

PAHRUMP TOWN ORDINANCE NO. 5

AN ORDINANCE CREATING A VOLUNTEER FIRE DEPARTMENT WITHIN THE UNINCORPORATED TOWN OF PAHRUMP, NYE COUNTY, NEVADA; PROVIDING FOR THE APPOINTMENT OF OFFICERS THEREOF; PRESCRIBING CERTAIN REGULATIONS FOR THE PREVENTION OF FIRE AND THE PROTECTION OF LIFE AND PROPERTY AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF, AND OTHER MATTERS PROPERLY RELATING THERETO.

The Board of County Commissioners of the County of Nye, acting as the Board of Trustees of the unincorporated Town of Pahrump, Nye County, Nevada, do hereby ordain:

SECTION 1.

That there is hereby created a department to be hereafter known as the PAHRUMP VOLUNTEER FIRE DEPARTMENT, the object of which shall be the prevention of fire and the protection of life and property within the limits of the unincorporated Town of Pahrump, Nye County, Nevada.

SECTION 2. DEFINITIONS.

That, for the purpose of this ordinance, the following terms shall have the following meanings respectively ascribed to them in this section:

- A. The word "Chief" shall mean the chief of the Pahrump Volunteer Fire Department.
- B. The words "Assistant Chief" shall mean the assistant chief of the Pahrump Volunteer Fire Department.
- C. The word "Department" shall mean the Pahrump Volunteer Fire Department.
- D. The word "Board" shall mean the Board of County Commissioners of the County of Nye, acting as the Board of Trustees of the unincorporated Town of Pahrump, Nye County, Nevada,

SECTION 3. OFFICERS.

Article 1. The Department shall consist of a Chief, two Assistant Chiefs and other officers as the Chief may deem necessary for the effective operation of the Department.

Article 2. The Chief shall be appointed by the Board for an indefinite period of time, to serve at the pleasure of the board, and his tenure shall depend upon his good conduct and efficiency. It is hereby declared to be the policy of the Board to rotate the position of Chief and the positions of Assistant Chief so as to better acquaint all members of the Department with all of the duties and responsibilities of each position within the Department. The Chief shall be technically qualified by training and experience and shall have ability to command men and hold their respect and

confidence.

**Article 3.** The Chief shall be held accountable to the Board only, and shall make written reports thereto as the Board may require. All other Department officers shall be accountable to the Chief only.

**Article 4.** The Assistant Chiefs and all other Department officers shall be appointed by the Chief. Such officers shall be accountable only to the Chief, and subject to removal by him.

**Article 5.** The Board shall appoint the first Chief without recommendation from the Department, and the first Chief shall proceed with the organization of the Department and the membership thereof. Prior to December 13, 1972, the Department shall nominate, by secret ballot, three (3) members of the Department for appointment by the Board as Chief and shall forward the names of such nominees to the Board who shall select one of the three nominees to be Chief until the first Monday of January of 1974. The same procedure shall be followed in each calendar year thereafter.

#### SECTION 4. DUTIES OF THE CHIEF.

**Article 1.** The Chief shall formulate a set of rules and regulations to govern the Department and shall be responsible for the personnel, morale and general efficiency of the Department.

**Article 2.** The Chief shall at least once a month conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, a study of buildings in the Town of Pahrump, fire prevention, water supply, and all other matters generally considered essential to good firemanship and safety of life and property from fire.

**Article 3.** The Chief is hereby required and empowered to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.

**Article 4.** The chief is hereby empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found.

**Article 5.** Any person failing to comply with a notice to abate any fire hazard shall be reported by the Chief to the District Attorney of the County of Nye for appropriate action.

**Article 6.** The Chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.

Article 7. The Chief shall report monthly to the Board the number of fires during the month, their location and cause, and the number and purpose of all other runs made, the number of drills conducted, and the number of members responding to each fire and other run and any changes in membership.

Article 8. The Chief shall make a complete annual report to the Board before January 1 of each year to include the information specified in Article 6, together with comparative data for previous years, with special emphasis on recommendations for improving the effectiveness of the Department.

#### SECTION 5. MEMBERSHIP.

Article 1. The membership of the Department shall consist of such persons as may be appointed by the Chief, and shall be able-bodied male citizens, residing within the Town of Pahrump, in such number as may be fixed by resolution of the Board.

Article 2. Any member of the Department may be suspended or discharged from the Department by the Chief at any time he may deem such action necessary for the good of the Department.

#### SECTION 6. EQUIPMENT.

Article 1. The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire.

Article 2. Recommendations of apparatus and equipment needed shall be made by the Chief, and, after approval by the Board, shall be purchased in such manner as may be designated by the Board.

Article 3. All equipment of the Department shall safely and conveniently housed in such places as may be designated by the Board.

Article 4. No person shall use any fire apparatus or equipment for any private purpose, nor shall any person wilfully and without proper authority take away or conceal any article used in any way by the Department.

Article 5. No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless accompanied by or having the special permission of an officer or authorized member of the Department.

#### SECTION 7. UNIFORMS.

Article 1. Each member of the Department may be issued a badge designating his rank.

Article 2. Each member of the Department driving a car may be issued a suitable insignia to be attached to the car.

Article 3. No person shall drive any vehicle over fire hose except upon specific orders from the Chief or other officer in charge where the hose is used.

Article 4. No person shall park any vehicle or otherwise cause any obstruction to be placed within 25 feet of the entrance to the fire station or other place where fire apparatus is stored, or within 10 feet of any fire hydrant.

Article 5. No unauthorized person with any vehicle shall follow within 600 feet of any apparatus belonging to the Department nor park any vehicle within 300 feet of a fire.

Article 6. No person shall maliciously turn in or cause to be turned in a false alarm.

#### SECTION 8. PAY AUTHORIZATION.

Article 1. The Board may provide in the annual budget of the Pahrump Town General Fund for funds to be used for the purchase of apparatus and equipment for the pay of any officers or members of the Department in such amounts as the Board may deem reasonable and proper. Further, the Board may make such arrangements as are necessary to provide the members of the Department with coverage by the Nevada Industrial Commission.

#### SECTION 9. ENFORCEMENT.

Article 1. Any person violating the provisions of Section 6, Articles 4 and 5, and Section 7, Articles 3, 4, 5 and 6, shall, upon conviction before the Justice of the Peace of Pahrump Township, pay a fine of not less than TEN DOLLARS (\$10.00), nor more than ONE HUNDRED DOLLARS (\$100.00), for each such offense, and, in addition, shall pay the cost of replacement of any equipment damaged or destroyed as a result of such offense.

Article 2. All regularly appointed members of the Department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this ordinance.

Article 3. It is hereby made the special duty of any duly qualified law enforcement or peace officer who may be on duty and available for fire duty to respond to all fire alarms and assist the Department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this ordinance.

#### SECTION 10. SPECIAL OFFICERS.

Article 1. The Department may elect a President, Vice-President, Secretary and Treasurer, to be known as social officers. Such officers may be elected in any manner and for any term the membership may decide upon, and their duties shall be to arrange for and manage any or all social functions sponsored by the

Department.

**Article 2.** The functions and duties of said social officers shall in no wise interfere with those of the regular officers who are charged with responsibility for all fire service activities of the Department.

SECTION 11. REPEAL.

**Article 1.** All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 12.

**Article 1.** Each separate section and each separate provision of each section of this ordinance shall be deemed independent and separate from every other section and provision, and the invalidity of any section or part of section of this ordinance shall not affect the validity of the remainder of said section or the remainder of this ordinance, it being the intention of the Board of Trustees of said Town to enact as a law separate provision herein regardless of its relationship to any or all of the other provisions, and regardless of the invalidity of any other provision.

SECTION 13.

**Article 1.** This ordinance shall be in full force and effect from and after the 1st day of April, 1972.

1 of its relationship to any or all of the other provisions, and regardless of the  
2 invalidity of any other provision.

3 SECTION 13.

4 Article 1. This ordinance shall be in full force and effect from and  
5 after the 1st day of April, 1972.  
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10 Proposed on the 7th day of March, 1972, by Commissioner Ruud.

11 Passed on the 27<sup>th</sup> day of MARCH, 1972.  
12

13 Vote:

14 Ayes: Ruud, CORNELL AND  
15 EASON

16 Nays: NONE

17 Absent: NONE  
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20 BOARD OF NYE COUNTY COMMISSIONERS,  
21 ACTING AS THE BOARD OF TRUSTEES OF  
22 THE UNINCORPORATED TOWN OF PAHRUMI  
23 NYE COUNTY, NEVADA.

24 By: Andrew M. Eason  
Andrew M. Eason, Chairman

25 ATTEST:

26 Lena Birtley  
27 Clerk of the Board  
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