ordinance are hereby declared to be severable, and if any provisions shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of the Ordinance.

8) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety, and welfare, shall be in full force and take effect from and after its date of passage and approval.
(Ord. 1979-080, passed 8-7-1979)

§ 940.01 CLARKRIDGE VOLUNTEER FIRE DEPARTMENT.

1) That there be, and there is hereby created, a fire protection district to be known as the Clarkridge Community Volunteer Fire Department, Inc.

2) That the area to be encompassed by such Clarkridge Community Volunteer Fire Department, Inc. is the following described real property located in Baxter County, Arkansas, hereby attached by reference.

3) The primary purpose for the creation of the Clarkridge Community Volunteer Fire Department, Inc. is for the providing of fire protection in rural areas for buildings, structures, other manmade improvements and the rural property in general and nothing in this Ordinance shall be construed to relieve the State Forestry Department of responsibility for providing for fire protection for forest lands.

4) The said Clarkridge Community Volunteer Fire Department, Inc. is hereby established and operation of the Clarkridge Community Volunteer Fire Department, Inc. and which provisions are attached hereto and incorporated herein by reference as if set out word for word herein.

5) It is hereby established and ordained that the maximum amount of assessment against any property within said Clarkridge Community Volunteer Fire Department, Inc. shall be no more than 5 mills.

6) Be it enacted and ordained that the Board of Commissioners for the District to be appointed by the court pursuant to Section 6 of Act 35 of 1979 shall be hereafter known as and referred to as the Clarkridge Community Volunteer Fire Department, Inc. Board of Commissioners.

7) SEVERABILITY CLAUSE. That the provisions of this Ordinance are hereby declared to be severable, and if any provisions shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of the Ordinance.

8) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety, and welfare, shall be in full force and take effect immediately upon and after its passage and approval.
(Ord. 1983-022, passed 12-6-1983)

§ 940.02 NORTHEAST LAKESIDE FIRE PROTECTION DISTRICT.

1) That there be, and there is hereby created, a fire protection district to be known as the Northeast Lakeside Fire Protection District.

2) That the area to be encompassed by such Northeast Lakeside Fire Protection District is the following described real property located in Baxter County, Arkansas, to-wit:

> The E ½ of Sections 13, 24, and 25, all in Township 20 Range 13 West; Section 19, 30, 31, 32, 29, 20, 28, 33, 34, 27, and that part of Section 17, 21, and 35 lying South and West of Lake Norfork, all in Township 20, Range 12.

3) The primary purpose for the creation of the Northeast Lakeside Fire Protection District is for the providing of fire protection in rural areas for buildings, structures, other manmade improvements and the rural property in general and nothing in this Ordinance shall be construed to relieve the State Forestry Department of responsibility for providing for fire protection for forest lands.

4) The said Northeast Lakeside Fire Protection District is hereby established and created pursuant to the provisions of Act 35 of the 1979 Act of Arkansas which provisions shall govern the creation, establishment and operation of the Northeast Lakeside Fire

Protection District and which provisions are attached hereto and incorporated herein by reference as if set out word for word herein.

5) It is hereby established and ordained that the maximum amount of assessment against any property within said Northeast Lakeside Fire Protection District shall be no more than 5 mills.

6) Be it enacted and ordained that the Board of Commissioners for the District to be appointed by the court pursuant to Section 6 of Act 35 of 1979 shall be hereafter known as and referred to as the Northeast Lakeside Fire Protection District Board of Commissioners.

7) SEVERABILITY CLAUSE. That the provisions of this Ordinance are hereby declared to be severable, and if any provisions shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of the ordinance.

8) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.
(Ord. 1979-086, passed 10-2-1979)

§ 940.03 BUFORD COMMUNITY VOLUNTEER FIRE DEPARTMENT.

1) That there be, and there is hereby created, a fire protection district to be known as the Buford Community Volunteer Fire Department, Inc.

2) That the area to be encompassed by such Buford Community Volunteer Fire Department, Inc. is the following described real property located in Baxter County, Arkansas, to-wit:

Sections 1,2,11,12,13,14,24,25,26,35 and 36, R. 14 W., T, 18 N.: that part of Section 36 lying E. of Jenkins Creek and lying N. & E. of the White River, R. 14 W., T. 18 N.; all of those parts of Sections 10,15,23,27, and 34 which are located on the left bank of the White River, R. 14W., T. 18 N.

All that part of Sections 23 and 24 located on the left bank of the White River, R. 14 W., T. 17 N.

All of Sections 4,5,6,7,8,9,10,15,16,17,18,19,20,21,29 and 30, and that part of Sections 22,27,28,31,32, and 33 which are located on the left bank of the White River, all in R. 13 W., T. 18 N.; that part of Section 23 located on the left bank of the White River and W.

of Big Creek, R. 13 W., T. 18 N.; all of Sections 2, 11 and 14 lying W. of Big Creek; and that apart of Section 3 lying S. & W. of Bog Creek, R. 13 W., T. 18 N.

All of Section 36, R. 14 W., T. 19N., except the NW3/4 of the NW1/4; the E1/2 of the NE1/2 of Section 25, the SE ¼ of Section 25, and the E1/2 the SW1/4 of Section 25, all in R. 14 W., T. 19 N.

All of the Sections 29, 30, 31, 32, and 33, and all that part of Section 28 lying W. of Highway 201 and all that part of Section 34 lying S. & W. of Big Creel, all in R. 13 W., T. 19.N.

3) The primary purpose for the creation of the Buford Community Volunteer Fire Department, Inc. is for the providing of fire protection in rural areas for buildings, structures, improvements, and the rural property in general and nothing in this Ordinance shall be construed to relieve the State Forestry Department of responsibility for providing fire protection for forest lands.

4) The said Buford Community Volunteer Fire Department, Inc. is hereby established and created pursuant to the provisions of Act 35 of the 1979 Acts of Arkansas which provisions shall govern the creation, establishment, and operation of said Fire Protection District.

5) It is hereby established and ordained that the maximum amount of assessment against any property within said Buford Community Volunteer Fire Department, Inc. shall be no more than 5 mills.

6) Be it enacted and ordained that the Board of Commissioners for the District to be appointed by the Court pursuant to Section 6 of Act 35 of 1979 shall be hereafter known as and referred to as the Buford Community Volunteer Fire Department, Inc. Board of Commissioners.
(Ord. 1984-017, passed 10-2-84)

§ 940.04 AMENDMENT TO THE TRACY VOLUNTEER FIRE DEPARTMENT.

1) The area to be annexed by the Tracy Volunteer Fire Department is the following described real property located in Baxter County, Arkansas, to wit:

The East Half of Section 7;
The West Quarter of Section 8;
The part of Section 18 lying North of Arkansas State Highway 201;
And that part of the Northwest Quarter of Section 17 lying North of

Arkansas State Highway 201 and West of Salesville Corporate limits.
All in Township 18 North, Range 12 West, L.B.W.R., Baxter County, Arkansas.

2) The primary purpose of the expansion of this Fire Protection District is to provide fire protection to the rural areas for the buildings, structures, and other manmade improvements for the rural property in general.

3) The expanded area of the Tracy Volunteer Fire Protection District is also created pursuant to the provisions of the Act 35 of 1979 Acts of Arkansas, which governs the creation.

4) The maximum amount of assessment against any property within the expanded area of the Tracy Volunteer Fire Protection District shall be no more than five (5) mills.

5) The Commissioners presently serving the Tracy Volunteer Fire Protection District will continue to serve uninterrupted without change as the Board of Commissioners for the expanded area.

6) A notice of the adoption of this Ordinance is to be placed in a newspaper of general circulation in Baxter County, to set a public hearing at least thirty (30) days and not more than sixty (60) days after the publication of the notice, and if a majority of the qualified electors of the District do not object to the establishment of the District, in person or by petition, than this Ordinance shall be valid and the expanded District established. (Ord. 2008-076, passed 9-2-2008, Ord. 2008-077, passed 9-2-2008)

§ 940.05 MOUNTAIN HOME FIRE PROTECTION DISTRICT TO BE REIMBURSED FOR MILEAGE AND OFFICE SUPPLY EXPENSES.

1) As a subdivision of County Government, it is hereby authorized that the commissioners of the Mountain Home Fire Protection District be entitled to reimbursement from their district's funds of 25c per mile travel expense while traveling on official business for the Mountain Home Fire Protection District.

2) It is hereby further authorized that these commissioners also be reimbursed from their district's funds for out-of-pocket expenses for office supplies or other operating supplies necessary for their district to conduct business.

3) EMERGENCY CLAUSE. This Ordinance, which regulates the expenditures of public funds, is necessary in order to ensure the well-being of the public. Therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect upon its passage and approval.

(Ord. 1992-003, passed 1-7-1992)

§ 940.06 OAKLAND PROMISE LAND FIRE PROTECTION DISTRICT

1) Pursuant to the authority found in Act 35 of 1979, there is hereby established a fire protection district in Marion County and Baxter County, to be found as Oakland Promise Land Fire Protection District.

2) The Board of Commissioners of the fire protection district established by this ordinance shall be appointed pursuant to the provisions of Act 35 of 1979 and amendments thereto and shall be operated and terminated pursuant thereto.

3) The establishment of this fire protection district may result in assessed benefits being charged against real property within the boundaries of the district.

4) Notice of the adoption of this ordinance shall be published and a public hearing shall be held pursuant to Section 2 of Act 35 of 1979 and amendments hereto.

5) Notice is given that a public hearing shall be held at Oakland Community Center, 6093 Highway 202, Oakland, Arkansas, at 6:00 p.m. on the 23rd day of February, 2015.

6) If at the hearing a majority of the qualified electors in the proposed district appear in person to oppose the establishment of the district or if petitions opposing the establishment of the district and containing signatures of a majority of the qualified electors in the proposed district are filed at or before the public hearing, the ordinance creating the district shall be void. If a majority of the qualified electors in the proposed district do not object to the establishment of the district in person or by petition within the time prescribed, the ordinance shall be valid and the district shall be established. The board of commissioners for the district shall be appointed and elected and serve, and the levy of assessed benefits to support the district may be made, in the same manner as provided by law for the fire protection districts established pursuant to vote by the electors.

7) The implementation and effectiveness of the terms and conditions of this ordinance shall be contingent on the approval of Marion County Quorum Court and the approval of the Baxter County Quorum Court.

8) EMERGENCY CLAUSE. It is hereby found that fire protection is of eminent importance to the health, welfare, and being of the citizens within the district formed and that law requires that certain hearings be had enabling this ordinance on a very timely basis. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the immediate preservation of the public peace, health and safety shall be in full

force and effect from and after its passage and approval, subject to the provisions concerning the public hearing noted above.

(Ord. 2014-074, passed 12-2-2014)

Article IV. JUVENILE SERVICES

Section

Reserved**.**