

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



1.1

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED, FOUND AND DETERMINED that the following ordinances were duly published:

<u>ORDINANCE</u>	<u>DATE</u>	<u>NEWSPAPER</u>
No. 903	Dec. 17, 2010	The Press Enterprise
No. 904	Dec. 17, 2010	The Press Enterprise

I hereby certify that the foregoing is a full, true and correct copy of an order made and entered on February 1, 2011 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: February 1, 2011
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in and
for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.

1.1

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

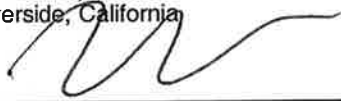
Ad Desc.: Adoption of Ord. No. 903 & 904

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12-17-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Dec. 17, 2010
At: Riverside, California



BOARD OF SUPERVISORS

P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10497344

PO #:

Agency #: _____

Ad Copy:

BOARD OF SUPERVISORS OF THE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 903
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
REGULATING VOLUNTEER FIRE COMPANIES

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. FINDINGS. The Board of Supervisors finds that:

- Volunteer fire companies have historically provided fire protection services in many unincorporated areas of the County.
- As a result of population growth and development, the Fire Department in cooperation with the California Department of Forestry and Fire Protection ("CAL-FIRE") now provides fire protection services throughout the County.
- Where the County has established an adequate level of service, over 60 volunteer fire companies continue to exist which increases the possibility that responses to emergency situations by more than a single entity could result in the mismanagement of incidents and create confusion to those who are seeking aid.
- Regulation of volunteer fire companies is warranted to coordinate resources and better serve communities.

Section 2. PURPOSE. The purpose of this ordinance is to regulate the formation and continued existence of volunteer fire companies in the County.

Section 3. AUTHORITY. This ordinance is adopted pursuant to Health and Safety Code Section 14831 which provides in pertinent part: "the board of supervisors of a county which has a population of 1,000,000 or more on or after January 1, 1985, may, by ordinance, regulate the formation and continued existence of fire companies."

Section 4. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- Board. The Board of Supervisors of the County of Riverside.
- County. The County of Riverside.
- Existing Volunteer Fire Company. A volunteer fire company formed prior to the effective date of this ordinance.
- Fire Department. The Riverside County Fire Department.
- New Volunteer Fire Company. A volunteer fire company formed after the effective date of this ordinance.
- Volunteer Fire Company. A company organized pursuant to Health and Safety Code Section 14825 et seq.

Section 5. NEW VOLUNTEER FIRE COMPANIES. No volunteer fire company shall be formed after the effective date of this ordinance unless the Board approves its formation. An application for formation shall be filed with the Fire Department. The Fire Department shall review the application and make a recommendation to the Board. The Board may approve the application if it determines each of the following:

- A reasonable level of fire protection services does not already exist; and
- The provision of supplemental or competing fire services by any other entity would not result in the mismanagement of emergencies or in confusion to those seeking aid.

Section 6. EXISTING VOLUNTEER FIRE COMPANIES. The Fire Department shall make a recommendation to the Board concerning all volunteer fire companies existing on the effective date of this ordinance. An existing volunteer fire company may continue to exist only if the Board makes the determinations specified in Section 5. above within one-hundred and eighty (180) days of the effective date of this ordinance.

Section 7. ADDITIONAL REGULATIONS AND CRITERIA. The Fire Department, through its Fire Chief, shall manage and control the ongoing operations of any new or existing volunteer fire company as provided in the County Volunteer Fire Company Operating Policy Manual. In addition, any new or existing volunteer fire company shall at all times:

- Comply with the provisions of Division 12, Part 4 of the Health and Safety Code (Health and Safety Code Section 14825 et seq.) as written on the effective date of this ordinance and as it may from time to time be amended.
- Comply with any plan adopted by the Board for the delivery of fire protection and emergency medical services in the unincorporated areas of the County.
- Procure and maintain insurance for all its volunteer fire company owned property, real or personal, in accordance with the current standards provided by the County of Riverside Risk Management Office, in effect today and as may be amended from time to time.

Section 8. VIOLATIONS AND PENALTIES. Any volunteer fire company violating any of the provisions of this ordinance shall be guilty of an infraction punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation within one year; (3) a fine not exceeding five hundred dollars (\$500) for each additional violation within one year. Violations of this ordinance may be prosecuted by county authorities in the name of the people of the State of California. The penalties herein are in addition to any other remedies provided by law and the payment of any penalty herein shall not relieve a volunteer fire company of the obligation to correct the violation.

Section 9. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 10. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on December 7, 2010, the foregoing Ordinance consisting of ten (10) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley

NAYS: None

ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

ORDINANCE NO. 904

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
ESTABLISHING A VOLUNTEER RESERVE FIREFIGHTER PROGRAM

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. FINDINGS. The Board of Supervisors finds that:

- The County is committed to providing the highest level of emergency services for fire prevention, fire suppression, medical emergency and specialized rescue and hazardous materials response in order to reduce losses of life and property.
- An effective way to ensure its commitment is fulfilled is to establish and maintain a Volunteer Reserve Firefighter Program to assist the Fire Department when needed.
- The Program would provide opportunities for personal growth and education as well as promote community service.

Section 2. PURPOSE. The purpose of this ordinance is to establish a Volunteer Reserve Firefighter Program to assist the Fire Department in its mission and operations.

Section 3. AUTHORITY. This ordinance is adopted pursuant to the Board of Supervisors' general police power found in Article XI, Section 7 of the California Constitution to establish programs that promote the general health, safety and welfare of the residents of the County.

Section 4. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

- a. Board. The Board of Supervisors of the County of Riverside.
- b. County. The County of Riverside.
- c. Fire Chief. A person appointed by the Board to manage and direct the Fire Department.
- d. Fire Department. The Riverside County Fire Department.
- e. Program. The Riverside County Volunteer Reserve Firefighter Program.
- f. Volunteer Reserve Firefighter. A person who has been selected to the Program as a volunteer and shall not be deemed an employee of the County of Riverside.

Section 5. PROGRAM ESTABLISHMENT. A Volunteer Reserve Firefighter Program is hereby established composed of persons selected by the Fire Chief, or his/her designee.

Section 6. MANAGEMENT AND CONTROL. The management and control of the Program shall be vested in the Fire Chief. To facilitate organization and maintain efficient administration of the Program, the Fire Chief may create or disband general and special units of the Program as he deems necessary and appropriate. The Fire Chief may diminish or expand the size of the Program as he deems necessary and appropriate. The Fire Chief may establish a Volunteer Reserve Firefighter Program Manual to govern the Program.

Section 7. SELECTION PROCEDURE. Any person interested in serving the County of Riverside as a Volunteer Reserve Firefighter shall follow the procedures set forth in a policy manual created by the Fire Department. No person shall be considered a Volunteer Reserve Firefighter solely by virtue of his or her membership in any Volunteer Fire Company as defined in Riverside County Ordinance No. 903.

Section 8. UNIFORMS AND EQUIPMENT. The necessary uniforms and equipment and the proper use thereof shall be prescribed by the Fire Chief.

Section 9. IDENTIFICATION. An identification card, and/or such other insignia or evidence of identification may be issued, as the Fire Chief may prescribe and shall remain the property of the County.

Section 10. SEPARATION PROCEDURE. Any Volunteer Reserve Firefighter shall serve at the will of the Fire Chief and may be separated from the Program at any time without cause. Any Volunteer Reserve Firefighter may resign from the Program at any time upon notice to the Fire Chief. All equipment and identification issued shall be surrendered immediately upon separation or resignation.

Section 11. FALSE PERSONATION. Any person, other than a Volunteer Reserve Firefighter, who willfully wears, exhibits, or uses the issued identification card, badge or insignia, with the intent of fraudulently personating, or fraudulently inducing the belief that he or she is an authorized representative of the Fire Department, or in any manner fraudulently representing himself or herself to be connected with the Program or the Fire Department, is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or a fine not exceeding one thousand dollars (\$1,000), or both.

Section 12. VIOLATIONS AND PENALTIES. Violation of this ordinance is a misdemeanor and may be prosecuted by county authorities in the name of the people of the State of California, or redressed by civil action. The penalties herein are in addition to any other remedies provided by law and the payment of any penalty herein shall not relieve a person of the obligation to correct the violation.

Section 13. SEVERABILITY. If any of the terms, provisions or sections of this ordinance or the application thereof to any person or circumstances shall to any extent be judged invalid, unenforceable and/or voidable for any reason whatsoever by a court of competent jurisdiction, such invalidity or determination shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 14. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Marion Ashley, Chairman of the Board
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on December 7, 2010, the foregoing Ordinance consisting of fourteen (14) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley

NAYS: None

ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

12/17