

(Summary First Published in the Times-Sentinel  
on the \_\_\_\_ day of \_\_\_\_\_, 2022.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1091

AN ORDINANCE REPEALING SECTIONS OF FIRE PREVENTION AND PROTECTION ARTICLE II EMERGENCY SERVICES DEPARTMENT AND ESTABLISHING A VOLUNTEER FIRE DEPARTMENT OF THE CLEARWATER, KANSAS MUNICIPAL CODE AND REPEALING ALL CONFLICTING ORDINANCES OR PARTS THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Repealing Chapter 14 Article II Emergency Services Department

Chapter 14 Article II of the Clearwater, Kansas Municipal Code is hereby repealed.

Section 2. Establishing a Volunteer Fire Department

**1. FIRE DEPARTMENT**

(a) **Volunteer department established.** - All members of the fire department except the fire chief shall be volunteers appointed by the mayor with the consent of council.

**(b) Fire chief.**

- i. *Appointment; compensation.* The mayor, with the consent of the council, shall appoint at the first regular meeting of the city council in May of each year a fire chief who shall have general supervisory authority over the city fire department. Compensation of the fire chief shall be established in a resolution by the city council.
- ii. *Chief to be supervised by city administrator,*
- iii. *Chief's duty.* The fire chief shall be under the supervision of the city administrator. The Chief of the fire department shall be responsible for the discipline of members and is hereby given the authority to suspend or expel any member for the refusal to obey orders, or for misconduct or failure to do his duty at a fire.

The Chief of the fire department shall have full power, control, and over all persons whomsoever present at fires, and they shall direct the use of all

fire apparatus and equipment and command all firefighters in this discharge of their duties. The chief shall also be the safety and protection officer on the department. He shall take such measures as he may deem necessary in the preservation and protection of property and the extinguishment of fire.

The Chief of the fire department shall keep in convenient form a complete record of all fires. Such information shall include time and location, construction of the building, owner, occupancy, how extinguished, value of content, loss on building and contents, insurance on building and contents, members responding to the alarm, and any other information deemed advisable.

The Chief of the department shall adopt all prudent measures for the prevention of fires and for this purpose he or his command staff, upon request or whenever he has reason to believe that the safety of life and property demands it, and as often as he may deem necessary, enter any building, yard, premises in the Clearwater Fire Departments response area during reasonable hours for the purpose of inspection, and where dangerous, unsafe, or hazardous condition are found to exist, he shall give such directions for the alteration, change or removal or better care or management of the same as he may deem proper, and such direction shall be obeyed and completed with by the person directed in that regard at their expense.

The Chief shall establish a set of By-Laws to be approved by the Governing Body for the Volunteer Fire Department and review them annually and make suggestions to council as needed.

## **2. Chief Medical Officer**

- (a) *Appointment; compensation.* The mayor, with the consent of the council, shall appoint at the first regular meeting of the city council in May of each year a chief medical for the readiness of any medical equipment and medications that are in use on the fire department. Compensation of the chief medical officer shall be established in a resolution by the city council.
- (b) *Chief Medical Officer to be supervised by the Fire Chief,*
- (c) *Chief's Medical Officer's duty.* The Chief Medical Officer of the fire department will maintain, get repaired, or replace any medical equipment that is used on the fire department.

The Chief Medical Officer of the fire department will replace any medications that are about to expire, are damaged, or used.

The Chief Medical Officer of the department will compile all patient care reports, enter the patient care reports into the appropriate reporting software, and secure the reports following HIPAA requirements.

The Chief Medical Officer of the department will be the HIPAA Compliance officer and point of contact for any patient record request.

The Chief Medical Officer of the department or his designee will provide all Continued Medical Education to its members of the department. Only the CMO will maintain all continued education paperwork and its requirements for the Kansas Board of EMS for training.

In the absence of the Fire Chief, the Chief Medical Officer (CMO) shall perform, and share with the Assistant Fire Chief, all the duties and have all the authority and responsibility of the Fire Chief.

**Section 3. Repeal**

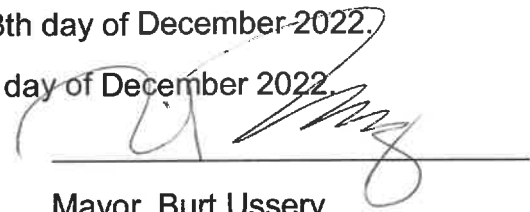
All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

**Section 4. Effective Date**

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Passed by the City Council on this 13th day of December 2022.

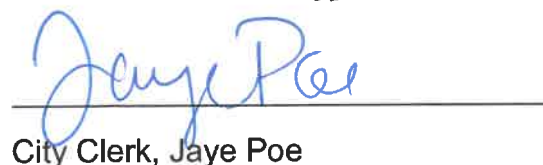
Approved by the Mayor this this 13th day of December 2022.



Mayor, Burt Ussery



SEAL  
ATTEST:



City Clerk, Jaye Poe