

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADDING SECTION 1-03-2040 TO ARTICLE 23 OF CHAPTER 3 OF PART 1 OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO THE ESTABLISHMENT OF A TULARE COUNTY FIRE DEPARTMENT AND OFFICE OF THE TULARE COUNTY FIRE CHIEF.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

Section 1. Section 1-03-2040 is hereby added to Article 23 of Chapter 3 of Part 1 of the Ordinance Code of Tulare County to read as follows:

**SECTION 1-03-2040. FIRE DEPARTMENT; FIRE CHIEF**

a) Pursuant to Subsection (b) of Section 1 of Article 11 of the California Constitution and Section 24008 of the California Government Code, the Tulare County Fire Department and the office of Tulare County Fire Chief are hereby established for the purpose of meeting public need in the extinguishment of fires and the preventing, eliminating or minimizing fire hazards for the safety and protection of life and property within the County. The Tulare County Fire Department and Tulare County Fire Chief shall carry out all of the duties and responsibilities of a county fire warden and a fire department and such other related duties and responsibilities as directed by the Board of Supervisors. All fire prevention and suppression services and functions within the purview of the County shall be performed by Tulare County Fire Department under the administrative direction of the Tulare County Fire Chief, except as otherwise particularly provided by law.

b) The Tulare County Fire Chief shall serve as the Department Head of the Tulare County Fire Department. The Fire Chief shall be appointed by and serve at the will of the Board of Supervisors. Although not appointed as the Tulare County Fire Warden, the Tulare County Fire Chief shall have all of the duties, responsibilities and authorities previously vested in the Tulare County Fire Warden and any reference to the Tulare County Fire Warden made in this Ordinance Code, any uncodified ordinances of the County, any Board of Supervisors Resolutions, any Tulare County contracts or agreements or other documents of the County of Tulare, and under the laws of the State of California relating to fire prevention and suppression shall be deemed to mean the Tulare County Fire Chief. The Fire Chief shall be accountable for any other duties and responsibilities established by the Tulare County Board of Supervisors by

resolution, third party agreement or ordinance, or any authority delegated to the Fire Chief by the Board of Supervisors by resolution, third party agreement or ordinance.

Section 2. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof shall be published once in the Visalia Times-Delta, a newspaper printed and published in the County of Tulare, State of California, together with the names of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the \_\_\_\_ day of \_\_\_\_\_, 2007, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOES: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: C. BRIAN HADDIX  
County Administrative Officer/  
Clerk of the Board of Supervisors  
of the County of Tulare

By: \_\_\_\_\_  
Deputy