

ORDINANCE #65490
Board Bill No. 357

An ordinance providing for mutual emergency and fire protection services between certain cities, counties, villages, municipalities and fire protection districts in the State of Illinois and the City of St. Louis; authorizing the Director of Public Safety and the Fire Chief to contract with such entities, providing for the terms and conditions thereof, and containing an emergency clause.

WHEREAS, in order to enhance the public safety and welfare of people within the City of St. Louis and the State of Illinois, it is found desirable for certain cities, counties, villages, municipalities and fire protection districts within Illinois and within close proximity to the City of St. Louis to respond to requests from each other during emergencies, such as fires, emergency medical incidents, rescue incidents, hazardous materials occurrences and natural disasters.

WHEREAS, pursuant to Section 70.210 to 70.230, inclusive, of the Revised Statutes of Missouri, as amended, municipalities in the State of Missouri may contract and cooperate with entities from other states for a common service;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:

SECTION ONE. The City of St. Louis, acting by and through its Department of Public Safety and Fire Department, is hereby authorized to contract with cities, counties, villages, fire protection districts or municipalities in the State of Illinois and that are in close proximity to the City of St. Louis, effective upon the passage and approval of a like ordinance or resolution by the legislative bodies of any of said entities, for the interchange of service of the fire departments of said cities and fire protection districts respectively, upon the terms and conditions herein contained.

SECTION TWO. The Fire Department of the City of St. Louis shall respond to fire alarms or requests for assistance in life or property threatening situations, on call to any of the said cities and fire protection districts, and the fire departments of those cities and fire protection districts shall respond to fire alarms or emergencies on call in any part of the City of St. Louis and to include such areas under the form of mutual aid for fire protection service. The obligation of the parties hereto shall be limited to responding to emergencies and fire alarms and providing assistance only to the extent that equipment and personnel are reasonably available to provide assistance or as otherwise limited by provisions herein.

SECTION THREE. Mutual aid agreements executed pursuant to this Ordinance may be terminated only upon sixty day notice to the other party.

SECTION FOUR. Execution of Agreement. Pursuant to enactment of this ordinance the Director of Public Safety, Fire Chief and Comptroller are hereby authorized and directed on behalf of the City of St. Louis, to sign their names in their respective offices to mutual aid plan agreements consistent with this Ordinance and to deliver executed copies attested by the City Register to the aforesaid other parties. The city counselor's office shall review and approve all mutual aid agreements.

SECTION FIVE. The consideration for the service of the Fire Department of each party hereto shall be the service given for the protection of the lives and property in the cities, counties, villages and fire protection district. No compensation shall accrue or be paid by either party for the service of the fire departments of the other parties hereto except if reimbursement is allowed by any federal or state law.

SECTION SIX. None of the cities, counties, villages, municipalities and fire protection districts shall be liable to the other for failure to respond to any call by the other or for delay or negligence or mistake in receiving or responding to any call. This Ordinance shall not be interpreted as being for the benefit of any person, firm or corporation not a party hereto.

SECTION SEVEN. None of the cities, counties, villages, municipalities and fire protection districts shall be liable by virtue of this ordinance to any fireman, official or employee of the other, nor shall any fireman, official or employee be considered, for any purpose, a fireman, official or employee other than the one by which he is regularly employed.

SECTION EIGHT. In case of loss or damage to the equipment or property of any party while responding to fire alarms, such loss or damage shall be borne by the city, county, village, municipality or fire protection district owning such equipment or property.

SECTION NINE. Except as otherwise provided for in this Ordinance, when the respective fire department responds to an alarm in other cities, counties, villages, municipalities or fire protection districts it shall, during the time that its equipment and personnel are in said cities, counties, villages, municipalities or fire protection districts, have the same status and be subject to and

protected by all of the laws and ordinances of said municipalities and fire protection districts that have application to such municipalities and fire protection districts except as otherwise provided under Section 70.837 R.S.Mo.

SECTION TEN. Mutual Aid. Mutual aid plans shall include the following functions: (1) immediate joint response of several fire departments to alarms of emergencies and fires from high risk properties and requests for assistance in life threatening or property threatening situations, (2) response from the communities to alarms adjacent to the boundaries between fire department areas, (3) covering of vacated territories by outside departments when the resources of the local department are engaged to the extent that its ability to furnish adequate protection for subsequent fires has been reduced, (4) provision of additional units to assist at major fires or emergencies that may be too great for the local department to handle efficiently, and (5) the provision of specialized types of equipment not available in adequate quantity locally. While within the area of the notifying party, such fire departments, its equipment and personnel shall be under the command of the ranking officer then present of the notifying party within whose area such fire or other occurrence is located, for all purposes relating thereto. However, if at the time of such notification there is then any situation within the area of the party notified, which in the judgment of its Senior Officer then present requires that some or all of its fire department equipment and personnel remain within the area of such notified party by reason of any such situation, such Senior Officer shall so notify the person calling for aid hereunder, and the notified party may retain and not send such of its fire department, equipment and personnel as is so needed or if after responding, the Senior Officer of the responding department, after consulting with the incident commander, may withdraw some or all of his resources as he deems necessary.

SECTION ELEVEN. In the event any word, words, phrase, phrases, sentence, sentences, paragraph, paragraphs, section or sections contained and appearing in this Ordinance shall be held or declared to be invalid, unlawful or unconstitutional for any cause or reason, then it is hereby declared that the remaining such portions and provisions of this Ordinance shall be and remain unaffected thereby and shall remain in full force and effect.

SECTION TWELVE. This Ordinance being necessary for the preservation of the public health, safety and welfare, is hereby declared to be an emergency ordinance under Article IV Sections 19 and 20 of the City Charter and it shall take effect and be in full force immediately upon its approval by the Mayor.

Approved: April 1, 2002